

JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE

CONCERNING THE EXERCISE OF THE POWER OF EMINENT DOMAIN BY THE REGIONAL
TRANSPORTATION DISTRICT.

Prime Sponsors: Reps. Summers and White
Senator Tochtrop

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Phone: 303-866-2061
Date: March 11, 2008
Prepared:

Summary of Amendments Made to the Bill After the 03/10/08
Legislative Council Staff Revised Fiscal Note Was Prepared

None.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

XXX Concurs Does Not Concur Updated Analysis

Amendments/Appropriation Status

The bill neither requires nor contains an appropriation clause for FY 2008-09.

Page three of the Legislative Council Staff Revised Fiscal Note, dated March 10, 2008, indicates that the Department of Transportation requires an appropriation of \$108,000 from the State Highway Fund for FY 2008-09. However, pursuant to Section 43-1-219, C.R.S., moneys in the State Highway Fund "shall be available immediately, without further appropriation, for the purposes of such fund as provided by law". While the General Assembly does appropriate moneys from the State Highway Fund for the Department's administrative functions (as authorized by Section 43-1-112.5, C.R.S., and related provisions), the General Assembly does not appropriate moneys from the State Highway Fund for the Department's Construction, Maintenance, and Operations line item, which is administered by the Transportation Commission. The expenditures required by this bill are related to the Construction, Maintenance, and Operations line item, so no appropriation is necessary.

Bill Sponsor Amendments

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

Points to Consider

None.