

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1766-01  
Bill No.: HJR 32  
Subject: Constitutional Amendments; General Assembly  
Type: Original  
Date: April 8, 2013

---

Bill Summary: This legislation proposes a constitutional amendment establishing nonpartisan procedures for apportioning the state into state senatorial and legislative districts on the basis of population.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
General Revenue	\$0	\$0	\$0
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\* Potential fiscal impact is beyond the scope of this fiscal note.

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<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 7 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</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 2014</b>	<b>FY 2015</b>	<b>FY 2016</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 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of Administration, Joint Committee on Administrative Rules, Legislative Research** and **Office of the State Courts Administrator** each assume the proposal will have no fiscal impact on their respective organizations.

The officials from the **Attorney General's Office** assume any potential cost arising from this proposal can be absorbed with existing resources.

Officials from the **Governor's Office** assume there should be no added cost to their office as a result of this measure.

Each year, a number of joint resolutions that would refer to a vote of the people a constitutional amendment and bills that would refer to a vote of the people the statutory issue in the legislation may be considered by the General Assembly.

Officials from the **Office of the Secretary of State** assume unless a special election is called for the purpose, Joint Resolutions proposing a constitutional amendment are submitted to a vote of the people at the next general election. Article XII section 2(b) of the Missouri Constitution authorizes the governor to order a special election for constitutional amendments referred to the people. If a special election is called to submit a Joint Resolution to a vote of the people, section 115.063.2, RSMo, requires the state to pay the costs. The cost of the special election has been estimated to be \$7.1 million based on the cost of the 2012 Presidential Preference Primary. This figure was determined through analyzing and totaling expense reports from the 2012 Presidential Preference Primary received from local election authorities.

The Secretary of State's Office is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. 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. Funding for this item is adjusted each year depending upon the election cycle with \$1.3 million historically appropriated in odd numbered fiscal years and \$100,000 appropriated in even numbered fiscal years to meet these requirements. The appropriation has historically been an estimated appropriation because the final cost is dependent upon the number of ballot measures approved by the General Assembly and the initiative petitions certified for the ballot. In FY 2013, at the August and November elections, there were 5 statewide Constitutional Amendments or ballot propositions that cost \$2.17 million to publish (an average of \$434,000

ASSUMPTION (continued)

per issue). Therefore, the Secretary of State's Office assumes, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements. However, because these requirements are mandatory, we reserve the right to request funding to meet the cost of our publishing requirements if the Governor and the General Assembly change the amount or eliminate the estimated nature of our appropriation.

Officials from the **Missouri Senate** assume the proposal will have no fiscal impact on their organization during the fiscal note period. However, increasing the number of members of the Senate from 34 to 40 would increase the cost to the Missouri Senate by \$1.4 million per year.

Calculations include related costs for attending session based on rates for current per diem and mileage. Estimate also includes salaries based on current Senators salaries including two FTEs per new Senator. Senate staff salaries are based on the current annual allotments provided to each Senator for operating their office. All calculations are at current costs and are not adjusted for inflation or future pay plan changes.

New Senators - 6 Senator Salaries (\$35,915*6)	\$	215,490
12 Senators' Staff (Salary of \$84,468/2*12)	\$	506,808
Fringe Benefits	\$	472,670
Per Diem for Senators (6 at \$104 per day for 70 days)	\$	43,680
Mileage (6 @ \$108 per week for 20 weeks)	\$	12,960
Office allotments 6 @ (\$108,568-\$84,468)	\$	<u>144,600</u>
	\$	<u><u>1,396,208</u></u>

In response to a similar proposal from this year (HJR 2), officials from the **Missouri House of Representatives (MHR)** assume the proposal will have no fiscal impact on their organization during the fiscal note period. However, decreasing the number of members estimate the impact of the legislation will result in an estimated annual savings in today's dollar of approximately \$3.4 million from 43 fewer members.

**Oversight** assumes the cost to the Missouri Senate and the savings to the Missouri House of Representatives from this proposal is beyond the scope of the fiscal note since it will be voted on in FY 2017.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<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

Upon voter approval, this proposed constitutional amendment changes the process for electing members of the General Assembly based on district boundaries. In its main provisions, the amendment:

(1) Increases, beginning in 2021, the number of senators and senate districts from 34 to 40 and decreases the number of representatives and representative districts from 163 to 120;

(2) Establishes the temporary redistricting advisory commission. The commission is composed of members selected by the Majority and Minority Floor Leaders of the Senate and the Majority and Minority Floor Leaders of the House of Representatives and an additional member chosen by the existing commission members who will serve as chairman. The selection process for the committee must be completed by February 15 of the year ending in one. The commission must act only in an advisory capacity to the nonpartisan redistricting division and hold three hearings on redistricting proposals as specified in the amendment. It must submit a report on the hearings to the General Assembly within 14 days of the hearings;

KC:LR:OD

FISCAL DESCRIPTION (continued)

(3) Establishes a nonpartisan redistricting division in the Joint Committee on Legislative Research to conduct the redistricting based on any constitutional requirements, no more than a 1:3 ratio of senate to house districts, political subdivision boundaries, specified geometric criteria, mathematical deviation criteria based on population, and recommendations from the commission. An attempt to improperly influence the division will be a class D felony, and certain specified demographic and political information concerning voters or incumbents is prohibited from use by the division;

(4) Requires the redistricting division to submit its first proposal to the General Assembly by April 1 of each year ending in one. The legislature must act after receipt of the commission report on the hearings previously mentioned. Redistricting bills will not be subject to veto by the Governor. If the first proposal fails, then the division must submit a second proposal within 35 days for consideration by the General Assembly during a special session. If the second proposal fails, then the division must submit a third proposal within 35 days for consideration by the General Assembly during a special session. If a plan is not adopted, or the adopted plan is deficient in the view of the Missouri Supreme Court, then the court is instructed to adopt the division plan with the least population range percentage variances that complies with the Missouri Constitution; and

(5) Specifies the procedures for maintaining senate districts with one-half of members elected every two years. Once fully implemented, senators will be elected during even year general elections to terms that run four years and commence in January of the odd year following the general election. Some incumbent senators may be forced to resign based on the renumbering of the new districts. The amendment specifies a process for evaluating who may run for office in new "holdover" senate districts that are created by the division in the 2021 redistricting plan.

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. 1766-01  
Bill No. HJR 32  
Page 7 of 7  
April 8, 2013

SOURCES OF INFORMATION

Missouri House of Representatives  
Missouri Senate  
Office of the Secretary of State  
Office of the State Courts Administrator  
Legislative Research  
Office of the Governor  
Office of Administration  
Joint Committee on Administrative Rules



Ross Strobe  
Acting Director  
April 8, 2013