

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1893-01
Bill No.: SB 416
Subject: Boards, Commissions, Committees, Councils; Energy; Fees; Natural Resources
Department; Waste - Solid; Water Resources and Water Districts
Type: Original
Date: March 25, 2013

Bill Summary: This proposal modifies provisions relating to the Department of Natural Resources.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
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 2014	FY 2015	FY 2016
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§ 60.530, 60.560 and 60.590 Land Survey Commission

Officials at the **Department of Natural Resources (DNR)** assume this part of the proposal would eliminate the Land Survey Commission and transfer the authority of the Commission to DNR.

§§ 194.400 and 194.408 Unmarked Human Burials Consultation Committee

DNR assumes this part of the proposal would eliminate the Unmarked Human Burials Consultation Committee and transfer the authority of the Committee to DNR. DNR would be allowed to convene a committee if necessary on matters concerning human burial. Currently the State Historic Preservation Officer is the Director of the Department of Natural Resources. This proposal allows the Department director to appoint a designee as the State Historic Preservation Officer.

§§ 236.400, 236.405, 236.415, 236.420, 236.425, 236.430, 236.435, 236.440, 236.445, 236.465, 236.470, 236.475, 236.480, 236.495 and 236.500 Dam and Reservoir Safety Council

DNR assumes this part of the proposal would eliminate the Dam and Reservoir Safety Council and transfers the authority of the Council to DNR. It would modify the definition of construction permit to be issued through DNR rather than through the Council. If a permit application is rejected, this proposal would allow the applicant to meet with the Director of the Department or the Director's representative. DNR's final permit decision may be appealed. Additionally, this proposal would give DNR the ability to promulgate rules and set guidelines relating to the Dam and Reservoir Safety Program, as well as the ability to conduct inspections.

§§ 256.603, 256.606, 256.614, 256.623, 256.626, 256.630 and 256.637 Well Installation Board

DNR assumes this part of the proposal would eliminate the Well Installation Board and transfers the rulemaking authority, permit issuance, fee setting, and hearing of appeals decisions of the board to DNR.

§§ 256.700 and 256.705 Industrial Minerals Advisory Council

DNR assumes this part of the proposal would eliminate the Industrial Minerals Advisory Council and require DNR to consult with stakeholders before adjusting the geologic resources fee through rule promulgation.

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

DNR assumes this part of the proposal would eliminate the State Interagency Council for

ASSUMPTION (continued)

Outdoor Recreation and allow DNR to convene any committee, council, or board the department deems necessary or advisable in order for DNR to perform any functions or duties related to state parks and historic sites, recreational trails, outdoor recreation and federal grant program under Chapter 253, RSMo, and the Federal Land and Water Conservation Fund Act.

§§ 259.030, 259.050, 259.070, 259.080, 259.090, 259.100, 259.110, 259.140, 259.160, 259.170, 259.180, 259.190, 259.200 and 259.210 State Oil and Gas Council

DNR assumes this part of the proposal would eliminate the State Oil and Gas Council and give DNR the ability to form an advisory committee to review statutes and rules relating to oil and gas. The advisory committee may then make recommendations to DNR on fees and other funding mechanisms for oil and gas programs. This proposal would also give DNR the authority to conduct investigations or any other authority that resided with the Council. Any final order issued by DNR may be appealed to the Cole County Circuit Court. Cost of the proceedings may be set and taxed by the Court.

§§ 260.235 and 260.249 Appeals

DNR assumes this part of the proposal states any person whose permit is revoked by DNR may appeal the decision. A bond may be required in order to stay the effect of the Department's action until the appeal is resolved.

§ 260.335 Solid Waste Advisory Board

DNR assumes this part of the proposal would eliminate the Solid Waste Advisory Board and give DNR the ability to establish criteria for grants to solid waste districts and to review the performance of grant recipients.

§§ 621.250, 640.010, 640.012 and 640.017 Administrative Appeals

Officials at the **Administrative Hearing Commission** assume there is no fiscal impact from this proposal.

DNR assumes this part of the proposal states, for contested case administrative appeals, the Administrative Hearing Commission will give the final decision. The burden of proof for appeals would lie with DNR to demonstrate the lawfulness of the finding or order. For activities that require obtaining multiple permits or certifications from DNR, the applicant may petition the Director of the Department to coordinate in approving or denying such permits or certifications in order to streamline the permit application process. Pursuant to this act, the Director must develop and implement a streamlined permitting process that helps applicants determine, at the earliest stage, all of the permits required, and inform applicants of the uniform permitting schedule.

ASSUMPTION (continued)

§ 640.430 State Water Plan Interagency Task Force

DNR assumes this part of the proposal would eliminate the State Water Plan Interagency Task Force.

Bill as a Whole

DNR assumes this proposal may result in minimal cost savings to personal services and expenses and equipment due to staff time supporting these commissions, boards, committees and councils.

Officials at the **Office of Attorney General** assume that any potential costs arising from this proposal can be absorbed with existing resources.

Officials at the **City of Kansas City, Department of Health and Senior Services, Department of Revenue, Missouri Department of Transportation, Missouri Highway Patrol, Missouri State University, Office of Administration -Budget and Planning, St. Louis-Jefferson Solid Waste Management District** and the **University of Missouri** each assume there is no fiscal impact to their organization from this proposal.

Oversight assumes this proposal would not have a fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<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
City of Kansas City
Department of Health and Senior Services
Department of Revenue
Missouri Department of Transportation
Missouri Highway Patrol
Missouri State University
Office of Administration
 Budget and Planning
Office of Attorney General
St. Louis - Jefferson Solid Waste Management District
University of Missouri



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