

Fiscal Estimate - 2019 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 19-3306/1	Introduction Number AB-0323
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Description
 regulating fire fighting foam that contains certain contaminants and granting rule-making authority

Fiscal Effect

State:

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Decrease Existing Appropriations		
<input type="checkbox"/> Create New Appropriations		

Local:

<input type="checkbox"/> No Local Government Costs		5. Types of Local Government Units Affected <input checked="" type="checkbox"/> Towns <input checked="" type="checkbox"/> Village <input checked="" type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
<input checked="" type="checkbox"/> Indeterminate		
1. <input checked="" type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	
<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By DNR/ Paul Neumann (608) 266-0818	Authorized Signature Paul Neumann (608) 266-0818	Date 7/18/2019
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Fiscal Estimate Narratives

DNR 7/18/2019

LRB Number	19-3306/1	Introduction Number	AB-0323	Estimate Type	Original
Description regulating fire fighting foam that contains certain contaminants and granting rule-making authority					

Assumptions Used in Arriving at Fiscal Estimate

This bill prohibits the use of fire fighting foams that are designed for use on a flammable liquid fire and that contain intentionally added perfluoroalkyl or polyfluoroalkyl substances (PFAS), unless used in emergency fire fighting or fire prevention operations; or unless used for testing purposes if the testing facility has in place appropriate containment, treatment, and disposal measures, as determined by rule by the Department of Natural Resources. A person who violates this prohibition is subject to the same penalty that applies under current law to other general environmental provisions, which is a forfeiture of between \$10 and \$5,000 for each violation.

In addition, the bill requires the department to promulgate rules within 7 months of the act taking effect.

I. State Fiscal Effect

The Department would reallocate staff time away from other core duties to implement emergency and permanent rule making. Estimated staff time for rules is 400 hours at an estimated one-time cost of \$16,000 (400 hrs. x \$40/hr. salary/fringe). These costs would be absorbed within the Department's existing budget.

II. Local Fiscal Effect

Costs for local units of government would increase by an indeterminate amount because of the need to find alternate fire fighting materials.

Local governmental units' fire departments that currently use class B fire fighting foam containing PFAS could decide to replace that FFF with a new foam that does not contain PFAS. A brief online search noted that foams not made with fluorinated surfactants have been available for training use to simulate the usage of FFF products. However, the PFAS definition is a very broad and comprehensive and local governments would need to ensure proper alternatives. Additional costs could occur when containing, treating, and disposing of class B fire fighting foam that was used for testing purposes.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2019 Session

Detailed Estimate of Annual Fiscal Effect

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Description regulating fire fighting foam that contains certain contaminants and granting rule-making authority			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): One-time costs of \$16,000 for promulgating administrative rules.			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
	State Operations - Salaries and Fringes	\$	\$
	(FTE Position Changes)		
	State Operations - Other Costs		
	Local Assistance		
	Aids to Individuals or Organizations		
	TOTAL State Costs by Category	\$	\$
B. State Costs by Source of Funds			
	GPR		
	FED		
	PRO/PRS		
	SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, ets.)			
		Increased Rev	Decreased Rev
	GPR Taxes	\$	\$
	GPR Earned		
	FED		
	PRO/PRS		
	SEG/SEG-S		
	TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT			
		<u>State</u>	<u>Local</u>
	NET CHANGE IN COSTS	\$	\$
	NET CHANGE IN REVENUE	\$	\$
Agency/Prepared By		Authorized Signature	Date
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