

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0210-05
Bill No.: HCS for HB 250
Subject: Agriculture and Animals; Roads an Highways
Type: Original
Date: March 10, 2009

Bill Summary: Allows all United States residents access to lands owned, managed or funded by the state for the purpose of riding horses or mules under certain conditions.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>Other</u> 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 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
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 2010	FY 2011	FY 2012
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Attorney General's Office** assume no fiscal impact to their agency.

Officials from the **Department of Conservation (MDC)** assume this proposed legislation restricts the ability to determine the appropriate types of public use that may be allowed on public land by giving preference to equestrian use based on historic use or future development of any trails on state lands. This preference appears to be without regard to other types of public uses, security on an area, changing land use and public demands, public safety, development, operation and maintenance costs, and related authorities associated with state and federal agencies, management agreements, and outside funding arrangements resulting in possible refunds of past grants. The long-term costs associated with implementing this legislation would be substantial.

Oversight assumes this proposal allows access to riding horses or mules on trails and roads that are currently in use and maintained by the state for this purpose. **Oversight** assumes the fiscal impact of this proposal is \$0.

Officials with the **Department of Natural Resources (DNR)** assume this proposal will have an unknown fiscal impact on the Department's Division of State Parks. If the resources such as soil conditions and terrain will allow, new construction of trails that will be for equestrian use will require some additional construction and maintenance costs, particularly in wet areas of a trail to keep the areas stable.

There also will be ecological costs to natural and wilderness areas in the long run. To provide recreational opportunities while protecting and preserving our natural resources there may be a need to clarify the language of this proposal to provide authority for state park managers to zone use areas, including horseback riding, based on their knowledge and experience with the park situation without need for acquiring scientific or geologic data.

It is unknown how many equestrians would choose to ride in the state parks. Whether individual equestrians, small groups, or large groups chose to ride in the parks would determine the level of impact that could occur. The financial impact could include not only maintenance and repair costs, but also ecological costs to natural and wilderness areas. Besides the monetary costs, this proposal may also cause user conflict and could raise a potential liability issue if an accident occurs with a non-equestrian park visitor.

ASSUMPTION (continued)

Parks lands are designated for different purposes and uses. Through classification the department is able to accommodate different kinds of user groups, and locate them where the impacts and maintenance may be best managed.

Currently the department has the following facilities to accommodate our equestrian visitors:

Facilities with existing equestrian trails:

Babler
Baker
Castlewood
Crowder
Cuivre River
Johnson's Shut-Ins
Katy Trail
Knob Noster
Lake of the Ozarks
Lake Wappapello - this connects with Ozark trail (100 miles of trail).
Rock Bridge
Rt. 66
St. Francois
St. Joe
Trail of Tears
Watkins Woolen Mill

Facilities with existing equestrian campgrounds:

Baker
Cuivre River
Knob Noster
St. Joe

Facilities with existing stables:

Babler -- not currently in operation
Lake of the Ozarks
Roaring River -- not currently in operation

ASSUMPTION (continued)

Facilities with proposed addition/expansion of equestrian amenities:

Johnson's Shut-Ins -- equestrian campground

Lake Wappapello -- provide equestrian trailhead and campground

Robertsville -- equestrian trail and trailhead

Mark Twain -- equestrian campground and trailhead to connect to Corps of Engineers equestrian trail

Oversight assumes this proposal allows access to riding horses or mules on trails and roads that are currently in use and maintained by the state for this purpose. **Oversight** assumes the fiscal impact of this proposal is \$0.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
	\$0	\$0	\$0

<u>FISCAL IMPACT - Local Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
	<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

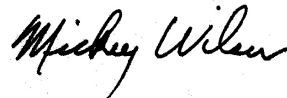
The proposed legislation states that no individual shall be denied access to any public land owned, managed, or funded by the state of Missouri for the purpose of riding horses or mules, when such individual has the lawful authority to use the public land. Such access also shall not be denied to trails and roads that are currently in use by the state as land upon which horses or mules are ridden, except that access can be denied where conditions are not suitable because of public safety concerns or necessary maintenance. Nothing in this section shall cause horses or mules to be excluded from inclusion in the development of new trails on Missouri public lands.

FISCAL DESCRIPTION (continued)

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 Conservation
Department of Natural Resources
Attorney General's Office



Mickey Wilson, CPA
Director
March 10, 2009