

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2570-06
Bill No.: SB 735
Subject: Boards, Commissions, Committees, Councils; Cemeteries; Historic Preservation;
Military Affairs; Parks and Recreation; Veterans
Type: Original
Date: January 28, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
General Revenue	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on General Revenue Fund	(Unknown)	(Unknown)	(Unknown)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Economic Development** and **Department of Transportation**, assume no fiscal impact to their agency.

Officials from the **Department of Natural Resources** assume this proposal creates the Missouri State Park Board through Executive Order 86-26. The board consists of at least 9 but no more than 11 members, whom are appointed by the governor, with the advice and consent of the senate.

Officials of the Department of Natural Resources assume the department would have the responsibility of developing and maintaining an inventory to include the annual physical condition of the state park system, military monuments or memorials, markers, or designated veterans' grave markers on state sites and on municipal, private property or other land that are included in the registry.

Assume that there are 10 members on the board and they meet every month to discuss all matters relating to the acquisition, development, and operation of the Missouri state park system including state historical military monuments, memorials and markers.

ASSUMPTION (continued)

This proposal would require an exhaustive survey of all public and private memorials, markers and events and an annual assessment of each.

The department assumes 15 FTE will be needed to fulfill the requirements on Section 253.413.4. They are: .5 Computer Information Technician III to support the computer desktop needs, .5 Administrative Office Support Assistant to track and account for the veteran monuments, memorials and markers, one Natural Resource Manager (Band 2) who oversees the historical marker program, one Senior Office Support Assistant who assists the board members for all matters related to meetings including public meetings and other duties, two Office Support Assistants who provide the support for data entry, filing, maintaining a registry of military monuments or memorials, markers, and designated veterans grave markers, and general office duties, and ten Cultural Resource Preservationists II who each travel an average of ten times a month statewide to review, document and inspect all physical condition of the state park system, military monuments or memorials, markers, or designated veterans grave markers on state sites and on municipal, private property or other land that are included in the registry. If each preservationist will travel 10 times each month and 160 miles each time, then 10 preservationists will travel 192,000 miles annually. It will cost the division \$63,360 a year (\$0.33 X 192,000 miles).

This proposal is inclusive of all memorials, markers and events both public and private. This would mean an independent state board would have control over, or a say in, the way private memorials, events and markers would be managed. This could be construed as a "takings" issue.

There is no funding source identified for this proposal. Since this proposal would not be strictly for "state parks and no other purposes" the Parks and Soils Sales Tax Funds could not be used to fund this proposal. Therefore for this fiscal note, the department assumed General Revenue would be utilized to implement this bill.

Although it is not addressed in the proposal as written, the department assumes that a registration fee and an annual inspection fee could be attached to fund the proposed program.

Oversight assumes that other funds could be utilized to implement this proposal.

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

<u>Cost - Department of Natural Resources</u>	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
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ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</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

It is unknown if there will be any direct fiscal impact to small business.

DESCRIPTION

This act brings into law the Missouri State Parks Board created through Executive Order 86-26. This act increases the number of board members, specifies the qualifications for those members, and requires the board appointments to be passed with the advice and consent of the Senate.

The base responsibilities of the board remain what they were with the executive order, but with this act, those responsibilities have grown. With this act, the board is now the authorizing authority for all matters relating to the acquisition, development, and operation of the Missouri state park system, including historical monuments, memorials, and markers. Any attempt to erect, modify or remove any monument, memorial or marker must first go to a public hearing and then be decided by majority vote of the Missouri State Parks Board.

At least two meetings per year for the board are mandated in this act, pursuant to the original

DESCRIPTION (continued)

executive order; as is the consultation with the department of natural resources for the annual inventory and report on the conditions of the state parks and historic monuments, memorials, and markers.

The act dictates that any monument, flag, memorial, or marker that was in place before December 21, 2002 be replaced and future modification be subject to board vote. Any person who knowingly removes, defaces or destroys monuments, memorials or markers protected under the registry shall be guilty of a class A misdemeanor. And finally, the possibility of relocating monuments, memorials or markers for the sake of construction or repair is accounted for, provided the monument, memorial or marker is prominently displayed.

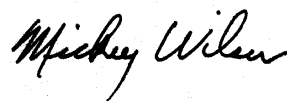
The Board shall hold public meetings regarding the addition, modification or removal of any permanent monument on any site under the control of the department, maintain an inventory of historical monuments and memorials on state, municipal and private property and file and publish an annual report of the activity and status of all historically designated monuments, memorials, and veterans grave markers.

This act also makes it a Class A misdemeanor for any person to knowingly remove, deface or destroy any monument, memorial or veterans grave marker.

This legislation is not federally mandated, however, it would duplicate the Division of State Parks and Historic Preservation Office within the Department of Natural Resources. It would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Economic Development
Department of Transportation
Department of Natural Resources

A handwritten signature in black ink, appearing to read "Mickey Wilson". The signature is written in a cursive, flowing style.

L.R. No. 2570-06
Bill No. SB 735
Page 6 of 6
January 28, 2004

Mickey Wilson, CPA
Director
January 28, 2004

VL:LR:OD (12/02)