

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4540-04  
Bill No.: HCS for HB 1761  
Subject: Property, Real and Personal; Natural Resources Dept.  
Type: Original  
Date: March 29, 2006

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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### FISCAL ANALYSIS

#### ASSUMPTION

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

The **Department of Natural Resources** assume they would not anticipate any significant direct fiscal impact as a result of this proposal.

Officials from the **Department of Transportation (MoDOT)** assume this proposal puts in place a mechanism for noncommercial operators to remove gravel from streams to manage the accumulation of the gravel. The proposal also allows commercial operators to remove gravel that has accumulated in the stream at the request of the landowner.

This proposal may make it less expensive for MoDOT to acquire sand, gravel and/or fill dirt from an operator or noncommercial operator for MoDOT use because none of those activities would require a surface mining permit from the Land Reclamation Commission any longer. MoDOT is unable to determine what amount of saving if any that would occur due to passage of this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This bill allows "noncommercial operators," who are defined as persons conducting gravel excavation on private property not primarily used for mining in order to manage excess gravel accumulation, or commercial operators employed by noncommercial operators to engage in surface mining activities to remove and sell excess gravel without a permit. Gravel removal must be conducted from the first day of June through the last day of February.

Operators must follow the Department of Natural Resource's guidelines on surface mining and gravel removal. Noncommercial operators may, however, use vehicles outside of existing crossings or removal sites and may cross streams. A five-foot buffer between the removal area and the water line must be maintained.

Political subdivisions will be allowed to contract with operators to conduct in-stream gravel operations without a permit.

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

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

Mickey Wilson, CPA  
Director  
March 29, 2006