

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

LR No.: 2494-02
Bill No.: HCS for HB 795
Subject: Counties: Board of Equalization Members
Type: Original
Date: March 15, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Section 49.650 - Counties power to adopt ordinances:

Oversight assumes this section is permissive, and only allows third classification County Commissions to enact certain ordinances. Oversight assumes no state or local fiscal impact.

Section 50.339 - County Treasurer - Salary

Oversight assumes this proposal would allow the Cape Girardeau County's Salary Commission to equalize the County Treasurer's salary to an amount not greater than the amount set as the maximum compensation in Subdivision 1 of Subsection 1 of Section 50.343. **This proposal does not require the County Salary Commission to equalize the salary.** Oversight assumes that if the County Salary Commission would equalize the Treasurer's salary they would do so in 2004, and at their own discretion.

Oversight assumes this proposal is enabling legislation and is discretionary. Oversight assumes this proposal would have no local fiscal impact unless the Salary Commission would equalize the Treasurer's salary. Oversight assumes no state or local fiscal impact.

Section 138.011 - County Board of Equalization, Membership Qualifications

Officials of the **State Tax Commission** assume no fiscal impact to the Commission.

Officials of the **Kansas City Manager's Office** assume no fiscal impact.

Officials of the **Jasper County Commission** assume no fiscal impact.

Section 260.831 - Landfill Fees, County Commissions

Oversight assumes this section allows County Commissions as well as Industrial Development Authorities to use landfill fees for economic development within the county. Currently only Industrial Development Authorities are allowed to use the fees. **Oversight** assumes no state or local fiscal impact from the provisions of this section.

Section 304.010 - County Roads, Speed Limits

In response to almost identical legislation (fiscal note 3424-01) Officials of the **Department of Public Safety - State Highway Patrol** assume no fiscal impact.

Officials of the **Department of Transportation** assume no fiscal impact.

Oversight assume this is enabling legislation, and as written, would have no fiscal impact, unless the County's governing body would elect to initiate the regulation of county road speeds as authorized by this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	\$0	\$0	\$0
<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

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

DESCRIPTION

This substitute changes the laws regarding county government. In its main provisions, the substitute:

- (1) Prohibits any municipal official, member of a school board, or an employee of a school district from serving on a County Board of Equalization in counties with a charter form of government;
- (2) Allows any second, third, or fourth classification county to set by ordinance countywide speed limits on roads within unincorporated areas of the county;
- (3) Allows the Salary Commission of Cape Girardeau County in 2004 to determine whether to equalize the base salary of the County Treasurer to an amount not greater than the current maximum statutory salary for treasurers in counties of the first classification;
- (4) This bill authorizes all counties without a charter form of government to adopt ordinances or resolutions related to its property, affairs, and local government. The bill limits the types of ordinances that may be passed. Ordinances may be submitted to the voters for approval. No county may pass an ordinance which will submit a tax to the voters without authorization by the General Assembly or pass an ordinance that governs any railroad, telecommunications or wireless company, public utility, electric cooperative, or municipal utility.

Under current law, only counties of the first, second, or fourth classification may adopt ordinances related to their property, affairs, and local government.

- (5) Allows County Commissions and industrial development authorities to use landfill fees for economic development within the county. Currently, these fees are used only by industrial development authorities.

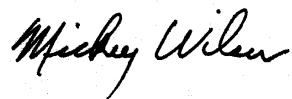
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety - State Highway Patrol
Department of Transportation
State Tax Commisison
Kansas City Manager
Jasper County Commission

NOT RESPONDING

The County Commissions of : Boone, Callaway, Jefferson, Cass, Greene, Clay, Marion, Butler,
and the County Executives of St. Charles, St. Louis and Jackson Counties.



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Director
March 15, 2004