

# FISCAL NOTE

Requested by Legislative Council  
01/30/2001

Bill/Resolution No.: SB 2437

Amendment to:

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>	\$0	\$0	\$39,500	\$0	\$39,500	\$0
<b>Expenditures</b>	\$0	\$0	\$46,280	\$0	\$42,930	\$0
<b>Appropriations</b>	\$0	\$0	\$46,280	\$0	\$42,930	\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Fiscal impact (expenditures) would be caused by the creation and maintenance of the "do not call" list, as well as by enforcement of violations. Fiscal impact (revenues) would also be caused by customers being charged a fee for being on the list, changing the information on the list or being deleted from the list, as well as for telemarketer access to the "do not call" list.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The bill allow charges of up to \$5 for each residential customer inclusion in, change to, or deletion from the list, as well as an annual charge of \$10 for each telemarketer to have access to the list. Due to our assumption that the most efficient method of creating and maintaining the list is a web-based system, we do not at this time estimate that the maximum charges would have to be imposed on customers. We do not have a hard number estimate for either customers impacting the list, or telemarketers accessing the list, so we are using a revenue impact based on 10,000 list impacts per biennium, and 100 telemarketer access requests per year. The revenue impact given above is the midpoint between, at the low end, the revenue that would be generated by 200 telemarketer requests at \$10 each, plus 10,000 customer charges at \$2.50 each and, at the high end, the same telemarketer revenue plus 10,000 customer charges at \$5 each. The low end of the estimate is \$27,000, the high end of the estimate is \$52,000. The midpoint, reflected in the box above, is \$39,500.

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Estimated expenditures include creation and maintenance of the list (a PSC expenditure) and enforcement (an Attorney General expenditure).

The PSC assumes creation of a web-based list, with customers inputting their own data onto the list site and telemarketers obtaining updated list information from the web site. The PSC has consulted with the Information Technology Division about estimated costs associated with ITD's creation and maintenance of the web-based list. These costs are estimated to include a one time cost of approximately \$3350 for creation of the site, including the ability to accept payment by credit card, and ongoing monthly costs of approximately \$320. Consequently, the PSC has estimated the costs for the 2001-03 biennium at \$11,030 and for the 2003-05 biennium at \$7680.

The Attorney General's Consumer Protection Division has estimated the need for an additional one-half FTE for enforcement purposes. The Division estimates the costs for the additional one-half FTE at \$32,500 per biennium. The Division also estimates an additional biennial amount of \$2750 in its operating line item for hearing officer services for enforcement proceedings.

These total the estimated expenditures noted above, \$46,280 for the 2001-03 biennium and \$42,930 for the 2003-05 biennium.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Appropriations would be required for all operating line item increases and the additional one-half FTE noted in the Expenditures section, above, for both the PSC and the Attorney General's Consumer Protection Division.

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**Agency:** PSC  
**Date** 02/05/2001  
**Prepared:**