

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING WIRELESS TELEPHONE PROHIBITIONS FOR DRIVERS.

Prime Sponsors: Representative Levy
Senator Bacon

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Summary of Amendments Made to the Bill After the 03/31/09 Legislative Council Staff Revised Fiscal Note Was Prepared

None.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

Concurs **Does Not Concur** **Updated Analysis**

Amendments/Appropriation Status

The bill requires but does not contain an appropriation clause. Staff has prepared amendment **J.001** (attached) to add a provision appropriating \$47,977 General Fund and 1.2 FTE to the Department of Revenue, Division of Motor Vehicles, appropriating \$42,000 General Fund to the Department of Corrections, Management, and appropriating \$2,100 cash funds from the State Highway Fund to the Department of Transportation, Administration, for FY 2009-10.

Bill Sponsor Amendments

Staff is not aware of any sponsor amendments to be offered.

Points to Consider

1. The Departments of Corrections and Transportation each state that they require 600 or more "handsfree" headsets for employees who travel frequently for work related purposes. The necessity of this many headsets is questionable, since employees could pull to the side of the road to use their cellular phones. None of the other departments contacted, many of whom also have employees with extensive travel requirements, identified a need to request handsfree headsets. Members may want to consider whether handsfree headsets are discretionary for these departments and should be considered through the regular budget process.

2. The general appropriations bill for FY 2009-10 has not yet been introduced. Legislative Council Staff is currently projecting that General Fund revenues will fall short of funding existing FY 2008-09 appropriations, and these appropriations will need to be reduced (or revenues increased) by another \$159 million. Assuming FY 2008-09 appropriations are reduced by \$159 million, revenue projections indicate that General Fund appropriations will need to be reduced by an additional \$365 million for FY 2009-10. While this bill will increase penalty and surcharge revenue by \$574,000 in FY 2009-10, and by \$984,200 in subsequent years, that revenue flows to the Highway Users Tax Fund. This bill would appropriate \$89,977 General Fund for FY 2009-10, thereby increasing the magnitude of reductions required in other state programs and services.