# FISCAL NOTE WORKSHEET (Revised Nov. 2006)

**REVISED 1/31/07**

Agency: Utah State Office of Education

Bill Number SJR 11 1st Sub

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Requested By

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Date:

Name:

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**Please return to Fiscal Analyst by:** January 29, 2007

**TITLE OF BILL:** RESOLUTION PROVIDING APPOINTMENT OF STATE SUPERINTENDENT OF EDUC

This Bill Takes Effect: [ ] On Passage [ ] On July 1 [X] 60 Days after session [ ] Other

Bill Carries Own Appropriation: [ ]

## FISCAL IMPACT OF PROPOSED LEGISLATION

**A. Revenue Impact by Source of Funds:**

| | First Year | Second Year |
|---|---|---|
| 1. General Fund | $0 | $0 |
| 2. Uniform School Fund - Free Revenue | | |
| 3. Transportation Fund | | |
| 4. Collections | | |
| 5. Other Funds (List Below) | | |
| | | |
| | | |
| 6 Local Funds | | |
| 7. TOTAL | **$0** | **$0** |

**B. Expenditure Impact by Source of Funds:**

| | | |
|---|---|---|
| 1. General Funds | $0 | $0 |
| 2. Uniform School Fund - Free Revenue | | |
| 3. Transportation Fund | | |
| 4. Collections | | |
| 5. Other Funds (List Below) | | |
| | | |
| | | |
| 6 Local Funds | | |
| 7. TOTAL | **$0** | **$0** |

**C. Expenditure Impact Summary:**

| | | |
|---|---|---|
| 1. Salaries, Wages and Benefits | $0 | $0 |
| 2. Travel | | |
| 3. Current Expenses | | |
| 4. Capital Outlay | | |
| 5. Other (Specify) | | |
| 6. TOTAL | **$0** | **$0** |

**D. Impact in Future Years?**

*If no fiscal impact in first two years, indicate if there will be any impact in future years, and explain. Also, indicate any significant changes in fiscal impact beyond the first two years. Use back side, if necessary.)*

This bill should have no greater impact in future years.

| Prepared By | Title | Agency | Phone No. | Date |
|---|---|---|---|---|
| Von Hortin, Audit/Finance Specialist | USOE< Finance & Statistics | USOE | 538-7670 | 01/31/07 |

**Bill Number:** SJR 11 1st Sub **Bill Title:** Resolution Providing Appointment of State Superintendent of Educa

**E. Identify Sections of the Bill That Will Generate the Additional Workload or Cost Increase**

Lines 35 -36 would create some extra work. Since this would be during a general election the increase is probably not significant.

**F. Expenditure Impact Details** ***(Ties to totals in Section C)***

*List and document methodology and/or assumptions used in determining need for workload and cost increase.*
*List number, type, and step ranges of personnel required, including benefits.*
*List details of other impacted expenditure categories as shown in Section C.*
*List additional space requirements and cost associated with requirements of this bill.*
*(USE ATTACHMENTS IF NECESSARY.)* This bill would not have significant increases in costs. However, there could be a significant impact to the oversight of the school trust lands. The State Board of Education represents the beneficiary of the School Trust, and the State Superintendent is the executive officer for the Board. The State of Utah is the trustee and is charged with undivided loyalty to the Trust. If the Governor's office has direct control of the Trust, there would be built-in divided loyalties with other state functions, such as State Parks and Wildlife Resources, etc. as occurred prior to 1994. If gubernatorial decisions were made with divided loyalty, such action could subject the State of Utah to potential breach of trust charges. Proof of the impact of divided loyalty when the administration of the trust was under the Governor's Office is evidenced by the Trust being only $83 million a century after the grant of lands; now, 12 years after the reforms of 1994, it exceeds $800 million. In market value, the School Fund is the largest trust in the State and in the top 1% of the nation. The School and Institutional Trust Lands Administration generated annual revenues in FY 2006 in excess of $143 million, compared to annual revenues under the governor's supervision in FY 1994 of $17 million. Independence of oversight by the beneficiary continues to be crucial to the success.

**G. No Fiscal Impact or Will Not Require Additional Appropriations?**

*Specify why this bill will have no fiscal impact on your agency or institution.*
*Specify how you will reallocate workloads, resources, or funding sources to eliminate need for additional appropriations. (USE ATTACHMENTS IF NECESSARY.)* Since the vote would take place during a general election this bill would not cause an increase in costs beyond the normal costs of a general election.

**H. If Bill Carries It's Own Appropriation:**

*Indicate if the amount appropriated is adequate to meet the purposes of the bill.*
*Are there future additional costs anticipated beyond the appropriation in the bill?*
Currently, this bill carries no appropriation.

**I. Impact on Local Governments, Businesses, Associations, and Individuals**

*Specify requirements in the bill that drive the impact on local governments.*
*Indicate costs or savings that are* ***DIRECT and MEASURABLE*** *. If direct and measurable data are not available, are there areas that potentially could have a fiscal impact? (USE ATTACHMENT IF NECESSARY.)*
*Local School Districts/Charter Schools :* This would have a great impact on local schools and school districts.

*Businesses and Associations :*

*Individuals :*

***Narrative Description of Bill :*** This bill directs the Lieutenant Governor to place on the next general election a proposed amendment to the constitution to have the State Superintendent become a position which would be appointed by the governor.

This is a draft fiscal note response from the Utah State Office of Education (USOE) and may be revised in the future.
This fiscal note input draft does not imply endorsement of this bill by the State Board of Education or USOE.