

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0111-05  
Bill No.: Truly Agreed To and Finally Passed SS for SCS for HCS for HB 28  
Subject: Natural Resources Department; Boards, Commissions, Committees, Councils;  
Agriculture Department; Insurance Department; Surveyors; Parks and Recreation;  
Waste - Solid; Water Resources and Water Districts  
Type: Original  
Date: June 12, 2013

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Bill Summary: This proposal changes the laws regarding Department of Natural Resources.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
General Revenue*	(\$135,719)	(\$103,291)	(\$83,725)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(\$135,719)</b>	<b>(\$103,291)</b>	<b>(\$83,725)</b>

\* Transfer of some responsibilities from the Department of Natural Resources to the Department of Agriculture and transfer of interest earnings to the State Park Earnings Fund

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 23 pages.

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
Land Survey*	(\$1,406)	\$6,166	\$6,600
State Parks Earnings	\$100,000	\$60,000	\$40,000
Hazardous Waste**	\$0	\$0	\$0
Metallic Mineral Waste Management**	\$0	\$0	\$0
Natural Resources**	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$98,594</b>	<b>\$66,166</b>	<b>\$46,600</b>

\* Transfer of some responsibilities from the Department of Natural Resources to the Department of Agriculture

\*\* Revenues and Expenditures net to zero

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</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 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
Department of Agriculture	11 FTE	11 FTE	11 FTE
Department of Natural Resources	(11 FTE)	(11 FTE)	(11 FTE)
General Revenue	1 FTE	1 FTE	1 FTE
Land Survey	(1 FTE)	(1 FTE)	(1 FTE)
<b>Total Estimated Net Effect on FTE</b>	<b>0 FTE</b>	<b>0 FTE</b>	<b>0 FTE</b>

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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### § 43.543 - Fingerprinting:

Officials from the **Department of Natural Resources (DNR)** state this part of the proposal provides a process for the department to check the person's criminal history through the Missouri State Highway Patrol's Missouri Criminal Records Repository and the Federal Bureau of Investigation's Federal Criminal History Files, if needed.

Officials from the **Department of Public Safety - Missouri Highway Patrol (MHP)** assume the proposal would not create a fiscal impact to their agency.

**Oversight** assumes the MHP receives an appropriation within its annual budget, to collect fingerprints for the purpose of completing background checks and checking the criminal history; from other state agencies. **Oversight** assumes this provision would result in no direct fiscal impact to DNR or MHP.

#### § 49.266 - Burn Bans:

**DNR** assumes this section would authorize any county to adopt, upon the determination of the State Fire Marshal that it is appropriate, a burn ban.

DNR states the county burn ban may prohibit the explosion or ignition of any missile or skyrocket, but may not ban the explosion or ignition of other consumer fireworks.

Officials from the **Department of Public Safety - Division of Fire Safety** assume the proposal would not create a fiscal impact to their agency.

**Oversight** assumes the section is permissive and dependent upon weather conditions and action taken by the State Fire Marshal; therefore, for fiscal note purposes only, Oversight will show no direct fiscal impact from this proposal on local government funds.

#### §§ 60.185 - 60.670 and 261.023 - Land Survey Program:

Officials from the **Department of Agriculture (AGR)** defer to Department of Natural Resources's fiscal estimates regarding the Land Survey Program.

ASSUMPTION (continued)

Officials from **DNR** responded as follows:

DNR states § 65.510, would make the Department of Agriculture (AGR) responsible for the land survey functions, duties and responsibilities rather than the Department of Natural Resources.

DNR states § 60.530, would make the state land surveyor reportable to AGR rather than the DNR, including all functions and duties as prescribed in §§ 60.510 to 60.610.

DNR notes, with the 1974 reorganization of state government, the Land Survey Program was established within the Division of Geology and Land Survey and was required to be located near the office of the state geologist because of shared interests in accurate maintenance of the land corners and geodetic markers that form the basis of property ownership within Missouri.

DNR notes, the Land Survey Authority was created by statute in 1969 and supported by a \$1 recording fee collected by the offices of county recorders of deeds. This fee remains unchanged to this day.

DNR states § 60.570 pertains to the location of the Land Survey Program, until such time as other headquarters can be obtained by the Land Survey Program, the State Geologist would provide such space in the State Geological Survey Building as may be available. No department shall charge any fee over or above the amount paid to the Office of Administration for utilization of the building and the building that occupies the permanent headquarters of the Land Survey Program may be renamed and referred to as the "Robert E. Myers Building".

DNR notes the Land Survey Program currently occupies 6,951 square feet of office space that is deeded to DNR. Costs to rent a similar sized facility in the Rolla area would be approximately \$64,300 annually.

DNR assumes rental costs will be paid by AGR.

Officials from the **Office of Administration - Division of Facilities Management Design and Construction (FMDC)** assume if the Land Survey Program moves to any OA managed state-owned or leased space other agencies cannot fund rent for this program.

FMDC assumes General Revenue would pick up these costs for a total of \$37,125 per year.

**Oversight** notes currently the Land Survey Program under DNR does not pay rent since the building it is located in is deeded to DNR.

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ASSUMPTION (continued)

**Oversight** assumes the Land Survey Program will remain in its current location in Rolla, MO and rent will be paid by AGR from Land Survey fees supporting the Land Survey Program. It is unknown whether rent costs will be paid to DNR or FMDC. For the purpose of the fiscal note **Oversight** will show annual rental costs of \$37,125 by AGR paid out of the Land Survey fund.

DNR states § 60.595 would change the name of the Department of Natural Resources Revolving Fund to the Department of Agriculture Revolving Services Fund and transfer the administrative duties for the fund, including fund income and expenditure reporting. A transfer reflecting the balance related to the reproduction and sale of land survey documents from would occur on August 28, 2013 from the Department of Natural Resources Revolving Fund to the Department of Agriculture Revolving Services Fund. As of January 31, 2013, the Land Survey portion of the Revolving Services Fund had a cash balance of \$314,912 and a FY 14 expense and equipment allocation of \$80,000.

DNR states §60.620 would transfer the creation of the Land Survey Committee to within AGR, rather than DNR.

DNR states §60.670 would make AGR responsible for the promulgation of rules and regulations for digital cadastral parcel mapping, rather than DNR.

DNR assumes § 261.023 states all powers, duties, and functions of the land survey program of the Department of Natural Resources are transferred to the Department of Agriculture by Type I transfer. The current program staffing levels of 11 FTE, \$439,477 of personal services plus pay plan, \$223,143 fringe and \$72,100 of Expense & Equipment planned spending plus \$180,000 Program Specific Distribution appropriation authority would transfer to AGR. DNR assumes the Department of Agriculture would make a budget request to continue costs for FY 15 and 16 that would not include additional transfers from DNR.

DNR notes, the land survey program supports .50 FTE for AOSA receptionist duties and .50 FTE of a laborer II who performs janitorial/maintenance work in support of the office space currently occupied by the land survey program. These duties will remain within DNR due to the size of the building supported and should not transfer to the Department of Agriculture. The department assumes a General Revenue request will be made to replace the funding for staff previously supported by the Land Survey Fees.

ASSUMPTION (continued)

**Oversight** assumes only the funding source of .50 FTE for AOSA receptionist duties and .50 FTE of a laborer II who performs janitorial/maintenance work will change from the Land Survey Fee Fund to the General Revenue Fund. The 1 FTE will remain with DNR.

DNR assumes transfers made for the Office of Administration for leasing and information technology costs are not included in the department's estimated impact. We assume the Department of Agriculture would continue to incur and be responsible for ITSD and HB 13 leasing costs for the Land Survey Program.

**Oversight** assumes any costs incurred by AGR to implement this proposal would be offset by decreases in costs at DNR. For simplicity, Oversight will reflect the DNR savings and the AGR costs from the transfer, all in the Land Survey Fund.

§ 236.410 - Dam and Reservoir Safety Council:

**DNR** states section 236.410, would require there to be one member from each of the five United States congressional districts in this state with the highest number of dams on the Dam and Reservoir Safety Council. Additionally, the council would be responsible for preparing and presenting an annual report to the general assembly by December 31st of each year. DNR does not anticipate a fiscal impact as a result of this section of the proposal.

§ 253.090 - State Park Earnings Fund:

**DNR** states this proposal would authorize the state treasurer to deposit all monies in the State Parks Earnings Fund in any of the qualified depositories of the state.

DNR states revenue into the State Parks Earnings (SPE) is derived from privileges, conveniences, concessionaire contracts and/or all money received by gifts, bequests, or contributions from county or municipal resources. Currently, interest received on these funds is deposited into the General Revenue Fund. This provision would allow the interest to be maintained in the SPE Fund. No new fees or taxes are being requested under this provision. DNR estimates the interest amounts to be \$100,000 in FY 2014, \$60,000 in FY 2015, and \$40,000 in FY 2016.

**Oversight** will show this provision as a reallocation of interest earned in the SPE Fund with those funds now being kept in the SPE Fund instead of the current practice of the interest being transferred to the General Revenue. This provision would not result in any change to total state revenues.

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ASSUMPTION (continued)

§§ 253.180 and 253.185 - Dog Parks in State Parks:

**DNR** assumes this proposal would allow the department to designate certain areas within Missouri state parks and historic sites as a dog park or an off-leash area for domestic household animals.

DNR assumes if the department chooses to designate areas within state parks or historic sites as off leash areas or dog parks there could be a fiscal impact to the department; however, the amount of potential fiscal impact is unknown depending on the number of parks/historic sites chosen.

DNR states the language in this proposal appears to be permissive.

**Oversight** assumes if DNR chooses to designate dog parks in state parks the costs could be absorbed by the department.

Officials from the **Department of Conservation** assume the proposal would not fiscally impact their agency.

§ 256.438 - Multi-Purpose Water Resource Program Renewable Water Program Fund:

**DNR** states this provision would provide DNR a funding mechanism to deposit partnership funding and distribute that funding to carry out water planning efforts, including financial assistance to political subdivisions.

**Oversight** assumes this provision creates the Multi-Purpose Water Resource Program Renewable Water Program Fund which will provide grants and financial assistance for water supply storage treatment and water-related facilities. Revenue sources for the fund may be public or private.

**Oversight** notes since the fund does not appear to have a dedicated funding source, the resources in the fund may come from private sources. DNR has not indicated a fiscal impact to this provision so it is assumed this provision will have no direct fiscal impact.

ASSUMPTION (continued)

§§ 258.010, 258.060, 258.070, and 258.080 - State Interagency Council for Outdoor Recreation:

**DNR** states these provisions would eliminate costs associated with convening the State Interagency Council for Outdoor Recreation.

DNR states should any committee, council, or board the department deems necessary or advisable to perform any functions or duties related to state parks and historic sites, recreational trails, outdoor recreation, and any federal grant program pursuant to 253 RSMo, and 258 RSMo, and the land and water conservation fund, the costs to convene such committees, councils or boards would be absorbed through existing resources.

**Oversight** assumes any savings from the elimination of the council will be used for any new committee, council, or board determined to be necessary by DNR, resulting in no direct savings from this provision.

§§ 260.200 and 260.205 - Solid Waste Management Disclosure Statements:

**DNR** assumes there will be some indeterminable reduction in time spent by staff reviewing and responding to violation history disclosure statements and annual updates once the rulemaking process is complete.

**Oversight** assumes any savings from this provision would be minimal and will not be reflected in the fiscal note.

§ 260.214 - Solid Waste Management:

**DNR** states preliminary site investigation approval shall not be required for any municipal utility located in a county of the first classification with more than two hundred sixty but fewer than three hundred thousand inhabitants to proceed with a utility waste landfill detailed site investigation. Nothing in this provision will prevent DNR from exercising its existing authority to approve or disapprove the site upon completion of the detailed site investigation.

**Oversight** assumes this provision is not expected to have a fiscal impact.

ASSUMPTION (continued)

§ 260.235 - Solid Waste Management:

**DNR** states this provision allows any person or entity operating a solid waste processing facility or disposal area that has had their permit suspended or has faced other penalties to appeal the decision to the Administrative Hearing Commission. A bond may be required to stay the effect of the Department's action until the appeal is resolved.

**Oversight** assumes the AHC is provided with core funding to handle a certain amount of activity each year. Any direct fiscal impact from this provision could be absorbed with existing resources.

§§ 260.262, 260.380, and 260.475 - Hazardous Waste and Battery Fees Extension:

**DNR** states this provision would extend the \$0.50 fee on the sale of lead-acid batteries for five years from December 31, 2013 through December 31, 2018. Less collection costs by the retailer and the Department of Revenue, the department estimates approximately \$700,000 would be collected for the lead-acid battery fee annually as revenue to the Hazardous Waste Fund.

DNR states this provision would also extend the hazardous waste fees for five years from December 31, 2013 through December 31, 2018. The department estimates approximately \$1.3 million would be collected for land disposal fees, generator registration/annual renewal fees, in-state tonnage fees, and out-of-state tonnage fees annually.

**Oversight** assumes this is an extension of the land disposal and the lead-acid battery fee and will reflect this as a fee continuance to the Hazardous Waste Fund.

§ 260.365 - Hazardous Waste Management Commission:

**DNR** states this provision would add a member of the retail petroleum industry to the Hazardous Waste Management Commission.

**Oversight** assumes this provision will not have a fiscal impact.

ASSUMPTION (continued)

§§ 260.390 and 260.395 - Hazardous Waste Facilities:

**DNR** states this provision would result in time savings to the department as the result of not having to perform the activities that are proposed to be deleted. This will help reduce the overall time required to review and issue a permit. Cost savings to those regulated facilities to which these requirements apply are anticipated as they would no longer be required to complete the required activities. The range of costs savings to each facility is not reasonably estimable at this time and would be largely based on the complexity (or lack thereof) of the corporate structure of the permittee.

**Oversight** assumes this provision could result in future savings to DNR due to increased efficiencies, but for the purpose of the fiscal note, **Oversight** will assume this section will have no direct fiscal impact on DNR.

§ 444.772 - Industrial Minerals Permit Fee Extension:

**DNR** states this section extends the industrial minerals fees for five years from December 31, 2013 until December 31, 2018. All fees remain at current levels. Fees support department permitting actions, inspections, enforcement proceedings and reclamation provisions of all mining laws to ensure the protection of human health and the environment.

The Land Reclamation Program (LRP) administers and enforces section 444.760 - 444.790. LRP has issued 339 permits and 789 industrial mineral mining sites. Fees range from \$300 to a maximum of \$3,000. Fees consist of permit fees, site fees, and acreage fees. Fees from these permitting activities average approximately \$500,000 annually.

**Oversight** assumes this is an extension of the industrial minerals permit fee and will reflect this as a fee continuance to the Metallic Mineral Waste Management Fund.

§ 640.065 - Department of Natural Resources Revolving Services Fund:

**DNR** states section 640.065 creates the DNR revolving services fund within DNR. The creation of the fund in section 640.065, while new to section 640.065, is not a new fund to the department. The Land Survey Program currently utilizes the DNR revolving services fund for activities that will transfer to the AGR in the proposed legislation. The Natural Resources Revolving Services Fund (RSF) is used for a number of purposes other than the purchase of goods or services for reproducing land survey documents for distribution.

ASSUMPTION (continued)

DNR states they are allowed to publish maps and publications for resale as well as simplify funding for inter-divisional cooperative agreements such as for laboratory services, core library fees, workshops, conferences, and other central services. Revenue, expenditures and cash balances are tracked separately for each of the activities utilizing the DNR Revolving Services Fund. No fiscal impact is anticipated by the department as a result of the proposed legislation.

§ 640.080 - E. Coli Testing at Missouri Beaches:

**DNR** notes testing is currently conducted at all of its designated beaches on a weekly basis. If testing exceeds dangerous levels, the beach is closed for swimming. This proposal would require DNR to follow the Environmental Protection Agency's Method 1603, or any other equivalent method that measures culturable E. coli, at a geometric mean (GM) based on weekly sampling of one hundred ninety colony forming units per one hundred milliliters.

DNR assumes this provision would require posting signs that state "Swimming is Not Recommended" in beach areas that exceed the geometric mean standard established in subsection 1 of the bill.

DNR assumes this provision would allow the department to close a beach in the event of a documented health risk.

**Oversight** assumes any costs resulting from this provision to DNR would be minimal and could be absorbed by the department.

§ 640.715 - Water Pollution Construction Permits:

**DNR** assumes this section of the proposal ensures all applications filed for operating a class IA, class IB, or class IC concentrated animal feeding operation provide required information to the department, the county governing body and to all adjoining property owners of property located within one and one-half times the buffer distance.

**Oversight** assumes this provision will have no direct fiscal impact to DNR.

ASSUMPTION (continued)

§ 640.725 - Animal Waste:

**DNR** states this provision would require the owner or operator of any flush system animal waste wet handling facility to visually inspect the system once per week.

DNR states this provision would require the owner or operator to visually inspect once per day any lagoon whose water level is less than 12 inches from the emergency spillway.

**Oversight** assumes this provision will have no direct fiscal impact to DNR.

§ 643.079 - Clean Air Fees:

**DNR** states the Air Pollution Control Program has several fee rates that are not sufficient enough to cover the reasonable cost of day to day business. This part of the proposal continues DNR's authority to work with stakeholders and the commission to recommend an adjusted fee structure. DNR would not anticipate a direct fiscal impact from this provision of the proposal.

§ 644.029 - Water Quality Standards:

**DNR** states this section would allow the department to provide an appropriate schedule of compliance to facilities making upgrades or changes in order to meet water quality standards. The department is required to incorporate new water quality requirements into existing permits at the time of renewal unless there are compelling reasons to incorporate the changes sooner with a permit modification.

**Oversight** assumes any direct fiscal impact from this section of the proposal is dependent upon action being taken by the permittee and DNR.

Therefore, for the purpose of the fiscal note, **Oversight** assumes this provision will have no direct fiscal impact to DNR.

ASSUMPTION (continued)

§ 644.051 - Water Pollution Construction Permits:

**DNR** states this section provides an exemption from the construction permitting requirements for industrial and agricultural point sources as long as the point source system is 1) designed by a professional engineer registered in Missouri; 2) constructed in accordance with the registered professional engineer's designs and plans; and 3) subject to inspection by the department upon submittal of an application for an operating permit.

**Oversight** assumes this provision will have no direct fiscal impact to DNR.

§ 644.052 - Fees for Modifications to Water Permits:

**DNR** states this proposal would change the fee for requests for modifications to operating permits from twenty-five percent of the annual operating fee to one hundred dollars for name changes, address changes or other non-substantive changes for all entities except those described in 644.052.7 of the proposal. The department may waive the fee if it is determined that the necessary modification was either initiated by the department or caused by an error made by the department.

DNR assumes the actual amount of change in permit fee revenue is unknown due to the actual number of facilities and types of facilities that would submit these changes in future years.

**Oversight** assumes this provision would not have a material fiscal impact to DNR or local political subdivisions. Therefore, Oversight will not reflect an impact in the fiscal note from this provision.

§§ 644.054 and 644.057 - Clean Water Fees Extension:

**DNR** states this provision would extend the fees for construction permits, operating permits, and operator's certifications related to water pollution control to December 31, 2018.

DNR assumes this provision would give the commission the authority to recommend revisions to the clean water fee structure. If voted and approved by the commission the commission would promulgate and publish the clean water fee structure by October first of the same year. If the rules are not disapproved by the General Assembly they would take effect January 1 of the next odd-numbered year.

ASSUMPTION (continued)

DNR states based on the number of active permits and the revenue trends seen over previous years, this proposal is estimated to generate nearly \$4 million annually for state fiscal years 2014 through 2018.

**Oversight** assumes this is an extension of the clean water fee and will reflect this as a fee continuance to the Natural Resources Protection Fund.

§ 644.062 - Provisional Water Permit Variances:

**DNR** states this section of the proposal allows DNR to grant provisional variances in water permits during times of drought or extended elevated temperatures. The provision requires a two hundred fifty dollar filing fee for the variance. The amount of revenue generated is unknown due to the actual number of who may request a variance being unknown.

**Oversight** assumes this provision would result in additional fee revenues for variances in water permits during times of drought or elevated temperatures, however it is unknown when these weather conditions will occur. Therefore, for the purpose of the fiscal note **Oversight** will show no direct fiscal impact from this provision.

§ 1- Division of State Parks Stakeholder Meetings:

**DNR** states this provision would require Missouri State Parks to conduct an annual stakeholder meeting in each district.

DNR states this provision would also allow for a stakeholder to petition the director of state parks regarding policy or park issue that has been presented to a state park facility manager and district supervisor. Missouri State Parks, under this proposal, would be required to respond to the stakeholder within 14 days. This provision would give the DSP the option of scheduling a stakeholder meeting to determine what action is warranted in response to the petition. Missouri State Parks would be required submit a written response within 30 days.

DNR states this provision would define "stakeholder" as any person with an interest in the subject matter of the petition who has visited the park in the last 60 days.

**Oversight** assumes any costs related to holding stakeholder meetings and responding to area stakeholders could be absorbed by DSP.

ASSUMPTION (continued)

§ 2 - Joint Committee on Solid Waste Management District Operations:

**DNR** states this provision would establish a Joint Committee on Solid Waste Management District Operations. The committee shall examine solid waste management district operations, including but not limited to the efficiency, efficacy, and reasonableness of costs and expenses of such districts to Missouri taxpayers. The joint committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary, for submission to the general assembly by December 31, 2013, at which time the joint committee shall be dissolved.

**Oversight** assumes any costs related to this provision incurred by Joint Committee members entitled to reimbursement will be absorbed by existing Missouri House of Representatives and Missouri Senate appropriations.

Bill as a Whole:

In response to the previous version, officials from the **Office of the Secretary of State (SOS)** stated many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

**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.

Officials at the **Office of Attorney General (AGO)** assumes that any potential costs arising from this proposal can be absorbed with existing resources. If significant cases result over time, the AGO would seek additional appropriation.

ASSUMPTION (continued)

Officials from the **Joint Committee on Administrative Rules, State Treasurer's Office, Department of Health and Senior Services, Department of Revenue, and the City of Kansas City** each assume the current proposal would not fiscally impact their respective agencies.

In response to the previous version of this proposal, officials from **Missouri State University, the City of Columbia, and Office of Governor** each assumed the current proposal would not fiscally impact their respective agencies.

Officials from numerous counties, solid waste management districts, and water and sewer districts did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
<b>GENERAL REVENUE</b>			
<u>Transfer In - DNR - § 60.510</u>			
Land Survey Program			
Salaries	(\$23,695)	(\$28,718)	(\$29,006)
Fringes	<u>(\$12,024)</u>	<u>(\$14,573)</u>	<u>(\$14,719)</u>
<u>Total Costs - DNR</u>	<u>(\$35,719)</u>	<u>(\$43,291)</u>	<u>(\$43,725)</u>
FTE Change - DNR	1 FTE	1 FTE	1 FTE
 <u>Transfer Out - DNR - § 253.090</u>	 <u>(\$100,000)</u>	 <u>(\$60,000)</u>	 <u>(\$40,000)</u>
Interest on State Parks Earnings Fund			
 <b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	 <b><u>(\$135,719)</u></b>	 <b><u>(\$103,291)</u></b>	 <b><u>(\$83,725)</u></b>
 Estimated Net FTE Change for the General Revenue Fund	 1 FTE	 1 FTE	 1 FTE

<u>FISCAL IMPACT - State Government</u> (continued)	FY 2014 (10 Mo.)	FY 2015	FY 2016
<b>LAND SURVEY FUND</b>			
<u>Transfer In - AGR - § 261.023</u>			
Land Survey Program			
Salaries	(\$439,777)	(\$439,777)	(\$439,777)
Fringes	(\$223,143)	(\$223,143)	(\$223,143)
Equipment & Expense	(\$72,100)	(\$72,100)	(\$72,100)
Rent	(\$37,125)	(\$37,125)	(\$37,125)
Other Fund Costs	(\$180,000)	(\$180,000)	(\$180,000)
<u>Total Costs - AGR</u>	<u>(\$952,145)</u>	<u>(\$952,145)</u>	<u>(\$952,145)</u>
FTE Change - AGR	11 FTE	11 FTE	11 FTE
<u>Transfer Out - DNR - § 261.023</u>			
Land Survey Program			
Salaries	\$463,472	\$468,495	\$468,783
Fringes	\$235,167	\$237,716	\$237,862
Equipment & Expense	\$72,100	\$72,100	\$72,100
Other Fund Costs	\$180,000	\$180,000	\$180,000
<u>Total Savings - DNR</u>	<u>\$950,739</u>	<u>\$958,311</u>	<u>\$958,745</u>
FTE Change - DNR	(12 FTE)	(12 FTE)	(12 FTE)
<b>ESTIMATED NET EFFECT ON LAND SURVEY FUND</b>	<b><u>(\$1,406)</u></b>	<b><u>\$6,166</u></b>	<b><u>\$6,600</u></b>
Estimated Net FTE Change for the Land Survey Fund	(1 FTE)	(1 FTE)	(1 FTE)
<b>STATE PARKS EARNINGS FUND</b>			
<u>Transfer In - DNR - § 253.090</u>	<u>\$100,000</u>	<u>\$60,000</u>	<u>\$40,000</u>
Interest on State Parks Earnings Fund			
<b>ESTIMATED NET EFFECT ON THE STATE PARKS EARNINGS FUND</b>	<b><u>\$100,000</u></b>	<b><u>\$60,000</u></b>	<b><u>\$40,000</u></b>



<u>FISCAL IMPACT - State Government</u>	FY 2014	FY 2015	FY 2016
(continued)	(10 Mo.)		

**NATURAL RESOURCES  
 PROTECTION FUND**

<u>Revenue - DNR</u>			
§ 644.054 - Clean Water fee continuanace	\$3,333,333	\$4,000,000	\$4,000,000
 <u>Expense - DNR</u>			
§ 644.054 - Implementation of the federal Clean Water Act	<u>(\$3,333,333)</u>	<u>(\$4,000,000)</u>	<u>(\$4,000,000)</u>

<b>ESTIMATED NET EFFECT ON THE NATURAL RESOURCES PROTECTION FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
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<u>FISCAL IMPACT - Local Government</u>	FY 2014	FY 2015	FY 2016
	(10 Mo.)		

	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
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FISCAL IMPACT - Small Business

§§ 260.200 and 260.205 - Solid Waste Management Disclosure Statements:

This proposal relates to Violation History Disclosure Statements and is intended to clarify the existing statutory language for information to be submitted and allow the department to work with solid waste permitted facilities to reduce the amount of time dedicated to completing the initial submission and annual updates as well as the number of documents submitted by solid waste permitted facilities.

Since some landfills and transfer stations are small businesses, they should see a reduction in the amount of resources required to complete the violation history disclosure statement and annual update process.

FISCAL IMPACT - Small Business (continued)

§§ 260.262, 260.380 and 260.475 - Hazardous Waste and Battery Fee Extension:

Retail facilities that sell lead-acid batteries will continue to collect the fee as allowed under this legislation and transfer the fees and remittance reports to the Department of Revenue. They will continue to retain 6% of the fees for collection costs.

Small businesses that purchase lead-acid batteries will continue to be subject to the \$.50 fee on each battery purchased.

Section 260.475 requires every hazardous waste generator located in Missouri to pay, in addition to the fees imposed in section 260.380, a fee of twenty-five dollars per ton annually on all hazardous waste which is discharged, deposited, dumped or placed into or on the soil as a final action, and two dollars per ton on all other hazardous waste transported off site.

Section 260.380 requires that all hazardous waste generators pay a one hundred dollar registration fee upon initial registration, and a one hundred dollar registration renewal fee annually thereafter to maintain an active registration.

Generators pay annually a fee of five dollars per ton or portion thereof of hazardous waste registered with the department not to exceed fifty-two thousand dollars per generator site per year nor be less than one hundred fifty dollars per generator site per year.

Missouri treatment, storage, or disposal facilities pay annually a fee equal to two dollars per ton or portion thereof for all hazardous waste received from outside the state.

Registered hazardous waste generators subject to the hazardous waste fees would be impacted. There would be no change to the current system, except that the fee expiration is extended from December 31, 2013 to December 31, 2018.

§ 644.029 - Water Quality Standards:

Small businesses needing to make upgrades or improvements to their facilities in order to comply with water quality standards would be allowed a longer period of time to make the changes under a schedule of compliance. This would benefit small businesses by allowing them to spread the costs of upgrades and improvements over a longer period of time.

FISCAL IMPACT - Small Business (continued)

§ 644.052 - Water Pollution Permitting:

Small businesses, that submit requests for modifications to their operating permits for name changes, address changes or other non-substantive changes may see an increase or decrease in their fee.

FISCAL DESCRIPTION

§§ 60.510 - 60.670 and 261.023 - Land Survey Program:

This provision transfers all powers, duties, and functions of the Land Survey Program within the Department of Natural Resources to the Department of Agriculture.

§ 253.090 - State Parks Earnings Fund:

This provision would allow interest earned by the State Parks Earnings fund to be maintained in the State Parks Earnings Fund instead of transferred to the General Revenue Fund.

§§ 260.262, 260.380 and 260.475 - Hazardous Waste and Battery Fee Extension:

Extends from December 31, 2013, to December 31, 2018, the 50 cent fee that is collected on the retail sale of a lead-acid battery as well as the fees for any hazardous waste generated.

§ 444.772 - Industrial Minerals Permit Fee Extension:

Extends from December 31, 2013, to December 31, 2018, the industrial mineral permit fees utilized to regulate and ensure reclamation of surfaced mined lands.

§ 644.054 - Clean Water Fees Extension:

Extends from September 1, 2013, to September 1, 2018, the Clean Water Commission's authority to charge fees for construction permits, operating permits, and operator's certifications related to water pollution control.

This proposal includes an emergency clause for §§ 640.080 and 644.057.

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  
Office of Administration -  
    Division of Facilities Management Design and Construction  
Department of Conservation  
Office of Secretary of State  
Office of the Attorney General  
Joint Committee on Administrative Rules  
State Treasurer's Office  
Department of Health and Senior Services  
Department of Revenue  
Department of Public Safety -  
    Missouri State Highway Patrol  
    Division of Fire Safety  
Office of Governor  
City of Kansas City  
City of Columbia  
Missouri State University

Not Responding:

Numerous Counties  
Numerous Water and Sewer Districts  
Numerous Solid Waste Management Districts



Ross Strope  
Acting Director  
June 12, 2013