

HB10-1210

## Colorado Legislative Council Staff Fiscal Note


**FISCAL NOTE**
**Drafting Number:** LLS 10-0147**Date:** June 23, 2010**Prime Sponsor(s):** Rep. Weissmann  
Sen. Morse**Bill Status:** Signed into Law**Fiscal Analyst:** Bill Zepernick (303-866-4777)**TITLE:** CONCERNING THE REDISTRICTING PROCESS.

<b>Fiscal Impact Summary</b>	<b>FY 2010-2011</b>	<b>FY 2011-2012</b>
<b>State Revenue</b>		
<b>State Transfers or Diversions</b> Transfer from the Ballot Information Publication and Distribution Revolving Fund to the Redistricting Account of the Legislative Department Cash Fund	(\$1,129,607)	
<b>State Expenditures</b> Cash Funds Legislative Department Cash Fund - Redistricting Account	\$360,572	\$769,035
<b>FTE Position Change</b>	0.4 FTE	2.6 FTE
<b>Effective Date:</b> The Governor signed the bill into law on June 7, 2010, and unless a referendum petition is filed, the bill will take effect August 11, 2010.		
<b>Appropriation Summary for FY 2010-2011:</b> None required - See Funding section.		
<b>Local Government Impact:</b> None.		

**Summary of Legislation**

The bill, recommended by the Executive Committee of the Legislative Council, implements the redistricting process for state legislative and congressional districts following the 2010 census. It outlines the duties and responsibilities of the Colorado Reapportionment Commission (the commission), the Office of Legislative Legal Services (OLLS), and the Legislative Council Staff (LCS) in the redistricting process. The new district boundaries will be in effect for the November 2012 elections.

The bill creates the Redistricting Account in the Legislative Department Cash Fund, which is continuously appropriated to the commission and the LCS to pay for the costs of redistricting. A staff director must be appointed to the commission jointly by the directors of the LCS and the OLLS. These 2 agencies are required to provide staff support to the commission. The LCS director is required to obtain the necessary data and computer systems to conduct redistricting.

The commission is required to designate which state Senate districts will be elected in 2012 and 2014. It also dictates when state Senate vacancies will be filled from within the old district boundaries and when they will be filled from the new districts. The bill includes a legislative declaration to urge the commission to complete its redistricting plan and for the Colorado Supreme Court to approve the plan by December 14, 2011, so that county clerks have sufficient time to redraw precinct boundaries before the presidential primary process starts in February 2012.

**Background**

The Colorado Reapportionment Commission is a constitutionally created entity that is responsible for drawing state *legislative* districts. It consists of 4 members of the General Assembly, 3 members appointed by the Governor, and 4 members appointed by the Chief Justice of the Colorado Supreme Court. The Colorado Constitution specifies that the General Assembly is responsible for drawing *congressional* districts. The LCS and OLLS support the commission and the General Assembly to conduct redistricting at both the state and federal levels.

**State Transfers or Diversions**

The bill transfers \$1,129,607 from the Ballot Information Publication and Distribution Revolving Fund to the Redistricting Account of the Legislative Department Cash Fund. These moneys will be used to fund the costs of redistricting in FY 2010-11 and FY 2011-12.

**State Expenditures**

The bill increases costs in the legislature by \$360,572 and 0.4 FTE in FY 2010-11 and by \$769,035 and 2.6 FTE in FY 2011-12. These costs are from the Redistricting Account of the Legislative Department Cash Fund and will support (1) state legislative redistricting by the Colorado Reapportionment Commission, and (2) congressional redistricting by the General Assembly. These costs are described below.

*State legislative redistricting.* The legislature will have costs of \$310,405 and 0.4 FTE in FY 2010-11 and \$599,611 and 2.6 FTE in FY 2011-12 to support the commission in conducting state legislative redistricting. These costs are summarized in Table 1.

<b>Cost Components</b>	<b>FY 2010-11</b>	<b>FY 2011-12</b>
Personal Services	\$34,097	\$225,019
FTE	0.4	2.6
Computer Equipment and Software	155,339	7,200
Operating Expenses and Capital Outlay	35,734	78,420
Leased Space	18,900	56,700
Travel and Per Diem	26,335	\$112,272
Legal Services	40,000	120,000
<b>TOTAL</b>	<b>\$310,405</b>	<b>\$599,611</b>

*Personal services - \$34,097 and 0.4 FTE in FY 2010-11 and \$225,019 and 2.6 FTE in FY 2011-12.* The commission requires a staff director and legal, research, and program assistant staff. The new staff will work with the commission for 8 to 9 months, depending on the position, between May 2011 and January 2012. In addition to these new staff, existing LCS and OLLS staff will also assist the commission.

*Computer equipment and software - \$155,339 in FY 2010-11 and \$7,200 in FY 2011-12.* The commission require GIS and mapping software and computers to redraw state legislative district maps based on census data. These costs also include internet connection costs and other hardware such as printers, copiers, projectors, and portable screens.

*Operating expenses and capital outlay costs - \$35,734 in FY 2010-11 and \$78,420 in FY 2011-12.* These costs include office supplies, telephone, printing, and other operating expenses. The commission will also require furniture and other capital items for its workspace, which will result in one-time costs of \$20,000 in FY 2010-11.

*Leased space - \$18,900 in FY 2010-11 and \$56,700 in FY 2011-12.* The commission will work in leased office space during its 9 months of operations at a total cost of \$75,600, split between the 2 fiscal years. The commission may also use space in the Capitol and Legislative Services Building for public meetings.

*Travel and per diem - \$26,335 in FY 2010-11 and \$112,272 in FY 2011-12.* The commission is expected to have numerous public meeting across the state to receive citizen input and discuss state legislative redistricting. The commission has 11 members, and it is assumed that they will hold at least 6 meetings a month over an 8-month period. Per diem for commission members is \$99 per day. Members of the commission will also be reimbursed for travel expenses.

*Legal services - \$40,000 in FY 2010-11 and \$120,000 in FY 2011-12.* The commission will require outside legal counsel during the redistricting process, in addition to the staff support provided by the OLLS. This legal counsel will handle any required litigation and present the state redistricting plan to the Colorado Supreme Court for approval.

***Congressional redistricting.*** The legislature will have costs of \$50,167 in FY 2010-11 and \$169,424 in FY 2011-12 to conduct congressional redistricting. These costs are described in Table 2 and the following sections.

<b>Cost Components</b>	<b>FY 2010-11</b>	<b>FY 2011-12</b>
Travel and Per Diem	\$16,356	\$65,424
Operating Expenses	1,000	4,000
Computer Equipment and Software	32,811	0
Special Legislative Session	0	100,000
<b>TOTAL</b>	<b>\$50,167</b>	<b>\$169,424</b>

*Travel, per diem, and operating costs - \$17,356 in FY 2010-11 and \$69,424 in FY 2011-12.*

The legislature will have travel and operating costs for an interim legislative committee concerning congressional redistricting. The fiscal note assumes that an interim committee is required because Census data will not be available until the end of the 2011 regular legislative session. The committee will hold meetings around the state, and legislators will receive a \$99 per diem and reimbursement for travel expenses and mileage. Travel and per diem costs are based on a 16-member legislative interim committee having 2 meetings per month over a 7-month period. In addition, the LCS will have increased operating costs for printing and office supplies. The committee will be supported by existing LCS staff and no new staff is required to conduct congressional redistricting.

*Computer equipment and software - \$32,811 in FY 2010-11.* The legislature will have one-time costs to obtain licenses for GIS and mapping software and other equipment.

*Special legislative session - \$100,000 in FY 2011-12.* This analysis assumes that the General Assembly will hold a special legislative session in late 2011 to pass the congressional redistricting plan developed by the interim committee. A special session is required because the congressional redistricting plan must be in place before the start of the 2012 regular session in order for county clerks to designate precincts for the new districts before the 2012 election cycle. A special session is expected to last 5 days at a cost of \$20,000 per day for session staff, member per diem, and travel.

### **Funding**

The bill does not require an appropriation at this time because funds in the Redistricting Account are continuously appropriated to the Legislative Council staff and the Colorado Reapportionment Commission. Funding for redistricting is transferred to the Redistricting Account by this bill. **Total funding required for redistricting in the legislature will be \$1,129,607 in FY 2010-11 and FY 2011-12.**

### **Departments Contacted**

Legislature

Judicial

State