

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2143-05
Bill No.: HCS for HB 886
Subject: Crimes and Punishment; Environmental Protection; Natural Guard
Type: Original
Date: April 6, 2007

Bill Summary: Changes laws relating to solid wastes

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Solid Waste Management Fund	\$0	\$20,678	\$20,678
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$20,678	\$20,678

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator, Department of Agriculture, Department of Health and Senior Services, Missouri National Guard, Attorney General's Office and Department of Public Safety** assume no fiscal impact to their agencies.

Officials from the **State Public Defender** assume for the purpose of this proposal, and as a result of excessive caseloads, the Office of State Public Defender cannot assume existing staff will provide competent, effective representation for any new cases arising where indigent persons are faced with the enhanced penalties for illegal dumping of farm waste. The Missouri State Public Defender System is currently operating in a crisis mode with caseloads far in excess of any recognized standard.

Passage of bills increasing penalties on existing crimes, or creating new crimes, requires the State Public Defender System to further overextend already overextended resources. While the number of cases with increased penalties may be too few or uncertain to request additional funding for this specific bill, the Office of State Public Defender will continue to request sufficient appropriations to provide competent and effective representation in all its cases.

Officials from the **Department of Natural Resources** assume the following:

Changes to Solid Waste Law

The department would not anticipate a direct fiscal impact as a result of this proposal.

Plasma Arc Technology

The proposed legislation would encourage the use of plasma-arc torch technology in the management of solid waste as an alternative to disposal in landfills. The department assumes existing staff would perform the education of local governments and the public about the benefits of using plasma-arc torch technology.

Bioreactor Landfill

According to the City of Columbia, they collect approximately 10,000 tons of yard waste annually. If this tonnage was disposed of in a bioreactor landfill, then the department could receive approximately \$20,678 (10,000 x \$2.11 less 2% handling charge) in additional tonnage fees annually beginning in fiscal year 2009.

Officials from the **Office of Prosecution Services** assume this proposal includes provisions for new criminal acts and therefore creates new obligations for prosecuting attorneys. Any increase

ASSUMPTION (continued)

in the number of cases referred for criminal prosecution and any new statutory obligations for prosecutors will have an additional fiscal impact on County Prosecutors. However, officials from the Office of Prosecution Services are not aware of any estimates of the number of additional criminal cases that would be referred to County Prosecutors for charges because of this proposed legislation. Additionally, the Office of Prosecution Services is not otherwise able to establish a workable estimate of the number of additional criminal cases that would be referred to County Prosecutors for charges or how many additional hours the proposed statutory obligations would require of prosecutors. It is therefore, not possible to determine the extent to which this proposal would have a direct fiscal impact on county prosecutors or the Office of Prosecution Services.

Oversight assumes there would be minimal fiscal impact to the Office of Prosecution Services and that any additional cost or impact would be \$0.

<u>FISCAL IMPACT - State Government</u>	FY 2008 (10 Mo.)	FY 2009	FY 2010
SOLID WASTE MANAGEMENT FUND			
<u>Revenue - Tonnage Fees</u>	<u>\$0</u>	<u>\$20,678</u>	<u>\$20,678</u>
ESTIMATED NET EFFECT ON SOLID WASTE MANAGEMENT FUND	<u>\$0</u>	<u>\$20,678</u>	<u>\$20,678</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2008 (10 Mo.)	 FY 2009	 FY 2010
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

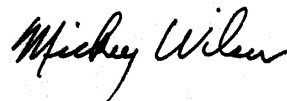
FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Agriculture
Department of Health
Department of Public Safety
State Public Defender
Department of Natural Resources
Missouri National Guard
Attorney General's Office

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
April 6, 2007