

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1438-01
Bill No.: HB 601
Subject: Department of Agriculture; CWD Certification Program
Type: Original
Date: April 3, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
General Revenue	\$0	\$0 to (\$38,544)	\$0 to (\$30,773)
Livestock Dealer Law Enforcement and Administration	Unknown	Unknown	Unknown
Total Estimated Net Effect on <u>All</u> State Funds*	\$0*	\$0 to (\$38,544)*	\$0 to (\$30,773)*

* Does not reflect unknown income to the Livestock Dealer Law Enforcement and Administration Fund

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Agriculture** (AGR) assume as this program goes from a voluntary status to a mandatory status, the Division of Animal Health would be required to implement the provisions of this bill. One of the district veterinarians would be designated as program coordinator responsible in getting the program started and fielding questions from owners, veterinarians and general public. It would require one FTE (Clerk/Typist III) in the central office to establish and maintain a file on each elk herd and issue herd status according to program standards. The FTE would also work with the program coordinator, field staff, herd owners and veterinarians on herd status, test results, test dates, field questions for program coordinator.

In further discussions with the AGR, the department assumes the costs associated with this proposal in FY 02 could be absorbed by existing staff. Officials noted that as the program develops, the above mentioned Clerk Typist III position may be necessary to carry out the provisions of the proposal. Therefore, a range has been reflected as the costs associated with this proposal for FY 03 and FY 04.

Oversight has eliminated the rental space costs associated with the Clerk Typist and has assumed this FTE could be located in existing space.

Officials from the **Office of the Secretary of State** assume this bill establishes a CWD (chronic wasting disease) certification program in the Department of Agriculture for the eradication of CWD in captive elk in the state. The Department of Agriculture will promulgate rules to implement this bill. Based on experience with other divisions, the rules, regulations and forms issued by the Department of Agriculture could require as many as approximately 30 pages in the *Code of State Regulations*. For any given rule, roughly half again as many pages are published in the *Missouri Register* as in the *Code* because cost statements, fiscal notes and the like are not repeated in *Code*. These costs are estimated. The estimated cost of a page in the *Missouri Register* is \$23.00. The estimated cost of a page in the *Code of State Regulations* is \$27.00. Therefore, the estimated costs for FY 02 are \$1,845. The actual costs could be more or less than the numbers given. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded and withdrawn.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

ASSUMPTION (continued)

Officials from the **Department of Corrections** (DOC) assume that supervision by the DOC through probation would result in some additional costs, but they assume the impact would be zero or a minimal amount that could be absorbed with existing resources.

Officials from the **Office of State Courts Administrator** and the **Department of Conservation** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of Prosecution Services** assume the costs associated with the proposed legislation could be absorbed by prosecutors with existing resources.

Oversight has reflected unknown income to the Livestock Dealer Law Enforcement and Administration Fund as the proposal indicates that all penalties assessed under section 267.886 shall be credited to such fund.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
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GENERAL REVENUE FUND

Cost - Department of Agriculture

Personal Services	\$0	\$0 to (\$21,508)	\$0 to (\$22,046)
Fringe Benefits	\$0	\$0 to (\$7,169)	\$0 to (\$7,348)
Expense and Equipment	<u>\$0</u>	<u>\$0 to (\$9,867)</u>	<u>\$0 to (\$1,379)</u>

**Estimated Net Effect on
GENERAL REVENUE FUND**

<u>\$0</u>	<u>\$0 to (\$38,544)</u>	<u>\$0 to (\$30,773)</u>
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**LIVESTOCK DEALER LAW
ENFORCEMENT AND
ADMINISTRATION FUND**

<u>Income - Penalties assessed</u>	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
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<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Small Business

This proposal would have a fiscal impact on small businesses in the elk industry.

DESCRIPTION

This bill requires the Department of Agriculture to develop and implement a CWD certification program for all captive elk herds in Missouri. The CWD certification program is to meet or exceed the criteria and guidelines established by the Animal and Plant Health Inspection Service of the United States Department of Agriculture.

The CWD program is to include:

- (1) Herd inventory and implementation of the official elk identification system;
- (2) An elk CWD surveillance identification program;
- (3) Certification of elk herds;
- (4) Regulation for the movement of captive elk;
- (5) Mandatory death reporting, official elk CWD testing of all dead captive elk, and authorized disposal methods for captive elk that test positive for CWD; and
- (6) Revocation of the official health certification of any captive elk herd with an elk testing positive for CWD.

Persons in violation of the provisions of the bill are guilty of a class A misdemeanor.

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 Agriculture
Department of Conservation
Department of Corrections
Office of the Secretary of State
Office of State Courts Administrator
Office of Prosecution Services

SOURCES OF INFORMATION (continued)

AK:LR:OD (12/00)

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NOT RESPONDING: Office of Attorney General

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is written in a cursive style with some loops and flourishes.

Jeanne Jarrett, CPA
Director

April 3, 2001