

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 6477-01  
Bill No.: HB 2543  
Subject: Federal-State Relations; Environmental Protection; Energy; Natural Resources,  
 Department  
Type: Original  
Date: March 7, 2016

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Bill Summary: This proposal requires the Department of Natural Resources to immediately suspend all activity related to the Clean Power Plan.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
 This fiscal note contains 4 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

**Oversight** was unable to receive some of the agency responses in a timely manner due to the short fiscal note request time. Oversight has presented this fiscal note on the best current information that we have or on prior year information regarding a similar bill. Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval of the chairperson of the Joint Committee on Legislative Research to publish a new fiscal note.

Officials at the **Department of Natural Resources (DNR)** assume this proposal will not have a fiscal impact on their organization. Also provided by DNR, this proposal requires their organization, the Air Conservation Commission, or any other agency of the state to immediately suspend all activity related to the Clean Power Plan until pending litigation is resolved and the General Assembly approves resumption of activities.

On February 9, 2016, the Supreme Court issued an order staying EPA's Clean Power Plan. DNR will monitor the legal progress of the Clean Power Plan. If the Clean Power Plan is ultimately upheld, and DNR is not able to complete a state plan in accordance with time frames established by law, the state may end up being subject to a federal plan promulgated by EPA.

In response to a similar proposal (SB 858), DNR noted this proposal reflects work their organization is already doing. DNR is already working with the affected sources and interested stakeholders to draft a plan to submit to EPA. In addition, DNR is already planning to submit an extension request to allow for more time for the public process including public hearings and outreach. As the work is already in progress, there are no additional costs outside the regular program budget.

Officials at the **Department of Agriculture, Department of Conservation, and Office of Secretary of State** each assume this proposal will not have a fiscal impact on their respective organizations.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
	<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.

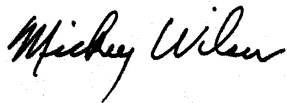
FISCAL DESCRIPTION

The proposed legislation appears to have no direct 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

Department of Natural Resources  
Department of Agriculture  
Department of Conservation  
Office of Secretary of State



Mickey Wilson, CPA  
Director  
March 7, 2016

Ross Strobe  
Assistant Director  
March 7, 2016