

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0712-03
Bill No.: Truly Agreed To and Finally Passed CCS for HCS for HB 246
Subject: Mining and Oil and Gas Production; Property, Real and Personal; Natural Resources Dept.
Type: Original
Date: June 2, 2009

Bill Summary: Changes the laws regarding surface mining and gravel excavation.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on FTE	0	0	0

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2008	FY 2009	FY 2010
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Agriculture, Department of Transportation and Department of Conservation** assume no fiscal impact to their agencies.

Officials from the **Department of Natural Resources** assume currently, there are 102 small sand and gravel operations with permits in effect and mine 5,000 tons or less per year. Some of these operations may claim the landowner exemptions from permitting, and this will decrease permit fees submitted to the department. These small gravel mining permits are \$300 each, and the maximum loss of permit fees would be \$30,600 annually. This could be partially offset by contractors who served private landowners or counties and exceed 2,000 tons, in which case a permit and fee would be required.

Section 444.770.2 of this proposal requires the property owner to notify the department before any person or operator conducts gravel removal from the property owner's property if the gravel is sold or is intended to be sold commercially. At the time of notification, the property owner would receive a copy of the department's guidelines, rules and regulations relevant to the reported activity. Since this would require field verification and assistance, the new procedures would not significantly decrease the workload of the inspectors.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	<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.

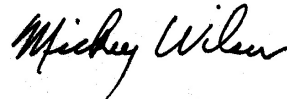
FISCAL DESCRIPTION

The proposed legislation appears to have no 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 Agriculture
Department of Natural Resources
Department of Transportation
Department of Conservation



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Director
June 2, 2009