

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0277-02
Bill No.: SB 98
Subject: Employees - Employers; State Employees; Labor and Management
Type: Original
Date: January 3, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
General Revenue	(Less than \$200,000)	(Less than \$200,000)	(Less than \$200,000)
Total Estimated Net Effect on General Revenue Fund	(Less than \$200,000)	(Less than \$200,000)	(Less than \$200,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on Other 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 2004	FY 2005	FY 2006
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Labor and Industrial Relations (DOL)** state they are unable to determine the exact cost of this proposal. DOL officials assume if the number of hearings exceed six per year, the Board of Mediation would not be able to absorb the work and there would be an unknown fiscal impact less than \$100,000 annually.

Officials from the **Office of the State Courts Administrator (CTS)** state the proposal would give employees a right to file a petition in circuit court for relief against labor organizations. CTS officials state they have no way of determining how often this right might be invoked and note any substantial increase in court workload will be reflected in future budget requests. CTS assumes the overall increase in costs to be less than \$100,000.

Officials from the **Secretary of State's Office (SOS)** state the Board of Mediation will promulgate rules to implement this proposal. These rules would be published in the Missouri Register and the Code of State Regulations. SOS estimates, based on experience with other divisions, the rules, regulations and forms issued by the Board of Mediation could require as many as eight pages in the Code of State Regulations. For any given rule, roughly half again as many pages are published in the Missouri Register as in the Code. The estimated cost of a page in the Missouri Register is \$23. The estimated cost of a page in the Code is \$27.

ASSUMPTION (continued)

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple proposals pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
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GENERAL REVENUE

Costs – DOL

Potential Additional Duties	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)
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Costs – CTS

Potential Additional Duties	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)
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ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(Less than \$200,000)</u>	<u>(Less than \$200,000)</u>	<u>(Less than \$200,000)</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Small Business

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

DESCRIPTION

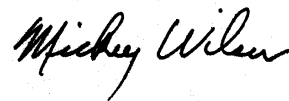
This proposal provides that any employee of this state or any public body whose rights have been violated by a labor organization may institute a petition in circuit court for compensatory and punitive damages as well as the employee's reasonable attorney fees and any other relief the court deems appropriate.

Further, any employee of the state or any public body may petition the board of mediation to revoke the certification of any labor organization that violates any provision of this section or fails to adequately and fairly represent the employees of the unit. The Board of Mediation shall have the power to conduct investigations and hearings to address issues raised in the petition. The Board shall adopt rules and regulations to govern the procedures for such hearings and determinations. The Board may assess reasonable attorney fees and costs to any labor organization found to be in violation of the laws of Missouri or abuse its power as majority representative in connection with the proceeding. Any final conclusions by the board of mediation are subject to review.

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 Labor and Industrial Relations
Office of the State Courts Administrator
Secretary of State's Office



Mickey Wilson, CPA
Director

January 3, 2002