

**STATE CONDITIONAL
FISCAL IMPACT**

Drafting Number: LLS 10-0369
Prime Sponsor(s): Rep. McKinley

Date: January 28, 2010
Bill Status: House SVMA
Fiscal Analyst: Sara McPhee (303-866-4782)

TITLE: CONCERNING INFORMATION TO BE PROVIDED TO VISITORS AT ROCKY FLATS.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
State Revenue		
Cash Funds - Gifts Grants, or Donations	\$132,776	\$94,755
State Expenditures		
Cash Funds - Gifts, Grants, or Donations*	\$131,744	\$93,653
Federal Funds		
FTE Position Change	0.1 FTE	0.1 FTE
Effective Date: Upon signature of the Governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2010-2011: None.		
Local Government Impact: None.		

* Revenue exceeds expenditures in order to pay for costs noted in the Expenditures Not Included section of this fiscal note.

Summary of Legislation

The bill requires the Department of Public Health and Environment (DPHE) to develop and post public notices regarding public health and safety information at entrances to the Rocky Flats National Wildlife Refuge. The design and construction of signs are subject to the approval of the executive director of the Department of Transportation. Written pamphlets, audio recordings, or both are required to be close to each sign informing the public of the history and possible health risks arising from entering the refuge.

The bill also requires the DPHE to use all reasonable efforts to make information available at any cold war museum that may be built in Colorado. In addition, minors enrolled in any Colorado school on a field trip to the refuge may not enter without first receiving a copy of the informed consent public advisory information.

The bill prohibits the use of General Fund to pay for signs or other materials. The DPHE must attempt to obtain funds from the U.S. Department of Energy, and it may accept gifts, grants and donations for the purposes of the bill. Should funding from these sources be insufficient, the DPHE is not to undertake the duties outlined in the bill.

Background

In July 2007, the Rocky Flats National Wildlife Refuge was transferred from the U.S. Department of Energy to the U.S. Fish and Wildlife Service. Currently, there is no public access to the refuge, and no federal funding has been made available to make improvements to the refuge for public access. A total of 6 public access points are planned, but are not expected to be fully completed for about 15 years.

State Revenue

The DPHE is required to seek federal reimbursement from the U.S. Department of Energy for costs incurred as a result of the bill. In addition, the DPHE may accept private gifts, grants, and donations to carry out the directives in the bill, but it is not required to solicit donations. No such funding has been identified, but a total of \$132,776 is required to cover the expenditures identified.

State Expenditures

State expenditures are conditional upon the Rocky Flats National Wildlife Refuge opening to the public and the receipt of sufficient federal or private funds. The U.S. Fish and Wildlife Service has developed plans for public access to the refuge, but it is unknown as to when funds would be available to make necessary improvements. Once the public has access to the refuge, state costs identified for signs, as specified in the bill, are conditional upon the receipt of sufficient federal or private funds. If sufficient funding is available, total state expenditures are anticipated to be \$131,744 for the DPHE. Total state expenditures are shown in Table 1 and described below.

Cost Components	FY 2010-11	FY 2011-12
Personal Services	\$8,653	\$8,653
FTE	0.1	0.1
Land Purchase and Site Development	105,000	
Purchase of Easements		25,000
Purchase of Kiosks		60,000
Legal Services	18,091	
TOTAL	\$131,744	\$93,653

Expenses shown in Table 1 are based on the following assumptions:

- the department will require about 500 hours total to compile and review the necessary information and to procure and manage the contracted services;
- the department will purchase one quarter acre of land to construct a vehicle "pull out" to house the public notice sign and materials (\$105,000 for site purchase and development);
- easements for kiosks at 5 walking path access points will cost \$5,000 each;
- the development and placement of 6 weather-proof kiosks along the proposed refuge access points (1 for vehicles, 5 walking paths) to house written and audio public disclosure materials will cost \$10,000 each; and
- 240 hours of legal services will be required to acquire the property and easements.

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 2.

Table 2. Expenditures Not Included Under HB 10-1127*		
Cost Components	FY 2010-11	FY 2011-12
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$710	\$710
Supplemental Employee Retirement Payments	322	392
TOTAL	\$1,032	\$1,102

**More information is available at: <http://www.colorado.gov/cs/Satellite/CGA-LegislativeCouncil/CLC/1200536133924>*

State Appropriations

Since the expenditures are conditional upon receipt of federal or private funds, no appropriation is required.

Departments Contacted

Public Health and Environment
Natural Resources

Transportation
Law