

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5296-01
Bill No.: HB 1961
Subject: Roads and Highways; Transportation; Department of Transportation
Type: Original
Date: May 4, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Road	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on <u>Other</u> State Funds*	(Unknown)	(Unknown)	(Unknown)

* Expected to exceed \$100,000 annually

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 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 Attorney General** and the **Department of Economic Development** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Department of Transportation** assume that this legislation would eliminate many of the safeguards intended to ensure the expeditious relocation of utilities so that highway construction is not slowed down. The potential relocation delays could lead to delayed highway construction and increased construction cost. In addition, this legislation would eliminate the statutory requirement that relocations within the right of way be done at the cost of the utility company. Therefore, as a result, MoDOT would be responsible for the cost to move utilities that are in the way of a maintenance activity involving hard surface or a roadway. The negative fiscal impact for the increased construction and the utility relocation costs would be unknown, however it is expected to exceed \$100,000.

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

<u>Costs:</u> Department of Transportation Increased Construction and Utility Relocation	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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ESTIMATED NET EFFECT ON ROAD FUND*	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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* Expected to exceed \$100,000 annually

<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

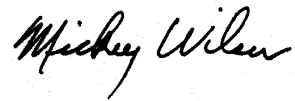
This bill removes the provision that requires the Highways and Transportation Commission to notify companies with utility lines within a highway right-of-way when there is a plan for maintenance. Currently, the commission must provide a written notice to a utility company of a plan or chart indicating the places on the right-of-way where the lines, poles, wires, conduits, pipelines, or tramways may be maintained. The notice must include the time when the work of hard surfacing of a road will take place and the location and date of the hearing on the proposed plan. After the hearing, the commission must notify the company of its findings and orders and give the company a reasonable time to comply. If a company fails to comply with an order to remove or perform other maintenance on the lines, poles, wires, conduits, pipelines, or tramways, the commission may have the work done and billed to the company. The bill also repeals the authority of the commission to institute the necessary actions to enforce these provisions.

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

L.R. No. 5296-01
Bill No. HB 1961
Page 4 of 4
May 4, 2006

SOURCES OF INFORMATION

Department of Transportation
Department of Economic Development
Office of the Attorney General

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

Mickey Wilson, CPA
Director
May 4, 2006