

**MISSOURI STATE AUDITOR'S OFFICE
FISCAL NOTE (12-08)**

Subject

Initiative petition from Jewell Patek regarding a proposed constitutional amendment to Article III. (Received January 17, 2012)

Date

February 3, 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**, **Callaway County**, **Greene County**, **Jackson County Legislators**, **St. Louis County**, the **City of Jefferson**, the **City of Kansas City**, the **City of Mexico**, 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 **Attorney General's office** indicated they assume that any potential costs arising from this proposal can be absorbed with existing resources.

Officials from the **Department of Agriculture** indicated there will be no fiscal impact on their department.

Officials from the **Department of Economic Development** anticipate no fiscal impact as a result of the proposed legislation.

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 if the adoption of the measure results in a reduction of fee revenue from consumer credit entities, the department anticipates it would expend a correspondingly smaller amount to regulate these entities.

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** indicated they 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 has no fiscal impact on their department.

Officials from the **Department of Revenue** indicated this initiative petition has no impact on their department.

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

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

Officials from the **Missouri House of Representatives** indicated there will be 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 **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. Their 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, their 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 will be no fiscal impact to their office.

Officials from **St. Louis County** indicated:

The APR cap of 13.99% for the loan or use of money would not affect St. Louis County according to the county's Treasurer.

No savings are expected as a result of this proposal.

There would be no additional costs incurred as a result of this proposed change.

No losses are anticipated if Initiative Petition 12-08 were to pass.

Officials from the **City of Jefferson** indicated they expect no fiscal impact should this petition become law.

Officials from the **City of Kansas City** indicated this proposal does not address the activities of the city and therefore, has no fiscal impact on the city.

Officials from the **City of St. Joseph** indicated there will be no impact on the city one way or the other.

Officials from **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 based on the information presented, there appears to be no fiscal impact to their college.

Officials from **Metropolitan Community College** indicated this petition would have no direct fiscal impact on their college.

The State Auditor's office did not receive a response from the **Department of Elementary and Secondary Education**, the **Department of Higher Education**, the **Department of Public Safety**, the **Department of Transportation**, the **Missouri Senate**, **Callaway County**, **Greene County**, **Jackson County Legislators**, the **City of Mexico**, 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.