

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

**L.R. NO.:** 1444-03  
**BILL NO.:** Truly Agreed to and Finally Passed HCS for SB 345  
**SUBJECT:** Noxious weeds, Weed Abatement  
**TYPE:** Original  
**DATE:** May 23, 2001

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
	\$0	\$0	\$0
<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 2002	FY 2003	FY 2004
<b>Local Government</b>	<b>\$100,000 to \$120,833</b>	<b>\$120,000 to \$145,000</b>	<b>\$120,000 to \$145,000</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 6 pages.

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**FISCAL ANALYSIS**

ASSUMPTION

**SECTION 347.189- Kansas City- Real Property Filings:**

Officials of the **Kansas City Manager's Office** assumes no fiscal impact from the requirements of this section.

**Oversight** assumes no state fiscal impact.

**SECTION 71.285- Weed Abatement for Certain Cities ( St. Peters, and St. Paul ):**

Officials of the Cities of **St. Peters and St. Paul** stated they would have no fiscal impact.

**Oversight** assumes Section 71.285 is permissive and provides another option for weed abatement in certain cities in St. Charles County. Oversight assumes this section would have no fiscal impact to state funds.

**SECTION 82.300- Kansas City - Property Nuisances:**

Officials of the **Kansas City Manager's Office** stated that annual revenues from property code fines average around \$430,000. Officials estimate that the change in maximum fine from \$500 to \$1,000 for property and nuisance code violations would increase revenue to \$550,000 to \$575,000 annually.

**SECTION 263.232- Noxious Weeds:**

Officials from the **Department of Agriculture** assume the proposed legislation would have no fiscal impact on their agency.

Officials from the **University of Missouri** assume the proposed legislation would have little or no fiscal impact on their agency.

Officials from the **Department of Elementary and Secondary Education** assume their agency and state board operated schools would have the duty of eradicating the spread of teasel and kudzu on their property. They assume the fiscal impact will not be in excess of \$100,000. Additionally, in reference to local impact, all school districts would have the duty of eradicating teasel and kudzu on their property. The Department assumes the cost to control such weeds could be in excess of \$100,000 statewide.

ASSUMPTION (continued)

Officials from the **Department of Mental Health** assume their Department has approximately 254 acres of ungroomed property which would all need to be treated to ensure compliance. The estimated cost of treatment is \$23 per acre with treatment continuing every other year. Therefore, the Department assumes a yearly cost of \$2,921 (254 acres X \$23 per acre divided by 2).

Officials from the **Department of Natural Resources** assume that since they own property the Department would be subject to the provisions of the proposed legislation. The Department has had instances of sightings and eradication of cut-leaved teasel, but they have been able to handle them with existing resources. The Department is not aware of any common teasel or kudzu growing on any of their state property. Therefore, they do not anticipate any fiscal impact from this proposal.

However, if cut-leaved teasel, common teasel or kudzu are identified on any of the Department's property and they are required to eradicate it, the Department may pursue resources through the normal budget process.

Officials from the **Department of Conservation** assume the costs related to the proposed legislation would be less than \$20,000 per year.

Officials from the **Department of Corrections** stated that they would comply with the provisions of this proposal. If DOC incurred costs at a higher fiscal impact than estimated, resources would be requested through normal budgetary channels. The fiscal impact is estimated at \$0 or a minimal cost that could be absorbed with existing resources.

Officials from the **Department of Transportation** (DHT) assume that since cut-leaved teasel, teasel and kudzu can spread by seeds, but also spread by runners and rhizomes, it will be necessary to spray the infested area to kill the plant. On kudzu outbreaks, it will be necessary to kill everything and then replant the area to establish vegetation.

The estimated cost for the herbicide to treat one acre of kudzu teasel will be approximately \$20.00 per acre, therefore the cost to eradicate the kudzu will be \$7,700.

The estimated cost for the herbicide to treat one acre of cut-leaved teasel will be approximately \$20.00 per acre. With 1,155 acres times \$20.00 per acre, the cost to eradicate the teasel will be \$23,100.

ASSUMPTION (continued )

The statewide average cost in 2000 for establishing native plants on MTHC right-of-ways was \$588 per acre. Since the kudzu sites will require re-vegetation and an estimated 10 percent of teasel acres will be re-vegetated, the total cost to replant vegetation is \$294,588 (385 kudzu acres plus 116 teasel acres times \$588 per acre).

Therefore, the total cost to eradicate the teasel and kudzu and replant vegetation is \$325,388 in FY 02, \$335,149 in FY 03, and \$345,205 in FY 04.

Officials from DHT assume, in reference to the amendment, that the costs would remain as estimated above provided that the Department of Agriculture, Department of Conservation and the University Extension do not require different eradication methods than what the DHT currently practices.

In response to similar legislation (HB 473), officials from the **City of West Plains** assume some fiscal impact, but the amount of impact is unknown without knowing how much is out there and the cost of eradication. Officials noted that to their knowledge, the city does not have a problem with these weeds at this time.

**Total costs associated with Section 263.232 are reflected as zero. This is based on a decision made by the Oversight Subcommittee on February 1, 2000 in reference to a similar proposal (HB 1395) from the 2000 session.**

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2002 (10 Mo.)	 FY 2003	 FY 2004
 <b><u>Income</u></b> to Kansas City from increase in code violation fines. (Section 82.300)	\$100,000 to \$120,833	\$120,000 to \$145,000	\$120,000 to \$145,000

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### FISCAL IMPACT - Small Business

Small businesses could be fiscally impacted due to eradication costs addressed in this proposal.

### DESCRIPTION

This substitute allows the City of St. Peters to order the abatement of weeds or trash within 5 business days after notice is sent or posted on the property. If the weeds or trash are not removed within 5 days, the city may have them removed and the cost of removal billed on a special tax bill to be collected by the collector with other taxes assessed against the property.

Kansas City is also authorized to enact ordinances to protect private property from nuisance and property maintenance code violations. Punishment for the violation of these ordinances may be a fine of up to \$1,000 or imprisonment of up to one year or both for each offense. The substitute also requires a limited liability company that owns unoccupied real property in Kansas City to file with the city's clerk an affidavit listing the name and address of at least one person who has management control and responsibility for the property.

The substitute also requires persons, corporations, state commissions, state agencies, county commissions, township boards, school boards, drainage boards, railroad companies, governing bodies of incorporated cities, other transportation companies, and persons supervising state-owned lands to control the spread of and eradicate cut-leaved teasel (*Dipsacus laciniatus*), common teasel (*Dipsacus fullonum*), and kudzu vine (*Pueraria lobata*) by methods approved by the Environmental Protection Agency.

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 Agriculture  
Department of Conservation  
Department of Corrections  
Department of Elementary and Secondary Education  
Department of Mental Health  
Department of Natural Resources  
Department of Transportation  
University of Missouri

WB:LR:OD:005 (9-94)

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SOURCES OF INFORMATION (continued)

City of West Plains  
Kansas City Manager's Office  
City of St. Peters  
City of St. Paul



Jeanne Jarrett, CPA  
Director  
May 23, 2001