

SB 85 B BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. Dembrow

Joint Committee On Ways and Means

Action Date: 06/12/23

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Senate Vote

Yeas: 6 - Campos, Dembrow, Frederick, Gelsner Blouin, Sollman, Steiner

Nays: 1 - Anderson

Exc: 3 - Findley, Girod, Knopp

Abs: 1 - Hansell

House Vote

Yeas: 8 - Evans, Gomberg, Holvey, McLain, Pham K, Sanchez, Smith G, Valderrama

Nays: 2 - Cate, Lewis

Exc: 2 - Breese-Iverson, Reschke

Prepared By: Sione Filimoehala, Department of Administrative Services

Reviewed By: Doug Wilson, Legislative Fiscal Office

Department of Agriculture

2023-25

Department of Environmental Quality

2023-25

Budget Summary

	2021-23 Legislatively Approved Budget	2023-25 Current Service Level	2023-25 Committee Recommendation	Committee Change from 2021-23 Leg. Approved	
				\$ Change	% Change
Department of Agriculture					
General Fund	\$ -	\$ -	\$ 562,012	\$ 562,012	100.0%
Department of Environmental Quality					
General Fund	\$ -	\$ -	\$ 214,491	\$ 214,491	100.0%
Total	\$ -	\$ -	\$ 776,503	\$ 776,503	100.0%

Position Summary

Department of Agriculture

Authorized Positions	0	0	2	2
Full-time Equivalent (FTE) positions	0.00	0.00	1.76	1.76

Department of Environmental Quality

Authorized Positions	0	0	1	1
Full-time Equivalent (FTE) positions	0.00	0.00	0.79	0.79

Summary of Revenue Changes

Senate Bill 85 appropriates \$562,012 General Fund to the Department of Agriculture (ODA) and \$214,491 General Fund to the Department of Environmental Quality (DEQ) to carry out the agencies’ responsibilities relating to confined animal feeding operation permit requirements under the bill.

Summary of Capital Construction Subcommittee Action

Senate Bill 85 prohibits DEQ or ODA from issuing a general National Pollutant Discharge Elimination System or Water Pollution Control Facilities permit to a new large, confined animal feeding operation (CAFO) located in a ground water management area and applies manure, litter, or processed wastewater to land within the ground water management area. Before applying for a new permit or expanding a large CAFO, an applicant must request for DEQ or ODA to schedule a preliminary consultation, which includes these agencies and the Water Resources Department (WRD). Animals may not be brought to a new or expanded facility until after ODA inspects the operation and confirms the construction or installation of the waste management system and relevant operational functions comply with the conditions of the water quality permit. Additionally, prior to applying for a permit, an applicant for a proposed CAFO must request a land use compatibility statement from the

city or county where the operation is proposed to be located. The bill authorizes ODA to issue nutrient application permits and requires certain CAFOs to submit water supply plans.

Department of Agriculture

Senate Bill 85 provides \$562,012 General Fund and establishes one permanent full-time Natural Resource Specialist 3 position (0.88 FTE) to serve as a field inspector and one permanent full-time Natural Resource Specialist 4 position (0.88 FTE) to serve as a permit writer and work with the other agencies required by the bill. The provided funding includes one-time expenses of \$135,000 for the purchase of a vehicle and rulemaking costs.

Department of Environmental Quality

Senate Bill 85 provides \$214,491 General Fund and establishes one limited duration full-time Natural Resource Specialist 4 position (0.79 FTE) to develop rules and begin work on permitting. The position is expected to continue as a limited duration part-time position at 0.25 FTE in the 2025-27 biennium.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Department of Environmental Quality
 Sione Filimoehala - 971)707-8779

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
<u>SUBCOMMITTEE ADJUSTMENTS</u>									
Department of Agriculture									
SCR 040 - Natural Resource Policy Area									
Personal Services	\$ 384,520	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 384,520	2	1.76
Services and Supplies	\$ 142,492	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 142,492		
Capital Outlay	\$ 35,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,000		
Department of Environmental Quality									
SCR 002 - Water Quality									
Personal Services	\$ 184,012	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 184,012	1	0.79
Services and Supplies	\$ 30,479	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,479		
TOTAL ADJUSTMENTS	\$ 776,503	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 776,503	3	2.55
SUBCOMMITTEE RECOMMENDATION	\$ 776,503	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 776,503	3	2.55