

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 283

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ANDERSON.

0708H.01P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 256.700, RSMo, and to enact in lieu thereof one new section relating to the geologic resources fee.

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

Section A. Section 256.700, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 256.700, to read as follows:

256.700. 1. Any operator desiring to engage in surface mining who applies for a permit under section 444.772 shall, in addition to all other fees authorized under such section, annually submit a geologic resources fee. Such fee shall be deposited in the geologic resources fund established and expended under section 256.705. For any operator of a gravel mining operation where the annual tonnage of gravel mined by such operator is less than five thousand tons, there shall be no fee under this section.

2. The director of the department of natural resources may require a geologic resources fee for each permit not to exceed one hundred dollars. The director may also require a geologic resources fee for each site listed on a permit not to exceed one hundred dollars for each site. The director may also require a geologic resources fee for each acre permitted by the operator under section 444.772 not to exceed ten dollars per acre. If such fee is assessed, the fee per acre on all acres bonded by a single operator that exceeds a total of three hundred acres shall be reduced by fifty percent. In no case shall the geologic resources fee portion for any permit issued under section 444.772 be more than three thousand five hundred dollars.

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.

15 3. Beginning August 28, 2007, the geologic resources fee shall be set at a permit fee of
16 fifty dollars, a site fee of fifty dollars, and an acre fee of six dollars. Fees may be raised as
17 allowed in this subsection by a regulation change promulgated by the director of the department
18 of natural resources. Prior to such a regulation change, the director shall consult the industrial
19 minerals advisory council created under section 256.710 in order to determine the need for such
20 an increase in fees.

21 4. Fees imposed under this section shall become effective August 28, 2007, and shall
22 expire on December 31, [~~2020~~] **2025**. No other provisions of sections 256.700 to 256.710 shall
23 expire.

24 5. The department of natural resources may promulgate rules to implement the
25 provisions of sections 256.700 to 256.710. Any rule or portion of a rule, as that term is defined
26 in section 536.010, that is created under the authority delegated in this section shall become
27 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
28 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
29 powers vested with the general assembly under chapter 536 to review, to delay the effective date,
30 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
31 rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid
32 and void.

✓