

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4971-05
Bill No.: Perfected SCS for SB 642
Subject: Natural Resources Department; Mining and Oil and Gas Production
Type: Original
Date: April 15, 2014

Bill Summary: This proposal modifies provisions relating to proposed surface mining operations.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
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 2015	FY 2016	FY 2017
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§ 444.772 - Surface Mining Operations:

Officials from the **Department of Natural Resources (DNR)** state section 444.772 of this proposal would require a notice of intent to operate a surface mine by certified mail to real property landowners within one-half mile of the proposed mine plan area in addition to the governing body of the counties or cities in which the proposed area is located.

DNR assumes this provision would also make it mandatory for an applicant to hold a public meeting if it is requested by any person. The applicant would bear all expenses necessary to conduct the meeting.

DNR does not anticipate a direct fiscal impact from this provision.

§ 444.773 - Land Reclamation Commission:

Officials from the **Department of Natural Resources (DNR)** state this provision would move the decision of permit issuance or denial from the Land Reclamation Commission and place it with the director of the Land Reclamation Program. The director's decision is subject to appeal through the Administrative Hearing Commission (AHC).

DNR assumes once the AHC has reviewed the appeal, the AHC shall make a recommendation to the Land Reclamation Commission on permit issuance or denial.

DNR assumes the Land Reclamation Commission shall issue its own decision, based on the appeal, for permit issuance or denial. If the commission changes a finding of fact or conclusion of law made by the AHC, or modifies or vacates the decision recommended by the AHC, it shall issue its own decision, which shall include findings of fact and conclusions of law.

DNR assumes no judicial review shall be available until and unless all administrative remedies are exhausted

DNR does not anticipate a direct fiscal impact from this provision.

ASSUMPTION (continued)

Bill as a Whole:

Officials from the **Administrative Hearing Commission**, the **Office of State Courts Administrator**, and the **Department of Labor and Industrial Relations** each assume the proposal would not fiscally impact their agency.

Oversight assumes this proposal will have no direct fiscal impact on state or local government funds.

Senate Amendment 1:

DNR does not anticipate a direct fiscal impact from Senate Amendment 1.

Oversight assumes Senate Amendment 1 would have no direct fiscal impact on the proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
	<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.

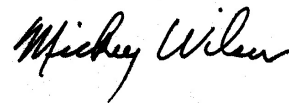
FISCAL DESCRIPTION

The proposed legislation appears to have no direct 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 Natural Resources
Administrative Hearing Commission
Office of State Courts Administrator
Department of Labor and Industrial Relations

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
April 15, 2014

Ross Strobe
Assistant Director
April 15, 2014