

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3738-01
Bill No.: SJR 28
Subject: Eminent Domain: Constitutional Amendment
Type: Original
Date: January 11, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
General Revenue	(\$52,560)	\$0	\$0
Total Estimated Net Effect on General Revenue Fund	(\$52,560)	\$0	\$0

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 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 of the **Office of Attorney General** assume no fiscal impact.

Officials of the **Office of Secretary of State - Election Division** assume there would be publication costs as required by Section 115.127 RSMo. Officials assume statewide newspaper publication of state statutes cost approximately \$1,752 per column inch based on an estimate provided by the Missouri Press Service x 3 for multiple printings as required by the Constitution and state statute = \$5,256 per column inch. Estimated total number of inches needed for this amendment to be 10 inches, which includes title header and certification paragraph. (\$5,256 x 10 inches = \$52,560). **Officials stated that in the event a special election would be called to amend the Constitution, there would be a potential cost of \$3,700,000 to the state.**

Officials of the **Administrative Rules Division** assume no fiscal impact.

Officials of the **Office of Administration - Division of Facilities Management, Design and Construction** assume no fiscal impact.

Officials of the **Office of State Auditor** assume no fiscal impact to their office.

ASSUMPTION (continued)

Officials of the **Department of Economic Development** assume no fiscal impact to their department.

Officials of the **Department of Conservation** assume no fiscal impact to their department.

Officials of the **Missouri Department of Transportation** assume no fiscal impact to their department.

Officials of the **Department of Natural Resources** assume no fiscal impact.

Officials of the **Clay County Commission** assume if the election were to be a special election the costs would be approximately \$125,475.

Officials of **Jasper and Nodaway Counties** assume no fiscal impact.

Oversight, for the purposes of this fiscal note, assumes that a special election would not be called, and that the election would be held in November of 2006 at the general election. This would be State Fiscal Year 2007.

<u>FISCAL IMPACT - State Government</u>	FY 2007	FY 2008	FY 2009
GENERAL REVENUE FUND			
<u>Cost</u> to Secretary of State for Publication of election	<u>(\$52,560)</u>	<u>\$0</u>	<u>\$0</u>
Estimated Net Effect to General Revenue Fund. *	<u>(\$52,560)</u>	<u>\$0</u>	<u>\$0</u>

*** Oversight assumes the election will be held at the next general election in November of 2006, or state fiscal year 2007. Oversight assumes no special election would be called.**

<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.

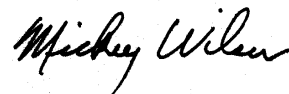
DESCRIPTION

This proposed constitutional amendment, if approved by the voters, provides that private property may only be taken when necessary for the possession, occupation, or enjoyment of land by the public, or by public agencies, public utilities, rural electric cooperatives, municipally owned utilities, or common carrier, as provided by law. Private property shall not be taken for use by private commercial enterprise, the purpose of economic development, or for any other private use, except with consent of the owner. Takings by public utilities, rural electric cooperatives, municipally owned utilities, or common carriers are not takings for private use. Property shall not be taken from one owner and transferred to another on the grounds that the public will benefit from a more profitable private use.

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 Attorney General
Office of State Auditor
Office of Secretary of State - Election Division
Missouri Department of Conservation
Missouri Department of Transportation
Department of Economic Development
Department of Natural Resources
Office of Administration - Facilities Management
Clay County Commission
Jasper County Clerk
Nodaway County Clerk



Mickey Wilson, CPA
Director
January 11, 2006