


Colorado Legislative Council Staff Fiscal Note
FINAL
FISCAL NOTE

Drafting Number: LLS 12-0741

Date: June 19, 2012

Prime Sponsor(s): Rep. Todd

Bill Status: Postponed Indefinitely

Fiscal Analyst: Kirk Mlinek (303-866-4782)

TITLE: CONCERNING THE REVIEW OF PROCESSES USED TO MAKE APPOINTMENTS TO STATE BOARDS AND COMMISSIONS.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue		
State Expenditures		
General Fund	\$13,524	\$6,762
FTE Position Change	0.3 FTE	0.2 FTE
Effective Date: The bill was postponed indefinitely by the House State, Veterans, and Military Affairs Committee on March 29, 2012.		
Appropriation Summary for FY 2012-2013: See Appropriations section.		
Local Government Impact: None.		

Summary of Legislation

Under current law, various entities are required to appoint members to boards and commissions as directed by the Colorado General Assembly. With respect to the Governor's responsibilities in this regard, the bill requires the Governor to:

- review the process by which he makes such appointments to determine if the appointee screening process is resulting in sufficient diverse representation among the persons serving in the areas of geographic and political background, expertise, and life and work experience;
- determine whether action can be taken to make the appointment process more uniform and consistent;
- develop recommendations for soliciting the broadest possible applicant pool for making gubernatorial appointments, including the use of all available media to generally increase public awareness that appointment opportunities are available; and
- report by December 15, 2013, to the General Assembly any findings and recommendations in response to the bill.

The bill applies the requirements outlined above to Legislative Council for purposes of reviewing the process by which the General Assembly makes such appointments. The Legislative Council's report is also due by December 15, 2013, and is to be prepared for the 18-member Legislative Council and its executive committee, the General Assembly, and the public.

State Expenditures

The bill will increase the workload in the Governor's Office of Boards and Commissions, and will increase expenditures for Legislative Council. These impacts are discussed below.

Governor's Office of Boards and Commissions. According to the Boards and Commissions database maintained by Legislative Council, under current law the Governor is responsible for more than 2,700 appointments to various boards and commissions. The Governor has a staff of 2.5 FTE in the Office of Boards and Commissions to manage this effort. Appointments come from a large pool of applicants that is under constant management by the office. As a result, the workload increase that will result from the requirements of the bill will be handled in the normal course of business and will be absorbed within existing appropriations.

Legislative Council. Under the bill, expenditures in the Legislative Council staff will increase by \$13,524 and 0.3 FTE for FY 2012-13, and \$6,762 and 0.2 FTE for FY 2013-14. Under current law, legislative leadership is responsible for more than 500 appointments to boards and commissions. Unlike the Governor's office, Legislative Council Staff's involvement in boards and commissions activities is limited to providing materials in advance of Senate confirmation hearings and to maintaining an internal boards and commissions database. The bill, therefore, represents new duties that will require the resources identified above. The resources will be used to collect and organize data regarding the General Assembly's current appointment process, to survey selected other states, to assess media outlets, and to prepare the required report.

The bill specifies that Legislative Council is required to implement the provisions of the bill within existing staff and appropriations and that no separate appropriation of state moneys is required to carry out the purposes of the bill. Notwithstanding this provision, legislative rules require that fiscal notes analyze the workload and cost impacts to state agencies that are expected to result from the bill. Because funding is not provided for the workload increase estimated in the fiscal note, Legislative Council may be required to seek additional funding through the annual budget process in the future.

Expenditures Not Included

Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. The centrally appropriated costs subject to this policy are summarized in Table 1.

Table 1. Expenditures Not Included Under HB12-1243*		
Cost Components	FY 2012-13	FY 2013-14
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$1,836	\$919
Supplemental Employee Retirement Payments	721	415
TOTAL	\$2,557	\$1,334

**More information is available at: <http://colorado.gov/fiscalnotes>*

State Appropriations

While the bill specifies that Legislative Council is to implement the bill within existing appropriations, this analysis concludes that for FY 2012-13 Legislative Council requires a General Fund appropriation of \$13,524 and 0.3 FTE.

Departments Contacted

Governor Legislative Council