

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING THE REQUIREMENT THAT GASOLINE CONTAIN AT LEAST A SPECIFIED PERCENTAGE OF ETHANOL BY VOLUME.

Prime Sponsors: Senator Shaffer
 Representative Gardner

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Summary of Amendments Made to the Bill After the 03/15/06 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 does not contain an appropriations clause. Staff has drafted **J.001** to insert an appropriations clause in the amount of \$42,515 General Fund to the Department of Revenue in FY 2006-07 to implement the bill. This clause is consistent with the estimated fiscal impact of the bill as delineated in the Legislative Council Staff Revised Fiscal Note dated March 15, 2006.

The Department of Revenue does not require an appropriation for \$21,600 cash funds exempt related to computer programming costs. Historically, nominal computer programming costs for bills are funded with through an appropriation in the Long Bill.

Sponsor Amendments

Sponsor amendment **L.022** changes responsibility for the reporting function proposed in this legislation from the Department of Revenue to the Department of Labor. An additional employee at the Department of Labor and Employment is still required to implement the bill, as well as the development of a database and a form that can be filed electronically. Estimated total costs are \$73,066 General Fund and 1.0 FTE in FY 2006-07 and \$45,071 General Fund and 1.0 FTE in FY 2007-08. The Legislative Council Staff Memo dated March 20, 2006, describing these costs is attached. Staff has drafted **J.002** to insert an appropriations clause in the amount of \$73,066 General Fund to the Department of Labor in FY 2006-07 to implement the proposed legislation as adjusted by the sponsor amendment. **If L.022 is adopted, then J.002 should also be adopted rather than J.001.**

Points to Consider

The Joint Budget Committee has introduced a budget package for FY 2006-07 based on the March 2006 Legislative Council Staff revenue forecast. The budget package appropriates the maximum amount of General Fund allowed pursuant to the statutory six percent limit on General Fund appropriations, less \$10,000,000. As amended by the Senate Agriculture, Natural Resources, and Energy Committee, this legislation requires \$42,515 in additional General Fund appropriations for FY 2006-07; this appropriation is subject to the six percent statutory limit on General Fund appropriations. If this bill is enacted in conjunction with other bills that require more than a total of \$10.0 million General Fund for FY 2006-07, the General Assembly will exceed the statutory limit on General Fund appropriations.