

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: #4181-02  
Bill No.: SB 826  
Subject: Roads and Highways; Transportation Dept.  
Type: Corrected  
Date: February 13, 2006  
#Corrected L.R. No.

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**FISCAL SUMMARY**

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

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Road Fund	(\$294,000)	(\$294,000)	(\$294,000)
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>(\$294,000)</b>	<b>(\$294,000)</b>	<b>(\$294,000)</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 4 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Department of Transportation (MoDOT)** assume scenic byways are eligible for federal funding through grants from the Federal Highway Administration. These grants are passed through to local communities by MoDOT. The proposal would weaken the ability of the program to preserve the scenic qualities of a byway, which is one of the criteria for federal funding. If the proposal is adopted, it is possible that no projects would qualify for federal funding in the future. Federal funding passed through MoDOT for scenic byways projects averaged approximately \$294,000 annually over the past six years. Therefore, we estimate the negative fiscal impact to be approximately \$294,000 per year.

Officials from the **Secretary of State's Office** assume many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. 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. The fiscal impact for this fiscal note to Secretary of State's office for Administrative Rules is less than \$1,500. The Secretary of State's office recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, they also recognize that many such bills may be passed by the General Assembly in a give year ant that collectively the costs may be in excess of what their office can sustain with their core budget. Therefore, they

ASSUMPTION (continued)

reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
<b>ROAD FUND</b>			
<u>Loss - Federal Funding</u>	<u>(\$294,000)</u>	<u>(\$294,000)</u>	<u>(\$294,000)</u>
<b>ESTIMATED NET EFFECT ON ROAD FUND</b>	<b><u>(\$294,000)</u></b>	<b><u>(\$294,000)</u></b>	<b><u>(\$294,000)</u></b>

<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


Under this act, the Missouri Department of Transportation shall have the same power and authority over private property along a road or highway that has been designated a scenic byway that the department had over the private property prior to the road or highway being designated as a scenic byway. Nothing in the scenic byway program shall be construed as granting the department power to acquire scenic easements within an area designated as a scenic byway. The department shall not require private property owners who own real estate along a scenic byway to restrict, limit, or restrain the use of their property unless such restriction, limitation, or restraint also would be applicable to a road or highway that is not a scenic byway.

DESCRIPTION (continued)

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

Department of Transportation  
Secretary of State's Office



Mickey Wilson, CPA  
Director  
February 13, 2006