

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5691-01
Bill No.: HB 1647
Subject: Political Subdivisions; Property - Real and Personal
Type: Original
Date: February 19, 2014

Bill Summary: This proposal would prohibit the state, and political subdivisions, from implementing certain policies affecting property rights and from entering into relationships with certain organizations.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 8 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on FTE	0	0	0

☐ 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).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Governor** assume there would be no added cost to their organization.

Officials from the **Department of Corrections (DOC)** assume an unknown impact. It is unclear what non-governmental and intergovernmental organizations "assist" in the implementation of policies relative to Agenda 21. Without this list, it is unclear if the provision would fiscally impact DOC in current or future contracts.

Officials from the **Department of Health and Senior Services (DOH)** assume they are unable to estimate the fiscal impact of the proposed legislation. As drafted, this legislation would prohibit DHSS from contracting with non-governmental and intergovernmental organizations as defined in Agenda 21. A cursory review of Agenda 21, did not provide a clear definition of intergovernmental organizations. DOH is concerned existing contracts with local public health agencies and other community partners could be eliminated, even if those contracts do not specifically relate to Agenda 21.

Currently eleven municipalities in Missouri have participated in some manner with ICLEI—Local Governments for Sustainability. The list includes Clayton, Columbia, Creve Coeur, Kansas City, Kirkwood, Lee's Summit, Riverside, Saint Louis, Saint Louis County, Town & Country, and University City. DOH is unsure how existing contracts with these municipalities would be impacted.

There is an unknown fiscal impact for DOH to maintain a listing that would identify entities that DOH is not allowed to contract with prior to processing contracts. DOH defers to the Office of Administration for developing and maintaining the list or possible system edits in SAM II to prevent inadvertent payments.

ASSUMPTION (continued)

Officials from the **City of Kansas City** assume this proposal would have an unknown indeterminable cost to the City. It would restrain the City's contracting or police powers related to serving the health, safety and welfare of its residents and would likely have unknown and perhaps unintended consequences that would undermine the ability of the City to implement ongoing and future measures to be a more sustainable community, all to the detriment of its taxpayers and citizens. It would restrict who the City can contract with; it would potentially require the City to maintain a list of prohibited entities, and would require City staff to check the list for each and every single contract entered into by the City. This would require the City to change contract processes and train all City staff who work with contracts on the new contracting process.

Officials from the **Office of State Courts Administrator, the Missouri House of Representatives, the Office of the Secretary of State, the Office of the State Auditor, the Office of the State Treasurer, the Joint Committee on Administrative Rules, the Joint Committee on Public Employee Retirement, the Office of Administration - Division of Facilities Management, Design, and Construction and Division of Purchasing, the Department of Agriculture, the Department of Conservation, the Department of Economic Development - Office of the Director, Division of Business and Community Services, the Office of Public Counsel, and Division of Energy, the Department of Elementary and Secondary Education, the Department of Insurance, Financial Institutions, and Professional Registration, the Department of Labor, the Department of Mental Health, the Department of Public Safety - Capitol Police, Division of Fire Safety, Missouri Veterans Commission, State Emergency Management Agency, and State Highway Patrol, the Department of Social Services, the Administrative Hearing Commission, the Missouri Ethics Commission, the Missouri Gaming Commission, the State Tax Commission, the Missouri Lottery, the Department of Transportation and Highway Patrol Employees' Retirement System, the State Public Defenders, Missouri Consolidate Health Care Plan, Linn State Technical College, Missouri State University, Missouri Southern State University, Missouri Western State University, Northwest Missouri State University, the University of Central Missouri, St. Louis County, the Boone County Sheriff's Department, the Springfield Police Department, the Johnson County R-VII School District, the St. Louis County Directors of Elections, and the Metropolitan St. Louis Sewer District** assume this proposal would have no fiscal impact to their organizations.

ASSUMPTION (continued)

Not responding

Officials from the following counties: Andrew, Audrain, Barry, Bates, Boone, Buchanan, Callaway, Camden, Cape Girardeau, Carroll, Cass, Clay, Cole, Cooper, DeKalb, Franklin, Greene, Holt, Jackson, Jefferson, Johnson, Knox, Laclede, Lawrence, Lincoln, Marion, Miller, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Ozark, Perry, Pettis, Phelps, Platte, Pulaski, Scott, St. Charles, St. Louis, St. Francois, Taney, Warren, Wayne and Worth did not respond to our request for information.

Officials from the following cities: Ashland, Belton, Bernie, Bonne Terre, Boonville, California, Cape Girardeau, Clayton, Columbia, Dardenne Prairie, Excelsior Springs, Florissant, Frontenac, Fulton, Gladstone, Grandview, Harrisonville, Independence, Jefferson City, Joplin, Kearney, Knob Noster, Ladue, Lake Ozark, Lebanon, Lee Summit, Liberty, Louisiana, Maryland Heights, Maryville, Mexico, Monett, Neosho, O'Fallon, Pacific, Peculiar, Popular Bluff, Raytown, Republic, Richmond, Rolla, Sedalia, Springfield, St. Charles, St. Joseph, St. Louis, St. Robert, Sugar Creek, Sullivan, Warrensburg, Warrenton, Webb City, Weldon Spring and West Plains did not respond to our request for information.

Officials from the following school districts: Blue Springs, Branson, Charleston R-I, Cole R-I, Columbia, Fair Grove, Francis Howell, Fulton, Harrison R-IX, Independence, Jefferson City, Johnson County R-7, Kansas City, Kirksville, Kirbyville R-V, Lee's Summit, Malden R-I, Malta Bend, Mexico, Monroe City R-I, Nixa, Parkway, Pattonville, Raymore-Peculiar R-III, Raytown, Riverview Gardens, Sedalia, Sikeston, Silex, Special School District of St. Louis County, Spickard, St Joseph, St Louis, St. Charles, Sullivan, Warren County R-III, and Waynesville did not respond to our request for information.

Officials from the following colleges: Crowder, East Central Community College, Harris-Stowe, Jefferson College, Kansas City Metro Community College, Lincoln University, Moberly Area Community College, Southeast Missouri State University, State Fair Community College, St. Charles Community College, St. Louis Community College, Three Rivers Community College, Truman State University, and the University of Missouri did not respond to our request for information.

ASSUMPTION (continued)

Oversight assumes that services offered by any prohibited entities could be provided by alternate entities. Oversight also assumes that any required listing of ineligible entities would be developed and maintained on a centralized basis by the Office of Administration - Division of Purchasing for state agencies in a similar manner as for other prohibited and debarred contractors. Finally, Oversight assumes such a list could be developed and maintained at minimal cost.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
	<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.

FISCAL DESCRIPTION

The proposed legislation appears to have no direct fiscal impact.

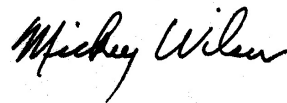
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Missouri House of Representatives
Office of the Governor
Office of the Secretary of State
Office of the State Auditor
Office of the State Treasurer
Joint Committee on Administrative Rules
Joint Committee on Public Employee Retirement
Office of Administration
 Division of Facilities Management, Design, and Construction
 Division of Purchasing
Department of Agriculture
Department of Conservation
Department of Corrections
Department of Economic Development
 Office of the Director
 Division of Business and Community Services
 Office of Public Counsel
 Division of Energy
Department of Elementary and Secondary Education
Department of Health and Senior Services
Department of Insurance, Financial Institutions, and Professional Registration
Department of Labor
Department of Mental Health
Department of Public Safety
 Capitol Police
 Division of Fire Safety
 Missouri Veterans Commission
 State Emergency Management Agency
 State Highway Patrol
Department of Social Services
Administrative Hearing Commission
Missouri Ethics Commission
Missouri Gaming Commission
State Tax Commission

SOURCES OF INFORMATION (continued)

Missouri Lottery
Department of Transportation and Highway Patrol Employees' Retirement system
State Public Defenders
Missouri Consolidate Health Care Plan
Linn State Technical College
Missouri State University
Missouri Southern State University
Missouri Western State University
Northwest Missouri State University
University of Central Missouri
St. Louis County
City of Kansas City
Boone County Sheriff's Department
Springfield Police Department
Johnson County R-VII School District
St. Louis County Directors of Elections
Metropolitan St. Louis Sewer District



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February 19, 2014

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February 19, 2014