

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING MEASURES TO PROMOTE ENERGY EFFICIENCY.

Prime Sponsors: Representative Plant

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**Summary of Amendments Made to the Bill After the 02/24/05 Legislative Council Staff Revised Fiscal Note was Prepared**

None.

**JBC Staff Concurrence with Legislative Council Staff Fiscal Note**

Concurs

Does Not Concur

Updated Analysis

**Amendments/Appropriation Status**

The bill does not currently contain, nor does it require, an appropriations clause, since all changes to revenues and expenditures are in FY 2006-07 and beyond.

**Sponsor Amendments**

The sponsor has prepared amendment **L.004**. As amended by the House Transportation and Energy Committee, the bill exempts commercial and industrial customers. The sponsor amendment, L.004, changes the bill so that it applies to commercial customers, but still does not apply to industrial customers. Including the commercial customers will change the scope of the review required by the Public Utilities Commission of the filings by gas utility companies. The incremental increase in costs in FY 2006-07 due to the amendment is detailed in the table below.

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	<b>H.B. 05-1133 FY 2006-07</b>		<b>Impact of L.003</b>		<b>New Total FY 2006-07</b>	
	Dollars	FTE	Dollars	FTE	Dollars	FTE
<u>Personal Services</u>						
Engineer II	\$24,440	0.4	\$8,146	0.1	\$32,586	0.5
Rate/Financial Analyst IV	\$14,442	0.2	\$4,814	0.1	\$19,256	0.3
PERA/Medicare	\$4,607		\$1,536	0.0	\$6,143	
Subtotal	\$43,489	0.6	\$14,496	0.2	\$57,985	0.8
Operating Expenses	\$0		\$250	0.0	\$250	
Legal Expenses (450 hrs. @ \$61.57/hr.)	\$27,707		\$0	0.0	\$27,707	
Non-Recurring Expenses	\$1,973		\$657	0.0	\$2,630	
Indirect Costs	\$2,451		\$818	0.0	\$3,269	
General Fund Allocation	\$2,339		\$501	0.0	\$2,840	
<b>Total</b>	<b>\$77,959</b>	<b>0.6</b>	<b>\$16,722</b>	<b>0.2</b>	<b>\$94,681</b>	<b>0.8</b>

Since the change in the fiscal impact is to FY 2006-07 and beyond, the sponsor amendment does not require an appropriations clause.

**Points to Consider**

1. Although this bill would not affect revenues for FY 2005-06, it is projected to increase revenues by \$77,959 in FY 2006-07. The December 2004 Legislative Council Staff (LCS) revenue forecast projects a TABOR surplus liability of \$639.8 million in FY 2006-07. These sums must be refunded to taxpayers out of the General Fund. Legislation that increases non-exempt revenue (such as cash funds) to the State will further increase the TABOR refund made out of the General Fund. Correspondingly, this will reduce the amount of General Fund available for state operating expenditures.