

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6975

BILL NUMBER: HB 1162

NOTE PREPARED: Jan 2, 2009

BILL AMENDED:

SUBJECT: Environmental Permits and Local Governments.

FIRST AUTHOR: Rep. Tyler

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that before a permit that is required by a rule of the Air Pollution Control Board, Solid Waste Management Board, or Water Pollution Control Board is issued for the construction, installation, operation, or modification of any facility, equipment, or device, the Department of Environmental Management (IDEM) must determine that the construction, installation, operation, or modification of the facility, equipment, or device has obtained any approval required by any county, city, or town that is affected by the construction, installation, operation, or modification.

Effective Date: July 1, 2009.

Explanation of State Expenditures: The proposal requires IDEM to determine that the construction, installation, operation, or modification of the facility, equipment, or device has obtained any approval required by any county, city, or town. The impact of the proposal will depend on the number and nature of permit applications that IDEM receives for Air and Water permits and how IDEM elects to obtain the information.

IDEM does not incur substantial costs associated with a requirement for local zoning to be in place prior to IDEM issuing a permit if the permit application requires that the local zoning approval is included in the permit application. Rules promulgated by the Solid Waste Management Board require that a complete application for a solid waste land disposal facility permit must include documentation that proper zoning approvals have been obtained.

IDEM is funded by state General Fund and dedicated fund moneys.

Explanation of State Revenues:

Explanation of Local Expenditures: The proposal could result in more administrative work for local units if by having IDEM determine if local approval has been met results in more requests at the local level. However, the impact is not expected to be significant.

Explanation of Local Revenues:

State Agencies Affected: IDEM.

Local Agencies Affected: Counties, Cities, and Towns.

Information Sources: IDEM.

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