

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3121-01
Bill No.: HB 1209
Subject: Cities, Towns, and Villages; Newspapers and Publications; Public Records,
Public Meetings
Type: Original
Date: April 28, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
General Revenue *	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on General Revenue Fund *	(Unknown)	(Unknown)	(Unknown)

* subject to appropriation, expected to be less than \$100,000.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
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 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Secretary of State** assume that many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to Secretary of State's office for Administrative Rules is less than \$1,500. The Secretary of State's office recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, we also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what our office can sustain with our core budget. Therefore, we reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Officials from the **Office of State Courts Administrator**, the **Office of Administration**, **Division of Budget and Planning**, the **Department of Economic Development**, **Division of Business and Community Services**, and the **Department of Health and Senior Services** assume this proposal would have no fiscal impact on their organizations.

ASSUMPTION (continued)

Officials from the **Department of Economic Development, Division of Professional Registration** assume there would be costs involved to their organization unless the new site would be automated to gather existing postings. There would be significant work needed from MIS to replace the current posting system with a new one.

Oversight assumes that an appropriate interface could be provided as a part of the new site to reference or accumulate postings from existing agency websites, or that the new site would replace existing websites. Oversight assumes that such a process could be done at little or no cost to the agencies.

Officials from the **Office of Administration, Office of the Commissioner** (OA) assume this proposal would require the creation of a large-scale web-posting system to be designed and maintained by the Office of Administration's Information Technology and Services Division (ITSD). It is not feasible to evaluate the raw numbers of public notices that would be required to be maintained. At least one administrative assistant would be necessary to coordinate the thousands of anticipated public notices that would need to be posted per year according to the statute as written. An assistant is integral to ensure authenticity of the information that is processed and posted to the website.

It may be possible to automate the system with a secure server, however, costs on the part of ITSD would increase in kind. This proposal would require significant coordination between all state agencies and political subdivisions. To a large extent, the Office of Administration currently posts public meeting notices and other public announcements. However, posting all required public notices, may prove to be difficult as there are many cities, towns, villages and counties in Missouri.

OA provided a cost estimate of \$34,128 for FY 2007, \$40,737 for FY 2008, and \$41,790 for FY 2009, to provide one Senior Office Support Assistant - Keyboard plus benefits, equipment, and expenses. The OA estimate did not include any costs for ITSD.

Officials from the **Office of Administration, Information Technology Services Division** (ITSD) assume the proposal would cover only notices as described in the proposal and would not require the Office of Administration to store detailed public records, agendas, or any other supporting documentation of the notice. The site will be designed to include links to that information on the public entity's domain.

ASSUMPTION (continued)

It is assumed that the Office of Administration should only accept notices from political subdivisions. It is assumed that the Office of Administration should review and approve the contents of each posting before it is released to the public. It is assumed that the initial scope should include the ability to post Open Meeting notices as required by the Sunshine Law and an 'Other' general category. Further breakdowns of categories would be added as interest and use of the site grows. It is assumed that the public entity would be required to provide contact information (phone number and/or email address) where questions can be directed with each notice. This estimate only contains information regarding the IT development and on-going maintenance. It does not include any cost estimates for marketing the site to public entities.

ITSD staff began a project in FY2006 to develop a website that allows the posting of open meeting notices by state agencies. It is secured by userid and password at the agency level. If opened to all public entities, this type of security would require a full time administrator who would be required to periodically verify that the user still works for a public entity, revoke and add new users, and reset passwords. We propose modifying this developing site to open it up to all public entity submissions by removing the userid security and replacing it with a review/approval process of the notice. Modifications would also be made to include additional notice categories such as public auctions, request for proposals, etc. The initial site, which would be due on January 1, 2007 according to the proposal, would include an open meeting notices section and a second category for other notice types that would display the agency/public entity name, a description block, contact information, and related links. The site would offer the capability to perform keyword searches.

Currently there are no administrative staff included in the current OA budget staffing level to administer the proposed web site upgrades. In addition an estimate of 1,000 hours of programmer efforts for 6 months would be required to complete the upgrade for the proposed system and some future maintenance hours would be included using existing OA-ITSD staff. A mid range server would need to be purchased and maintained.

ITSD included a cost estimate for one-half additional FTE Senior Office Support Assistant and related benefits and expenses, and the purchase and maintenance cost for one mid-range server. The total was \$27,645 for FY 2007, \$19,844 for FY 2008, and \$20,325 for FY 2009.

Oversight assumes this proposal would have an unknown cost less than \$100,000 per year for computer time and technical support. Oversight assumes that clerical staff would not be required.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
-----------------------------------------	---------------------	---------	---------

GENERAL REVENUE FUND

Cost - OA/ITSD

Computer time and technical support *	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
---------------------------------------	------------------	------------------	------------------

**ESTIMATED NET EFFECT ON
 GENERAL REVENUE FUND ***

<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
------------------	------------------	------------------

* subject to appropriation, expected to be less than \$100,000.

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
-----------------------------------------	---------------------	---------	---------

<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.

DESCRIPTION

This proposal would establish a website for posting all required public notices.

The Office of Administration, Information Technology Services Division would, subject to appropriation, maintain an Internet website for the posting of all notices required by law to be made available to the public by any method by any political subdivision of the state. Any such notice would be posted on the website in the same manner as and for the same period of time as the notice is required by law to be made available to the public. The political subdivision posting such notices could also publish the notice in the same manner prescribed by the statute or ordinance requiring the notice.

The Information Technology Services Division could promulgate rules to implement the provisions of this section, and would implement the website by January 1, 2007.

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

Office of the Secretary of State
Office of State Courts Administrator
Office of Administration
 Office of the Commissioner
 Division of Budget and Planning
 Information Technology Services Division
Department of Economic Development
 Division of Business and Community Services
 Division of Professional Registration
Department of Health and Senior Services

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
April 28, 2006