

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4001-07
Bill No.: HCS for HB Nos. 1524 & 2260
Subject: Military Affairs
Type: Original
Date: March 25, 2010

Bill Summary: This proposal revises laws concerning military forces and authorizes certain medals, badges, unit citations and ribbons for the service of certain individuals.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
General Revenue	(\$15,575)	\$0	\$0
Total Estimated Net Effect on General Revenue Fund	(\$15,575)	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Legal Expense	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Total Estimated Net Effect on <u>Other</u> State Funds	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 8 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
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 2011	FY 2012	FY 2013
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety - Veterans' Commission** assume no fiscal impact from the proposal.

Officials from the **Office of the Adjutant General (OTAG)** state sections 41.572 through 41.588 regarding ribbons would cost an additional \$15,575. OTAG assumes this cost would be incurred in FY 2011 from the General Revenue Fund.

Officials from the **Office of the Secretary of State - Rules (SOS - Rules)** assume many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS - Rules 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 the Secretary of State's Office for Administrative Rules is less than \$2,500. The SOS - Rules recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, we also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what our office can sustain with our core budget. Therefore, we 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.

Officials from the **Office of the Secretary of State - Elections (SOS - Elections)** assume this bill requires ballots for absent uniformed services voters and overseas voters to comply with federal provisions. It requires the SOS - Elections to designate a means of electronic communication for uniformed service and overseas voters to request, receive, and send voter registration applications, absentee ballot applications, and ballots. The SOS - Elections shall also develop a free access system for uniformed service and overseas voters to determine if their ballot has been received by the appropriate election authority.

SOS - Elections assume training for the local election authorities would be \$7,100.

7 training x \$1,000 (travel, lodging and meeting room)

\$100 Phone line

\$7,100 Total

Oversight assumes that since this legislation is a federal mandate, federal funds will be received under the M.O.V.E. Act to cover costs associated with this proposal.

ASSUMPTION (continued)

In response to a similar version of this proposal, officials from the **Office of the Attorney General (AGO)** stated the proposal states that members of the reserve forces and members of organized militia when called to active duty shall be considered state employees for Legal Expense Fund coverage. The AGO assumes that such individuals already have federal coverage and immunity when called to active duty. The AGO assumes that costs to the Legal Expense Fund would be \$0 to unknown, dependant on the number of successful claims.

Officials from the **Office of Administration - Risk Management** state they have been working under the assumption that the National Guard when called out for emergency duty by the Governor is covered by both liability exposure and workers' compensation under Sections 41.910 and 41.920, RSMo.

Officials from the **Department of Elementary and Secondary Education** state Sections 41.206 and 41.207 does not impact DESE or local schools. Regarding Section 160.545, DESE states the FY 2011 Governor's recommendations include a transfer of A+ funding (\$25,336,524 and 1.0 FTE) from DESE's budget to the Coordinating Board for Higher Education. DESE defers to the Coordinating Board regarding the fiscal impact of the proposed legislation.

DESE states they cannot determine the impact the proposed legislation will have on the A+ appropriation. DESE has no means to determine the number of students who would meet the criteria.

In response to a similar version of this proposal, officials from the **Coordinating Board for Higher Education** assumed the proposal would not have a direct, foreseeable fiscal impact on their agency.

Officials from the **Office of the Governor, Department of Labor and Industrial Relations** and the **Office of the State Treasurer** each assumed the proposal would not have a fiscal impact on their respective agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
GENERAL REVENUE FUND			
<u>Costs</u> - Office of the Adjutant General for Legion of Merit Medals, Staff Identification Badges, Missouri Iraq Campaign Ribbons, Missouri Afghanistan Campaign Ribbons, Missouri Kosovo Campaign Ribbons and others	<u>(\$15,575)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	<u>(\$15,575)</u>	<u>\$0</u>	<u>\$0</u>
LEGAL EXPENSE FUND			
<u>Costs</u> - Office of the Attorney General Potential for additional costs resulting from Section 41.470.5 - stating members of the organized militia shall be considered state employees for purposes of the state legal expense fund	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
ESTIMATED NET EFFECT TO THE LEGAL EXPENSE FUND	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>	<u>\$0 or (Unknown)</u>
FEDERAL FUNDS			
<u>Revenue</u> - Secretary of State M.O.V.E. Act funds received	\$7,100	\$0	\$0
<u>Cost</u> - Secretary of State training for new procedures	<u>(\$7,100)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON FEDERAL FUNDS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
	<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

This bill changes the laws regarding military forces and authorizes certain medals, badges, and ribbons for outstanding military performance and for service in direct support of several military campaigns. In its main provisions, the bill:

- (1) Defines "primary next of kin" as in order of precedence, surviving spouse, eldest child, father or mother, eldest brother or sister, or eldest grandchild as it relates to the Uniform Code of Military Justice;
- (2) Requires members of the state militia, including its reserve forces, to be considered state employees for purposes of the State Legal Expense Fund and for workers' compensation coverage when they are ordered to active military duty or called to duty by the Governor;
- (3) Authorizes the Governor, upon the recommendation of the Adjutant General, to present a Legion of Merit Medal to individuals who have exceptionally meritorious conduct in the performance of outstanding military service and achievement reflecting honorably and creditably upon the state;
- (4) Authorizes the Adjutant General to present a Missouri Adjutant General Staff Identification Badge to an individual based on demonstrated outstanding performance of duty; and
- (5) Authorizes the Governor, upon the recommendation of the Adjutant General, to present a campaign ribbon to individuals who have served in direct support of several military campaigns. The ribbons include a Missouri Iraq Campaign Ribbon, a Missouri Afghanistan Campaign Ribbon, a Missouri Kosovo Campaign Ribbon, and a Missouri Vietnam Campaign Ribbon.

FISCAL DESCRIPTION (continued)

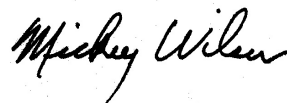
Sections 115.156 - 115.292 requires the Secretary of State to establish procedures for absent uniformed services voters and overseas voters to request voter registration applications and absentee ballot applications. At least one form of electronic communication for use by absent uniformed services and overseas voters must be designated for requesting voter registration applications and absentee ballots. These voters may request and designate a preferred method of electronic transmission of these applications and ballots or request receipt by mail. The Secretary of State must also develop, in coordination with local election authorities, a free access system by which these voters may determine whether an absentee ballot has been received by the appropriate election authority.

A sufficient quantity of paper ballots for federal elections must be printed and available for these voters within 45 days prior to the election. Registration applications and paper ballots cannot be rejected by an election authority because of any restriction on the paper or envelope type. Missouri is required to use the special write-in absentee ballot provided in Section 115.292, RSMo, for all elections for federal office as authorized by federal law.

A portion of this legislation is federally mandated (HR 2647). The proposal would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety
Department of Elementary and Secondary Education
Office of the Secretary of State
Office of the State Treasurer
Department of Labor and Industrial Relations
Office of the Attorney General
Office of Administration
Office of the Governor
Department of Higher Education



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