

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4299-01  
Bill No.: HB 1068  
Subject: Crimes and Punishment; Natural Resources Dept.; Parks and Recreation  
Type: Original  
Date: January 13, 2012

---

Bill Summary: This proposal establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
General Revenue	\$0	\$0	\$0
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
<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 FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials at the **Department of Natural Resources (DNR)** assume this proposal would establish the Missouri State Park Board. The board would serve in an advisory capacity for DNR for all matters, with the exception of personnel and budget, relating to the acquisition, development, and operation of the Missouri state parks system. The board would have sole responsibility for managing all aspects of the historical marker program.

The board consists of 9 members. All members are to be appointed by the Governor, with the advice and consent of the Senate. The board would meet at least quarterly and would adopt written procedures to govern its activities. Members of the board receive no compensation, but would be reimbursed for their actual and necessary expenses.

The proposal would allow the board to establish registration and annual fees for the historic marker program. No funds from the state park earnings fund or the parks sales tax fund would be utilized for the historic marker program. However, this would not limit the General Assembly's authority to appropriate funds to the program from other revenue sources.

The historical marker program is conducted by the board and qualifies any marker for which the design and narrative has been voluntarily submitted, approved by the board, and is erected on state, municipal, or private property pursuant to procedures adopted by the board.

The board's responsibilities include holding public meetings, maintaining the registry, publishing an annual report of the activity and status of all inventory that are included in the registry, recommending future improvements, and establishing various procedures for the historical marker program and related issues.

DNR would be prohibited, under this act, from erecting, modifying, or removing any state historic military monument or memorial, any marker, any designated veterans' grave marker, or any statutorily designated monument or memorial on any site under the control of the department without due process. Such process would include public hearings, notice of these hearings, and a majority vote by the Missouri State Park Board before any change can be made.

Any person who knowingly removed, defaced, or destroyed monuments, memorials, or markers protected under the registry would be guilty of a class A misdemeanor.

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.

ASSUMPTION (Continued)

The department's **Division of State Parks (DSP)** assumes that the board would set registration and annual fees at a level to cover expenses for administration and management for the historic marker program and registry.

Since the board would be authorized to establish registration and annual fees for the historic marker program and no funds from the state park earnings fund or the parks sales tax fund shall be utilized for the program, the DSP would not anticipate a direct fiscal impact as a result of this proposal.

Officials at the **Department of Conservation** and **Department of Transportation** assumes there is no fiscal impact from this proposed legislation on state funds.

**Oversight** assumes the State Park Board would not utilize funds from the state park earnings fund or the park sales tax fund to administer or manage this program.

**Oversight** assumes that the board would set registration and annual fees at an unknown amount less than \$100,000 to cover expenses for administration and management for the historic marker program and registry from General Revenue.

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
<b>GENERAL REVENUE</b>			
<u>Revenue</u> - Registration and Annual Fees	Unknown less than \$100,000	Unknown less than \$100,000	Unknown less than \$100,000
<u>Cost</u> - Equipment & Expense	<u>(Unknown less than \$100,000)</u>	<u>(Unknown less than \$100,000)</u>	<u>(Unknown less than \$100,000)</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
<u>FISCAL IMPACT - Local Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<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.

FISCAL DESCRIPTION

This bill establishes in statute the Missouri State Park Board in the Division of State Parks within the Department of Natural Resources, originally created by Executive Order 86-26, which is responsible for managing all aspects of the Historical Marker Program. The board will consist of nine members with no more than one member from any Congressional district and no more than five members of the same political party. The duties of the board are specified including publishing an annual report which is to be sent to the Governor and General Assembly, as well as interested citizens, on the activity and status of all military monuments, memorials, markers, designated veterans' grave markers, and statutorily designated monuments or memorials on the registry.

The department and other state agencies are prohibited from erecting, modifying, or removing any state historic military monument or memorial, marker, designated veterans' grave marker, or statutorily designated monument or memorial located on any site under its control or located on state land listed on the board's registry and from changing any practice of permitted public ceremony on any registered state historic site without first holding a public hearing and receiving the board's approval. The department must publish a public hearing notice in the Missouri Register at least 60 days in advance of any action to seek the board's approval. The notice must also be published once a week for two consecutive weeks in any qualified newspaper in the local area containing the site. Anyone who knowingly removes, defaces, or destroys a registered state historic military monument or memorial, marker, designated veterans' grave marker, or statutorily designated monument or memorial without the approval of the General Assembly or the board will be guilty of a class A misdemeanor.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

L.R. No. 4299-01  
Bill No. HB 1068  
Page 6 of 6  
January 13, 2012

SOURCES OF INFORMATION

Department of Natural Resources -  
    Division of State Parks  
Department of Transportation  
Department of Conservation



Mickey Wilson, CPA  
Director  
January 13, 2012