

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1950-01
Bill No.: HB 797
Subject: Administration, Office of; Agriculture Department; Natural Resources
 Department; Property, Real and Personal
Type: Original
Date: April 1, 2011

Bill Summary: This proposal transfers land survey duties from the Department of Natural Resources to the Department of Agriculture.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
General Revenue	\$0	\$0	\$0
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Land Survey Fund	\$0	\$0	\$0
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
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 2012	FY 2013	FY 2014
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Administration - Division of Budget & Planning** and **Attorney General's Office** assume there will be no fiscal impact to their agency.

Officials at the **Office of the Secretary of State (SOS)** many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's Office 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 not to Secretary of State's office for Administrative Rules is less than \$2,500. The Secretary of State's Office 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 give year and that collectively the costs may be in excess of what their office can sustain with their core budget. Therefore, they 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.

Oversight assumes the SOS could absorb the costs of advertising the statewide ballot measure related to this proposal within their current appropriation level. If multiple bills pass or if multiple ballot initiatives are validated which require similar advertising at substantial costs, the SOS could request funding through the appropriation process.

Officials from the **Department of Natural Resources (DNR)** assume Section 60.510 would make the Department of Agriculture responsible for the land survey functions, duties and responsibilities rather than the Department of Natural Resources.

Section 60.530 would make the state land surveyor reportable to the Department of Agriculture rather than the Department of Natural Resources, including all functions and duties as prescribed in Sections 60.510 to 60.610.

Section 60.595 would change the name of the Department of Natural Resources Revolving Fund to the Department of Agriculture Revolving Services Fund. Administrative duties for the fund would also transfer to the Department of Agriculture, rather than the Department of Natural Resources, including fund income and expenditure reporting. As of January 31, 2011, the Land Survey portion of the Revolving Services Fund had a cash balance of \$236,930 and a FY 12 expense and equipment allocation of \$150,000.

ASSUMPTION (continued)

Section 60.620 would transfer the creation of the Land Survey Advisory Committee to within the Department of Agriculture, rather than the Department of Natural Resources.

Section 60.670 would make the Department of Agriculture responsible for the promulgation of rules and regulations for digital cadastral parcel mapping, rather than the Department of Natural Resources.

Section 261.023.7. states all powers, duties, and functions of the land survey program of the Department of Natural Resources are transferred to the Department of Agriculture by type I transfer. 13.68 FTE, \$549,683 of personal services, \$288,254 fringe, \$105,666 of Expense & Equipment, \$180,000 Program Specific Distribution appropriation authority and \$323,972 of administrative fund transfers that would transfer to the Department of Agriculture, including any cash balance remaining in the Land Survey Fund as of the date of the type I transfer. In no case shall any cost allocation plan charged to the land survey program be greater than the cost allocation plan charged to any other program within the Department of Agriculture.

Changes to Section 640.010.5 would remove language giving the Department of Natural Resources land survey authority.

The Land Survey Authority was created by statute in 1969 and supported by a \$1 recording fee collected by the offices of county recorders of deeds. This fee remains unchanged to this day. With the 1974 reorganization of state government, the Land Survey Program was established within the Division of Geology and Land Survey and was required to be located near the office of the state geologist because of shared interests in accurate maintenance of the land corners and geodetic markers that form the basis of property ownership within Missouri. Section 60.570 requires the land survey program to be located near the state geological survey. Accurate locations of property boundaries and state and county boundaries are essential in determinations of liability with respect to waste disposal and in determining ownership of oil, gas and other mineral rights.

The Department of Natural Resources assumes the current program staffing levels of 13.68 FTE, \$549,683 of personal services, \$288,254 fringe, \$105,666 of Expense & Equipment, \$180,000 Program Specific Distribution appropriation authority and \$323,972 of administrative fund transfers would transfer to the Department of Agriculture, including the cash balance remaining in the Land Survey Fund as of the date of the transfer.

The land survey program supports .50 FTE of an AOSA for receptionist duties and .50 FTE of a laborer II who performs janitorial/maintenance work in support of the office space currently

ASSUMPTION (continued)

occupied by the land survey program. These duties will remain within the Department of Natural Resources due to the size of the building supported and should not transfer to the Department of Agriculture. The department assumes a general revenue request will be made to replace the funding for staff previously supported by the Land Survey Fees.

There are two employees within the Division of State Parks (DSP) who conduct surveys of State Parks' boundaries and are supervised by staff within the Land Survey Program and whose expense and equipment are supported by the Land Survey Fees. The Department of Natural Resources assumes that staff within the Land Survey Program would continue to provide professional staff supervision for the DSP staff conducting State Parks boundary surveys in addition to expense and equipment needs.

The Natural Resources Revolving Services Fund is used for a number of purposes other than the purchase of goods or services for reproducing land survey documents for distribution. The Department of Natural Resources is allowed to publish maps and publications for resale as well as simplify funding for interdivisional cooperative agreements such as for laboratory services, core library fees, workshops, conferences, and other central services. Revenue, expenditures and cash balances are tracked separately for each of the activities utilizing the Department of Natural Resources Revolving Services Fund.

For purposes of this fiscal note, the Department of Natural Resources assumes: 1) only the appropriation and cash associated with land survey activities within the Revolving Services Fund would be utilized by the Department of Agriculture; 2) The Revolving Services Fund would be utilized by both the Department of Natural Resources and the Department of Agriculture until such time as a new revolving services fund can be established for the Department of Natural Resources; and 3) Appropriation, FTE and cash balances attributable to activities not related to the Land Survey Program will transfer to the Department of Natural Resources newly established revolving services fund.

Officials from the **Department of Agriculture** defer to the Department of Natural Resources estimate of fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
GENERAL REVENUE			
<u>Transfer In</u> - Department of Agriculture			
Salaries	\$20,543	\$25,392	\$26,153
Fringes	<u>\$10,752</u>	<u>\$13,316</u>	<u>\$13,715</u>
Total	<u>\$31,295</u>	<u>\$38,708</u>	<u>\$39,868</u>
Estimated FTE	1	1	1
<u>Transfer Out</u> - Department of Natural Resources			
Salaries	(\$20,543)	(\$25,392)	(\$26,153)
Fringes	<u>(\$10,752)</u>	<u>(\$13,316)</u>	<u>(\$13,715)</u>
Total	<u>(\$31,295)</u>	<u>(\$38,708)</u>	<u>(\$39,868)</u>
Estimated FTE	(1)	(1)	(1)
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Estimated Net FTE	0	0	0
LAND SURVEY FUND			
<u>Transfer In</u> - Department of Agriculture			
Salaries	\$0	\$549,683	\$549,683
Fringes	\$0	\$288,254	\$288,254
Equipment & Expense	<u>\$0</u>	<u>\$609,638</u>	<u>\$609,638</u>
Total	<u>\$0</u>	<u>\$1,447,575</u>	<u>\$1,447,575</u>
Estimated FTE	0	13.7	13.7

<u>FISCAL IMPACT - State Government</u> (continued)	FY 2012 (10 Mo.)	FY 2013	FY 2014
<u>Transfer Out</u> - Department of Natural Resources			
Salaries	\$0	(\$549,683)	(\$549,683)
Fringes	\$0	(\$288,254)	(\$288,254)
Equipment & Expense	<u>\$0</u>	<u>(\$609,638)</u>	<u>(\$609,638)</u>
Total	<u>\$0</u>	<u>(\$1,447,575)</u>	<u>(\$1,447,575)</u>
Estimated FTE	0	(13.7)	(13.7)
ESTIMATED NET EFFECT LAND SURVEY FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Estimated Net FTE	0	0	0

<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<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.

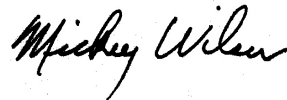
FISCAL DESCRIPTION

This proposal transfers land survey duties from the Department of Natural Resources to the Department of Agriculture.

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

Office of Administration -
 Division of Budget & Planning
Secretary of State's Office
Department of Natural Resources
Attorney General's Office
Department of Agriculture



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Director
April 1, 2011