

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

**L.R. NO.:** 4297-01  
**BILL NO.:** Perfected SB 944  
**SUBJECT:** Education, Elementary and Secondary: Weapons and Drugs  
**TYPE:** Original  
**DATE:** March 29, 2000

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	(\$2,864,831)	(\$2,851,151)	(\$2,856,161)
Video Instructional Development and Educational Opportunity Fund	\$0	\$0	\$0
National Guard Pilot Instruction Program Fund	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> State Funds*</b>	<b>(\$2,864,831)</b>	<b>(\$2,851,151)</b>	<b>(\$2,856,161)</b>
<b>*Excludes DOC costs of less than \$100,000 annually.</b>			

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<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>			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 10 pages.

---

**FISCAL ANALYSIS**

ASSUMPTION

Crimes on School Property

Officials from the **Office of State Courts Administrator** assume the proposal would result in no fiscal impact to the courts.

Officials from the **Department of Social Services** and **Department of Health** assume the proposal would result in no fiscal impact to the agencies.

Officials from the **Department of Elementary and Secondary Education (DESE)** assume the proposal would result in no fiscal impact to DESE or local public school districts.

Officials from the **Department of Corrections (DOC)** assume the crime of trespass of a school bus could increase supervisory duties related to probation and parole. The cost would be zero to minimal; however, any additional costs could be absorbed by the DOC. Officials from the Department of Corrections assume new commitments could result from the creation of a felony for making a terrorist threat could not be accurately determined. In addition, changes in penalty provisions for current crimes could result in additional costs due to new commitments and/or longer sentences. The utilization of these laws for both new offenses and enhanced penalties for current offenses depend upon actions of prosecutors and the courts.

If additional persons would be sentenced to the custody of the DOC due to the provisions of this legislation, the DOC would incur a corresponding increase in operational costs either through incarceration (average of \$35.61 per inmate, per day) or through supervision provided by the Board of Probation and Parole (average of \$2.47 per offender, per day).

Due to the wide variance of crimes and punishments including newly created crimes and punishments, the fiscal impact as it relates to the DOC is unknown, but not estimated to exceed \$100,000 annually.

ASSUMPTION (continued)

VIDEO Fund

Based on a response to a similar proposal (HB 1713), officials from the **Department of Revenue (DOR) and Department of Economic Development - Division of Workforce Development** assume the proposal would result in no fiscal impact to the agencies.

Based on a response to a similar proposal (HB 1713), officials from the **Coordinating Board For Higher Education (CBHE)** assume this program would be administered by DESE, thus there would be no fiscal impact on the CBHE. There could potentially be a positive fiscal impact on higher education institutions as they are eligible to apply for grants from the VIDEO Fund. This potentially applies if the current annual transfer is less than \$3 million.

Officials from the **Office of Administration - Budget and Planning** assume the proposal would not result in any fiscal impact on Total State Revenue, nor would it result in any fiscal impact on the Office of Administration. However, the proposal is likely to result in at least an estimated \$2,692,167 loss to the General Revenue Fund for FY 2001. The loss to the General Revenue Fund for FY 2002 and FY 2003 would be slightly less provided sales tax collections increase. The impact on the General Revenue Fund was calculated as follows:

\$623,966	Most recent 6 months worth of actual collections transferred to the VIDEO Fund
x 2	Times two for an annualized total
\$1,247,932	Total
x 1.048%	Times projected FY 2001 sales tax growth according to the consensus revenue estimate
\$1,307,833	Projected FY 2001 transfers from the General Revenue Fund to the VIDEO Fund
\$4,000,000	Minimum General Revenue transfer per proposal
<u>(\$1,307,833)</u>	Projected FY 2001 transfers from the General Revenue Fund to the VIDEO Fund
<u>\$2,692,167</u>	Loss to the General Revenue Fund

Officials from the **Department of Elementary and Secondary Education (DESE)** assume this establishes a funding floor for the Video Instructional Development and Educational Opportunity Fund of at least \$4.0 million. For purposes of this fiscal note, the \$4,000,000 floor was used. The Department's FY 2001 budget request for this appropriation is \$3,023,442; the Governor recommended \$1,091,081. The difference between the \$4.0 million floor, and the Governor's recommendation is \$2,908,919.

ASSUMPTION (continued)

The moneys in the video instructional development and opportunity provide for grants to public education institutions and public television stations for equipment and instruction; the development of instructional programs which are to be made available to the public free; and the development of instructional programs to be made available on a subscription basis. The more money there is available for this program, the more there will be available for school districts to utilize for video instructional programs.

The **Oversight Division** has used the estimates provided by the Office of Administration - Budget and Planning in the fiscal impact. Oversight has included costs to the General Revenue Fund and income to the Video Instructional Development and Educational Opportunity Fund in the state fiscal impact and revenue and costs to school districts for increased Video grants in the local fiscal impact.

Military Training For Students

Officials from the **State Treasurer's Office** assume the proposal would result in no fiscal impact to the agency.

Officials from the **Department of Social Services** assume the proposal would result in no fiscal impact to the agency.

Officials from the **Department of Elementary and Secondary Education (DESE)** assume existing staff could liaison with the National Guard and Department of Social Services; therefore, no significant fiscal impact would result to DESE.

The National Guard Pilot Instruction Program Fund would be able to receive moneys to carry out the purposes of the program. The amount of grants, gifts, donations and appropriations it might receive is unknown.

Children in grades 7 and 8 in local school districts would be able to apply to enter the program. This would be an additional program option for schools. DESE officials believe that there would be no significant fiscal impact to school districts.

Officials from the **Missouri National Guard** assume the OTAG/MONG would be responsible for providing military instructions for a 4-week program at a National Guard facility. The National Guard would work with DESE and DOSS to develop training programs. DESE would provide for academic instruction.

ASSUMPTION (continued)

The OTAG/MONG makes the following assumptions for the pilot program:

- a. One 4-week class of approximately 96 students will be trained under the pilot model program.
- b. The training will take place at the MONG Training Site, Camp Clark, Nevada, Missouri. Some facility minor modifications/improvements will be necessary. Buildings 468, 469, 470 with upgrades projected for billets. The **Oversight Division** has excluded building modifications of \$21,000 from the fiscal impact, assuming existing space could be used.
- c. MONG personnel will be responsible for 24-hour 7-day per week discipline and supervision.
- d. The pilot program will be a male only program with three platoon size elements of 32 students each. DESE will be responsible for providing and resourcing academic instructors and providing instructional class materials.
- e. National Guard trainers (17) will be hired as temporary state employees (federally funded MONG personnel are not authorized to perform state program work while in federal pay status).
- f. First class projected for June/July 2001 with first year temporary personnel on board for 10 weeks opposed to 6 week employment following years.
- g. Pilot program to be scheduled between MONG Show-Me Challenge program phases, which will provide some efficiencies.

TITLE	RANGE	FTE	ANNUAL*	10-WEEKS	6-WEEKS
Military Program Administrator	22	1.00	\$ 34,992	\$ 6,719	\$ 4,024
Clerk Steno II/Secretary	10	1.00	20,172	3,873	2,320
Military Program Trainer/Instructor IV	18	3.00	29,184	16,809	10,068
Military Program Trainer/Instructor I	12	<u>12.00</u>	<u>22,164</u>	<u>        </u>	<u>63,504</u>
		4.00	\$106,512	\$27,401	\$79,916

\*Annual salary computed from FY 00 pay grid – market step. Trainer/Instructor I's to be paid at \$10.50 per hour, work days at 12 hours maximum for 7 days (\$882) for 6 weeks.  
 \$5,292 X 12 FTE = \$63,504

ASSUMPTION (continued)

FY Fringes:		<u>Year 1</u>	<u>Year 2</u>
Retirement	.1191	N/A	N/A
Social Security	.0765	\$6,954.00	\$6,114.00
Long Term Disability	.0053	482.00	424.00
Medical Insurance	\$197.00/month	N/A	N/A
Life Insurance	\$ 4.38/month	N/A	N/A
Deferred Comp	\$ 25.00/month	<u>N/A</u>	<u>                    </u>
		\$7,436.00	\$6,538.00

Expense and equipment costs were projected using the Office of Administration FY 2001 budget instructions as a guide in determining the estimated cost for the Public School Military Training Program. It is projected that one-time equipment items (building modifications, lateral files (3), communication, facsimile, copier, and laptop computer) totaling \$31,671 will be required with recurring expense items for office expenses, food service, medical, utilities, communications, and travel totaling \$63,653.

The Office of the Adjutant General (OTAG) in this fiscal estimate has only submitted personal service and expense and equipment costs for temporary military staff to work at the OTAG that are necessary to assist in the establishment of policy, develop Codes of State Regulations, and provide military training discipline and supervision. The OTAG has not attempted to estimate the costs of the academic trainers that would provide classroom instruction or other than military and adventure topics.

Federally funded Missouri National Guard soldiers and full-time staff, due to military training requirements and missions, could not provide this training and oversight in federal status. As a result, all program training and administrative activities would be required to be funded from donations received through the newly created National Guard Pilot Instruction Program Fund (NGPIF).

Endangering the Welfare of a Child

Officials from the **Department of Corrections** assume the proposal would result in zero to minimal fiscal impact which could be absorbed with existing resources.

Officials from the **Department of Elementary and Secondary Education (DESE)** and **Office of State Courts Administrator** assume the proposal would result in no fiscal impact to the agencies.

L.R. NO. 4297-01  
 BILL NO. Perfected SB 944  
 PAGE 7 OF 10  
 March 29, 2000

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
<b>GENERAL REVENUE FUND</b>			
<u>Cost-Department of Corrections</u>			
Incarceration or Supervision	LESS THAN (\$100,000)	LESS THAN (\$100,000)	LESS THAN (\$100,000)
<u>Cost-General Revenue Fund</u>			
Transfer to the VIDEO Fund	(\$2,692,167)	(\$2,692,167)	(\$2,692,167)
Appropriations to the National Guard Pilot Instruction Program Fund	(\$172,664)	(\$158,984)	(\$163,994)
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND*</b>	<b><u>(\$2,864,831)</u></b>	<b><u>(\$2,851,151)</u></b>	<b><u>(\$2,856,161)</u></b>

**\*Excludes DOC costs of less than  
\$100,000 annually.**

**VIDEO INSTRUCTIONAL  
 DEVELOPMENT AND  
 EDUCATIONAL OPPORTUNITY  
 FUND**

<u>Income-Video Instructional Development and Educational Opportunity Fund</u>			
Transfer from the General Revenue Fund	\$2,692,167	\$2,692,167	\$2,692,167
<u>Cost-Video Instructional Development and Educational Opportunity Fund</u>			
Grants to School Districts	(\$2,692,167)	(\$2,692,167)	(\$2,692,167)
<b>ESTIMATED NET EFFECT ON VIDEO INSTRUCTIONAL DEVELOPMENT AND EDUCATIONAL OPPORTUNITY FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
<b>NATIONAL GUARD PILOT INSTRUCTION PROGRAM FUND</b>			
<u>Income-Missouri National Guard</u>			
Appropriations from General Revenue	\$172,664	\$158,984	\$163,994
<u>Cost-Missouri National Guard</u>			
Personal Services	(\$90,904)	(\$82,314)	(\$84,782)
Fringe Benefits	(\$7,436)	(\$6,733)	(\$6,935)
Expense and Equipment	<u>(\$74,324)</u>	<u>(\$69,937)</u>	<u>(\$72,277)</u>
Total <u>Cost-MNG</u>	(\$172,664)	(\$158,984)	(\$163,994)
<b>ESTIMATED NET EFFECT ON NATIONAL GUARD PILOT INSTRUCTION PROGRAM FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
<b>SCHOOL DISTRICTS</b>			
<u>Income-School Districts</u>			
Video Grants	\$2,692,167	\$2,692,167	\$2,692,167
<u>Cost-School Districts</u>			
Video Instructional Programs	(\$2,692,167)	(\$2,692,167)	(\$2,692,167)
<b>ESTIMATED NET EFFECT ON SCHOOL DISTRICTS</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.



## DESCRIPTION

### Crimes on School Property

When a weapon or controlled substances are brought to school, "school" would include the entire real property comprising the school, including parking lots, playgrounds, activity facilities and all other parts of the school campus and would also include school buses.

A person commits the felony crime of making a terrorist threat by making a false report concerning the commission of a felony or catastrophic occurrence.

Trespass of a school bus would be a class A misdemeanor.

### VIDEO Fund

The Video Instructional Development and Educational Opportunity Fund would include \$4 million transferred to the fund annually.

### Military Training For Students

The proposal would establish a pilot program for public middle school students using military training and motivation methods. The program would be established jointly by the Department of Elementary and Secondary Education and the Department of Social Services.

The program would be a four-week residential program at a national guard facility during which time military training instructors from the National Guard would have overall responsibility for the students. Academic instruction would be provided by the local school system and training for the families of students would be provided by school counselors or the Department of Social Services.

The proposal would establish the National Guard Pilot Instruction Program Fund. The fund could receive grants, gifts, donations and appropriations for the purpose of establishing and operating the program.

### Endangering the Welfare of a Child

The proposal would create the crime of endangering the welfare of a child in the second degree if the parent or guardian of the child less than seventeen years old allows the child to bring a weapon to school in violation of school district policy, when the weapon is the property of the parent.

L.R. NO. 4297-01  
BILL NO. Perfected SB 944  
PAGE 10 OF 10  
March 29, 2000

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 Elementary and Secondary Education  
Office of State Courts Administrator  
Department of Social Services  
Department of Health  
Department of Corrections  
Department of Economic Development  
Department of Revenue  
Missouri National Guard



Jeanne Jarrett, CPA  
Director  
March 29, 2000