

**MISSOURI STATE AUDITOR'S OFFICE
FISCAL NOTE (11-115)**

Subject

Initiative petition from Jeremiah Ratican regarding a proposed constitutional amendment to Article III. (Received December 29, 2011)

Date

January 13, 2012

Description

This proposal would amend Article III of the Missouri Constitution.

The amendment is to be voted on in November, 2012.

Public comments and other input

The State Auditor's office requested input from the **Attorney General's office**, the **Department of Agriculture**, the **Department of Economic Development**, the **Department of Elementary and Secondary Education**, the **Department of Higher Education**, the **Department of Health and Senior Services**, the **Department of Insurance, Financial Institutions and Professional Registration**, the **Department of Mental Health**, the **Department of Natural Resources**, the **Department of Corrections**, the **Department of Labor and Industrial Relations**, the **Department of Revenue**, the **Department of Public Safety**, the **Department of Social Services**, the **Governor's office**, the **Missouri House of Representatives**, the **Department of Conservation**, the **Department of Transportation**, the **Office of Administration**, the **Office of State Courts Administrator**, the **Missouri Senate**, the **Secretary of State's office**, the **Office of the State Public Defender**, the **State Treasurer's office**, **Boone County**, **Cole County**, **Greene County**, **Jackson County Legislators**, **St. Louis County**, the **City of Columbia**, the **City of Jefferson**, the **City of Kansas City**, the **City of St. Joseph**, the **City of St. Louis**, the **City of Springfield**, **Cape Girardeau 63 School District**, **Hannibal 60 School District**, **Rockwood R-VI School District**, **Linn State Technical College**, **Metropolitan Community College**, **University of Missouri**, and **St. Louis Community College**.

Assumptions

Officials from the **Department of Agriculture** indicated that there was no fiscal impact as long as the language applies prospectively to actions of the general assembly relating to statutes enacted by citizen initiative pursuant to this article. If the intent is to also apply these changes retroactively (e.g. "whether the initiative statute was enacted before or is enacted after the effective date of this section.") there could be substantial costs

associated with the Missouri Solution as passed in SB 161 (2011) which established higher standards of care for companion animal breeders in Missouri.

Officials from the **Department of Economic Development** indicated they anticipate no fiscal impact for their department.

Officials from the **Department of Higher Education** indicated that the proposal contained in this initiative petition would have no direct, foreseeable fiscal impact on their department.

Officials from the **Department of Health and Senior Services** indicated this initiative petition is a no impact note for their department.

Officials from the **Department of Insurance, Financial Institutions and Professional Registration** indicated this petition, if passed, will have no cost or savings to their department.

Officials from the **Department of Mental Health** indicated this proposal places no direct requirements on their department that would result in a fiscal impact.

Officials from the **Department of Natural Resources** would not anticipate a direct fiscal impact from this initiative petition.

Officials from the **Department of Corrections** indicated there will be no impact for their department.

Officials from the **Department of Labor and Industrial Relations** indicated this initiative petition will have no fiscal impact on their department.

Officials from the **Department of Social Services** indicated there is no direct fiscal impact to their department.

Officials from the **Governor's office** indicated there should be no added costs to their office if this proposal is approved by the voters.

Officials from the **Missouri House of Representatives** indicated there is no fiscal impact to their agency.

Officials from the **Department of Conservation** indicated no adverse fiscal impact to their department would be expected as a result of this proposal.

Officials from the **Office of Administration** indicated there should be no added costs or savings to their office if this petition is passed by the voters.

Officials from the **Office of State Courts Administrator** indicated there is no fiscal impact on the courts.

Officials from the **Missouri Senate** indicated this initiative appears to have no fiscal impact as it relates to their agency.

Officials from the **Secretary of State's office** indicated their office is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. 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. Funding for this item is adjusted each year depending upon the election cycle with \$1.3 million historically appropriated in odd numbered fiscal years and \$100,000 appropriated in even numbered fiscal years to meet these requirements. The appropriation has historically been an estimated appropriation because the final cost is dependent upon the number of ballot measures approved by the General Assembly and the initiative petitions certified for the ballot. In FY 2011, at the August and November elections, there were 6 statewide Constitutional Amendments or ballot propositions that cost \$1.02 million to publish (an average of \$170,000 per issue). Therefore, the Secretary of State's office assumes, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements.

Officials from the **Office of the State Public Defender** indicated this initiative petition will not have any significant impact on their office.

Officials from the **State Treasurer's office** indicated there is no fiscal impact to their office.

Officials from the **City of Columbia** indicated the petitions appear to have no direct effect on their city.

Officials from the **City of Kansas City** indicated the proposed legislation does not present any new revenue, loss of revenue, new costs, or savings to the city.

Officials from the **City of St. Joseph** indicated there is no direct financial impact on the city.

Officials from the **Rockwood R-VI School District** indicated as it is written, they see no estimated cost or savings from this measure.

Officials from **Linn State Technical College** indicated that based on the information presented, there appears to be no fiscal impact to their college.

Officials from **Metropolitan Community College** indicated there would be no direct fiscal impact on their college.

The State Auditor's office did not receive a response from the **Attorney General's office**, the **Department of Elementary and Secondary Education**, the **Department of Revenue**, the **Department of Public Safety**, the **Department of Transportation**, **Boone County**, **Cole County**, **Greene County**, **Jackson County Legislators**, **St. Louis County**, the **City of Jefferson**, the **City of St. Louis**, the **City of Springfield**, **Cape Girardeau 63 School District**, **Hannibal 60 School District**, **University of Missouri**, and **St. Louis Community College**.

Fiscal Note Summary

The proposal is estimated to result in no direct costs or savings to state and local governmental entities.