

FIRST REGULAR SESSION

# HOUSE BILL NO. 1020

## 102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOVIS.

1739H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 293.030, RSMo, and to enact in lieu thereof one new section relating to mining tonnage fees.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 293.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 293.030, to read as follows:

- 293.030. 1. Every operator engaged in this state in the mining or production of minerals for commercial purposes shall, within thirty days after the end of each quarter-annual period, file with the director and with the division of taxation and collection of the department of revenue a statement, under oath, on forms to be prescribed and furnished in triplicate by the director, showing the total amount of minerals sold, shipped or otherwise disposed of during the last preceding quarter-annual period; and shall, at the same time, pay on the primary products of his **or her** operations sold, shipped or otherwise disposed of for profit to the division of taxation and collection of the department of revenue mine inspection fees as follows:
- (1) On lead concentrates or galena, [~~three~~] **seven and three-tenths** cents per ton;
  - (2) On zinc ore or concentrates thereof, [~~three~~] **seven and three-tenths** cents per ton;
  - (3) On lead carbonate or concentrates thereof, [~~one and one-half~~] **three and seven-tenths** cents per ton;
  - (4) On zinc carbonate or concentrates thereof, [~~one and one-half~~] **three and seven-tenths** cents per ton;
  - (5) On zinc silicate or calamine or concentrates thereof, [~~one and one-half~~] **three and seven-tenths** cents per ton;

EXPLANATION — Matter enclosed in bold-faced brackets [~~thus~~] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 18 (6) On all coal, ~~[two]~~ **four and nine-tenths** mills per ton;  
19 (7) On all clays, ~~[two]~~ **four and nine-tenths** mills per ton;  
20 (8) On shale, ~~[one mill]~~ **two and four-tenths mills** per ton;  
21 (9) On copper concentrates, ~~[three]~~ **seven and three-tenths** cents per ton;  
22 (10) On iron ore or concentrates thereof, ~~[two]~~ **four and nine-tenths** mills per ton;  
23 (11) On silica, ~~[one mill]~~ **two and four-tenths mills** per ton;  
24 (12) On granite, ~~[one cent]~~ **two and four-tenths cents** per ton;  
25 (13) **On rhyolite, two and four-tenths cents per ton;**  
26 (14) On manganese, ~~[three]~~ **seven and three-tenths** cents per ton;  
27 (15) **On cobalt, seven and three-tenths cents per ton.**

28 2. ~~[For each of the years beginning January 1, 1985, January 1, 1986, January 1,~~  
29 ~~1987, and January 1, 1988, the fees as provided in subsection 1 of this section shall be~~  
30 ~~increased yearly by twenty five percent. The fees for each year after 1988 shall be the same~~  
31 ~~as provided for the year 1988]~~ **If a new mineral is mined, the director shall announce the**  
32 **addition of the mineral and its associated fee by publishing a notice. The director shall,**  
33 **by rule, adjust the mineral listing and fee under subsection 1 of this section to effectuate**  
34 **the provisions of this subsection. The additional mineral fee shall take effect sixty days**  
35 **after publication of such notice and the applicable rules and regulations shall be**  
36 **promulgated or adjusted accordingly.**

37 3. The provisions of subsections 1 and 2 of this section to the contrary  
38 notwithstanding, every operator engaged in mining or production of minerals for  
39 commercial purpose in this state shall pay to the division of taxation and collection within  
40 thirty days after the end of each quarter-annual period a minimum mine inspection fee of ~~[ten]~~  
41 **twenty-five** dollars.

42 4. These fees shall be deposited in the state treasury and credited to the "State Mine  
43 Inspection Fund", which is hereby created.

44 5. The director and the division of taxation and collection of the department of  
45 revenue shall, for the purpose of verifying the statement required in this section, have access  
46 to the tonnage and footage records of production, shipments and sales records of all persons,  
47 firms and corporations subject to the provisions of this chapter, and of their respective  
48 vendees and agents of such vendees, and of carriers of the products herein enumerated.

49 6. **Failure to pay within the thirty days after the end of each quarter-annual**  
50 **period may result in the imposition of a late fee equal to ten percent of the unpaid**  
51 **amount. The director may bring an action in the appropriate circuit court to collect any**  
52 **unpaid fee, late fee, interest, or attorney's fees and costs incurred directly in fee**

53 **collection. Such action may be brought in the circuit court of the county in which the**  
54 **mine is located or in the circuit court of Cole County.**

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