

**JBC STAFF FISCAL ANALYSIS
SENATE APPROPRIATIONS COMMITTEE**

CONCERNING THE ESTABLISHMENT OF THE INDEPENDENT ETHICS COMMISSION AS REQUIRED BY ARTICLE XXIX OF THE STATE CONSTITUTION, AND MAKING AN APPROPRIATION THEREFOR.

Prime Sponsors: Senators McElhany and Groff

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Summary of Amendments Made to the Bill After the 03/05/07 Legislative Council Staff Fiscal Note was Prepared

None.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

Concurs **Does Not Concur** **Updated Analysis**

Amendments/Appropriation Status

Staff has prepared an amendment (**J.001**) to appropriate \$219,996 General Fund, \$121,986 cash funds exempt, and 2.7 FTE for FY 2007-08. Of these amounts, \$219,996 General Fund and 1.8 FTE is appropriated to the Department of Personnel and Administration. Out of the Department of Personnel and Administration appropriation, \$121,986 is to be transferred to the Department of Law for the provision of legal services related to the implementation of this act. The Department of Law is therefore appropriated \$121,986 cash funds exempt and 0.9 FTE. Please note that the Legislative Council Staff Fiscal Note incorrectly identifies the appropriation to the Department of Law as \$121,996 on page 3; the correct amount is reflected on page 2 of the Fiscal Note.

Sponsor Amendments

Staff is not aware of any sponsor amendments.

Points to Consider

1. The general appropriations bill for FY 2007-08 has not yet been introduced. This bill requires \$219,996 General Fund for FY 2007-08; this appropriation is subject to the six percent statutory limitation on General Fund appropriations. If this bill is enacted, other General Fund appropriations may only increase by six percent, less \$219,996, in order to comply with the statutory limitation on General Fund appropriations.

2. The Legislative Council Staff Fiscal Note dated March 5, 2007, was based on the assumption that the Commission would require 1,800 hours of legal services from the Department of Law in FY 2007-08 and 594 hours of legal services per year after that. The Legislative Council Staff assumption was based on Section 24-31-101 (1), C.R.S., which states that the Attorney General shall represent all subdivisions of the State except the Legislature. Legislative Council Staff's first year assumption for legal services is based on the effort involved in establishing the Lottery Commission, and ongoing costs are based on the effort involved in supporting the State Personnel Board.