

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0610-01  
Bill No.: HB 98  
Subject: Waste - Hazardous; Environmental Protection; Fees; Natural Resources  
 Department  
Type: Original  
Date: February 23, 2011

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Bill Summary: Extends the date in which hazardous waste and battery fees may be collected.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<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 2012	FY 2013	FY 2014
Hazardous Waste Fund	\$450,000	\$1,330,000	\$2,030,000
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$450,000</b>	<b>\$1,330,000</b>	<b>\$2,030,000</b>

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

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- 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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Agriculture** and **Department of Health & Senior Services** assume there will be no fiscal impact to their agencies.

Officials from the **Department of Natural Resources (DNR)** assume under Section 260.262, this proposal would extend the expiration date of the \$0.50 fee on the sale of lead-acid batteries from June 30, 2011 through December 31, 2015. The department estimates approximately \$2.8 million would be collected for the lead-acid battery fee for the four and one-half year period as revenue to the Hazardous Waste Fund.

Under Section 260.380 and 260.475, this proposal would extend the expiration date of the hazardous waste fees from December 31, 2011 through December 31, 2015. The department estimates approximately \$5.6 million would be collected for land disposal fees, generator registration/annual renewal fees, in-state tonnage fees, and out-of-state tonnage fees from this extension.

The revenue projections were based on the following assumptions:

Land Disposal Fees, Generator Registration/Renewal Fees, In and Out of State Tonnage Fees for FY12-FY 16 were based on FY 12 Form 9 and held consistent through the expiration date. Due to the revised expiration date, FY 17 is estimated at 50% of projected revenues.

The projections assume the hazardous waste fees are extended to 12/31/15. The statutes require reports for waste generated for 6/30/15-12/31/15 to be submitted by August 14, 2016. Fees are calculated on generator reporting, and fee invoices would be mailed after reporting was received. Payment for the 6 month period would be due as established by RSMo 260.380, by December 31, 2016.

Without this extension, the battery fee would have expired on June 30, 2011. Since the fees are collected and remitted to the Department of Revenue on a quarterly basis these estimates assume that the fees collected through June 30, 2011 would have been remitted in the first quarter of fiscal year 2012 (assumed projected revenues for the months of July 2011 – September 2011).

FY 16 battery fee revenues are calculated at  $\frac{3}{4}$  of one year (estimated revenues received July – March). The battery fee is required to be remitted quarterly to the state. This anticipates that retailers would collect the battery fees through December 31, 2015 and remit the last quarter in January-March 2016.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
<b>HAZARDOUS WASTE FUND</b>			
<u>Revenue</u> - Department of Natural Resources			
Hazardous Waste Fees	\$0	\$700,000	\$1,400,000
Lead Acid Battery Fees	<u>\$450,000</u>	<u>\$630,000</u>	<u>\$630,000</u>
<b>ESTIMATED NET EFFECT ON HAZARDOUS WASTE FUND</b>	<b><u>\$450,000</u></b>	<b><u>\$1,330,000</u></b>	<b><u>\$2,030,000</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Yes. Retail facilities that sell lead-acid batteries would continue to collect the fee as allowed under this proposal and transfer the fees and remittance reports to the Department of Revenue. They would continue to retain 6% of the fees for collection costs. Section 260.262 would be extended until December 31, 2015.

Small businesses that purchase lead-acid batteries would continue to be subject to the \$.50 fee on each battery purchased.

Section 260.475 requires every hazardous waste generator located in Missouri to pay, in addition to the fees imposed in section 260.380, a fee of twenty-five dollars per ton annually on all hazardous waste which is discharged, deposited, dumped or placed into or on the soil as a final action, and two dollars per ton on all other hazardous waste transported off site.

Section 260.380 requires that all hazardous waste generators pay a one hundred dollar registration fee upon initial registration, and a one hundred dollar registration renewal fee annually thereafter to maintain an active registration.

FISCAL IMPACT - Small Business (continued)

Generators pay annually a fee of five dollars per ton or portion thereof of hazardous waste registered with the department not to exceed fifty-two thousand dollars per generator site per year nor be less than one hundred fifty dollars per generator site per year.

Missouri treatment, storage, or disposal facilities pay annually a fee equal to two dollars per ton or portion thereof for all hazardous waste received from outside the state.

Registered hazardous waste generators subject to the hazardous waste fees would be impacted. Under this proposal, there would be no change to the current system, except that the fee expiration is extended to December 31, 2015.

FISCAL DESCRIPTION

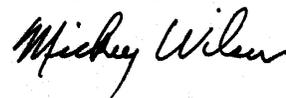
This bill extends from June 30, 2011, to December 31, 2015, the 50-cent fee that is collected on the retail sale of a lead-acid battery as well as the fees for any hazardous waste generated.

The bill contains an emergency clause.

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 Health & Senior Services  
Department of Natural Resources



Mickey Wilson, CPA

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