


Colorado Legislative Council Staff Fiscal Note
STATE
FISCAL IMPACT

Drafting Number: LLS 12-0882
Prime Sponsor(s): Rep. Becker

Date: April 16, 2012
Bill Status: House Agriculture
Fiscal Analyst: Lauren Ris (303-866-3264)

TITLE: CONCERNING THE CREATION OF A HEARING PROCESS TO END A SUSPENSION OF PRIVILEGES TO ATTEMPT TO TAKE WILDLIFE.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue Cash Funds Wildlife Cash Fund	See State Revenue section.	
State Expenditures Cash Funds Wildlife Cash Fund	\$53,553	\$51,201
FTE Position Change	0.5 FTE	0.5 FTE
Effective Date: August 8, 2012, if the General Assembly adjourns on May 9, 2012, as scheduled, and no referendum petition is filed.		
Appropriation Summary for FY 2012-2013: See State Appropriations section.		
Local Government Impact: None.		

Summary of Legislation

This bill allows a person whose hunting or fishing license has been suspended for two years or more to petition the Parks and Wildlife Commission in the Department of Natural Resources, Division of Parks and Wildlife (DPW), once a year to end the suspension after half of the suspension has elapsed or after 15 years of a lifetime suspension. The commission may end the suspension if:

- the person is unlikely to offend again;
- the person has not violated the wildlife statutes again; and
- the suspension is the person's first in Colorado.

The commission is authorized to order the person to pay a reinstatement fee of up to \$300, perform up to 40 hours of service on wildlife or park projects, or attend hunting educational courses.

State Revenue

While the commission may require some petitioners to pay up to a \$300 fee, it is not possible to estimate how many individuals the commission will require this of or how much revenue it will generate. Any fees collected will be deposited in the Wildlife Cash Fund.

State Expenditures

In FY 2012-13, the bill is expected to increase expenditures in the Department of Natural Resources by \$53,553 and 0.5 FTE, and by \$51,201 and 0.5 FTE in FY 2013-14. These costs are shown in Table 1 and are explained below.

Cost Components	FY 2012-13	FY 2013-14
Personal Services	\$26,081	\$26,081
FTE	0.5	0.5
Legal Services	6,057	6,057
Operating Expenses and Capital Outlay	2,983	631
Travel and Per Diem	18,432	18,432
TOTAL	\$53,553	\$51,201

DPW's records indicate that there are currently 707 active suspensions of two years or more, including lifetime suspensions. This fiscal note assumes that 50 percent (354) of those individuals will petition the commission to end their suspension. Because individuals can petition the commission once a year, and each year additional people will likely have their license suspended, this fiscal note assumes that the number of people who petition the commission during FY 2013-14 will be approximately the same.

The bill will result in additional costs for the Parks and Wildlife Commission. Each petition must have a hearing to make a determination about lifting the suspension. Using an estimate of five minutes per hearing, 354 hearings would require an additional 30 hours of commission time per year, or roughly four additional commission meetings. Each commission meeting costs approximately \$4,458, which includes per diem for commissioners, travel, and lodging. Four additional meetings (4 x \$4,458) will cost \$17,832 in both FY 2012-13 and FY 2013-14. Each of the additional meetings will also incur legal services costs. Based on averages for current commission hearings, it is estimated that the division will require 20 hours of additional legal services support (at \$75.71 an hour) for each additional day of hearings for a total of \$6,057.

Based on the workload to manage the initial suspension process (collect information, make determinations of eligibility, compile statistics and case reports, notify petitioners by mail, and present the petition to the commission), it is estimated that each petition will require three hours of staff time to review, schedule, and conduct each petition hearing. Using the estimate of 354 petitions, this will result in about 1,064 hours of DPW staff time per year, requiring an additional 0.5 FTE for a hearings officer. Due process in Colorado requires that these hearings be held in or near the counties where the petitioner resides, which will involve travel, per diem, and lodging costs for DPW staff. This is estimated to be \$100 in lodging and \$50 for food for each meeting (\$150 x 4) totaling \$600.

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 12-330*		
Cost Components	FY 2012-13	FY 2013-14
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$3,066	\$3,066
Supplemental Employee Retirement Payments	1,391	1,601
TOTAL	\$4,457	\$4,667

**More information is available at: <http://colorado.gov/fiscalnotes>*

State Appropriations

In FY 2012-13, the Department of Natural Resources requires a Wildlife Cash Fund appropriation of \$53,553 and 0.5 FTE, of which \$6,057 will be reappropriated to the Department of Law.

Departments Contacted

Natural Resources