

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5075-01
Bill No.: SCR 38
Subject: Boards, Commissions, Committees, Councils; Fees; General Assembly;
 Department of Natural Resources; Waste - Hazardous
Type: Original
Date: January 27, 2020

Bill Summary: This proposal disapproves the Missouri Hazardous Waste Management Commission's recommendations regarding the fees and taxes of the Hazardous Waste Management Commission.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Hazardous Waste Fund (0676) *	(\$504,240)	(\$504,240)	(\$504,240)
Total Estimated Net Effect on Other State Funds	(\$504,240)	(\$504,240)	(\$504,240)

* Represents a loss of potential fee revenue - Oversight assumed a baseline of the proposed new Hazardous Waste Management Commission fees being collected in future years versus those new fees being disapproved by the General Assembly

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Oversight was unable to receive some of the agency responses in a timely manner due to the short fiscal note request time. Oversight has presented this fiscal note on the best current information that we have. Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval of the chairperson of the Joint Committee on Legislative Research to publish a new fiscal note.

Oversight notes the Department of Natural Resources (DNR) provided a fiscal note during the proposed rule-making process to amend the hazardous waste fee rule. The table below shows the current fee, the proposed fee and the total estimated increase in revenue from the fee increases.

Type	# Registered	Current Fee	Proposed Fee	Total Increase in Revenue
Conditionally-exempt small quantity generator	536	\$150	\$175	\$13,400
Small quantity generators	1,422	\$150	\$360	\$298,620
Large quantity generators	443	\$500	\$1,150	\$287,950
Total				\$599,970

Source: Oversight

DNR estimated that a certain number of hazardous waste generators would be eligible for and will claim the discount provided in the amended rule for individuals or companies that own multiple sites. DNR estimated the discount to be \$95,730; therefore Oversight will reflect a loss of revenue from this proposal of \$504,240 (\$599,970 - \$95,730) per year to the Hazardous Waste Fund (0676).

Oversight notes the Hazardous Waste Fund (0676) had a balance of \$10,909,407 as of December 31, 2019.

Oversight notes the amended rule is temporary and only applies to years 2021 and 2022; however, Oversight has reflected the potential loss of revenue in all three years of the fiscal note.

Oversight will reflect a fiscal impact to DNR of a baseline of the new proposed fees in place versus the new fees being disapproved by the General Assembly. Therefore, Oversight will reflect a 'loss' of additional funding from the new increased fees.

ASSUMPTION (continued)

Officials from the **Missouri Senate** assume the proposal will have no fiscal impact on their organization.

<u>FISCAL IMPACT - State Government</u>	FY 2021	FY 2022	FY 2023
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HAZARDOUS WASTE FUND

<u>Loss</u> - DNR - the General Assembly disapproves the proposed fees for hazardous waste generators	<u>(\$504,240)</u>	<u>(\$504,240)</u>	<u>(\$504,240)</u>
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ESTIMATED NET EFFECT ON THE HAZARDOUS WASTE FUND*	<u>(\$504,240)</u>	<u>(\$504,240)</u>	<u>(\$504,240)</u>
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* Represents a loss of potential fee revenue - Oversight assumed a baseline of the proposed new Hazardous Waste Management Commission fees being collected in future years versus those new fees being disapproved by the General Assembly

<u>FISCAL IMPACT - Local Government</u>	FY 2021	FY 2022	FY 2023
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Small Business

This proposal could have a fiscal impact on hazardous waste generators.

FISCAL DESCRIPTION

This resolution disapproves the regulation filed by the Missouri Hazardous Waste Management Commission on August 30, 2019, that increases fees for generators of hazardous waste.

Sections 260.380 and 260.475 authorize the General Assembly to disapprove any regulation containing new fees by a concurrent resolution adopted within the first 60 days of the regular session following promulgation of such regulation.

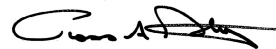
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Natural Resources
Missouri Senate



Julie Morff
Director
January 27, 2020



Ross Strope
Assistant Director
January 27, 2020