

Colorado Legislative Council Staff Fiscal Note
**STATE and STATUTORY PUBLIC ENTITY
 FISCAL IMPACT**

Drafting Number: LLS 14-0918	Date: March 20, 2014
Prime Sponsor(s): Sen. Heath; Cadman Rep. DelGrosso; Hullinghorst	Bill Status: Senate SVMA Fiscal Analyst: Kerry White (303-866-3469)

SHORT TITLE: LEGISLATIVE MEMBERS COMPENSATION BOARDS & COMMNS

Fiscal Impact Summary*	FY 2014-2015	FY 2015-2016
State Revenue		
State Expenditures	<u>\$82,522</u>	<u>\$82,522</u>
General Fund	85,690	85,690
Cash Funds	(3,168)	(3,168)
FTE Position Change		
Appropriation Required: \$82,522 - Multiple Agencies (FY 2014-15)		

* This summary shows changes from current law under the bill for each fiscal year. Parentheses indicate a decrease in funds.

Summary of Legislation

This bill establishes uniform payments of per diem and travel expenses for members of the General Assembly who are statutorily appointed to serve on state entities (boards, commissions, committees, and so forth, except for the Colorado Commission on Uniform State Laws or the Education Commission of the States). Under the bill, during or within three days of a legislative or special legislative session, members are eligible to receive per diem lodging and expense allowances and travel expenses. At other times, members may receive the per diem and reimbursement for all actual and necessary travel and subsistence expenses incurred as a result of attendance at a meeting of the state entity. Mileage rates may not exceed those authorized for the executive department and all compensation and reimbursements are to be made from Legislative Department appropriations.

The bill applies to the following state entities.

Legislative Branch-based State Entities

- State Capitol Building Advisory Committee;
- Legislative Emergency Preparedness, Response, and Recovery Committee; and
- Legislative Oversight Committee for the Continuing Examination of the Treatment of Persons with Mental Illness who are Involved in the Criminal and Juvenile Justice Systems.

Executive Branch-based State Entities

- Advisory Committee to the Colorado Commission on Higher Education;
- Advisory Committee to Oversee the All-Payer Health Claims Database;
- Advisory Council for the Alternative School Funding Models Pilot Program;

- Behavioral Health Transformation Council;
- Board of Ethics for the General Assembly;
- Cancer, Cardiovascular Disease, and Chronic Pulmonary Disease Program Review Committee;
- Child Support Commission;
- Commission on the Aging;
- Colorado Commission on Criminal and Juvenile Justice;
- Colorado Municipal Bond Supervision Advisory Board;
- Colorado Tourism Office Board of Directors;
- Colorado Voter Access and Modernized Elections Commission;
- Correctional Industries Advisory Committee;
- Council on Creative Industries Jury;
- Department of Human Services Child Fatality Review Team;
- DNA Evidence Issues Working Group;
- Early Childhood and School Readiness Legislative Commission;
- Health Equity Commission;
- Local Government Limited Gaming Impact Advisory Committee;
- State Work Force Development Council;
- State Substance Abuse Trend and Response Task Force; and
- Tobacco Education, Prevention, and Cessation Grant Program Review Committee.

Statutory Public Entity-based State Entities

- Colorado Channel Authority Board of Directors; and
- Statewide Internet Portal Authority Board (SIPA).

State Expenditures

This bill will increase state expenditures by \$82,522 per year, beginning in FY 2014-15. Costs are based on the following assumptions:

- state entities will meet each year for the number of planned meetings in 2014;
- each appointed legislative member, regardless of whether the appointment is currently vacant, will attend and require reimbursement for all planned meetings;
- legislative members will not be eligible to receive per diem and travel expenses for meetings that occur during the legislative session because they already receive these amounts as part of their compensation;
- per diem is assumed to be \$99 per member per day and travel expenses are assumed to be an average of \$88 per member per day, except where already paid by the Legislative Department;
- if an executive department is paying these costs without a specific appropriation, no reduction in appropriations is required, although overall costs for the department are reduced; and
- if statute is currently silent on compensation, the fiscal note assumes reimbursements will be provided by the Legislative Department.

Increases in costs. Costs will increase by a total of \$87,098 for Legislative Council Staff to provide per diem and travel reimbursement to legislative members. Full details on the number of legislators and planned meetings for 2014 is available upon request.

Reductions in costs. Overall, costs will be reduced for departments that provide reimbursement to legislative members by \$4,576 per year. It should be noted that most departments are not appropriated moneys for this purpose or are limited to providing reimbursement subject to available cash funds. As a result, legislative members typically have not requested or been provided with reimbursement. The Department of Public Safety (\$1,408 General Fund for the Colorado Commission on Criminal and Juvenile Justice), Department of Local Affairs (\$352 cash funds for the Local Government Limited Gaming Impact Advisory Committee), and Secretary of State (\$2,816 cash funds for the Colorado Voter Access and Modernized Elections Commission) have appropriations that will be reduced under the bill.

In certain cases, departments have occasionally provided limited reimbursements to legislative members from operating accounts. These include the Department of Corrections for the Correctional Industries Advisory Committee and the Department of Human Services for the Colorado Commission on the Aging and the Child Fatality Review Team. The fiscal note assumes that any future savings for these departments will be minimal and that no reductions in appropriations are required.

Statutory Public Entity Impact

Overall, this bill is anticipated to reduce expenditures for statutory public entities by \$7,984 per year. The Colorado Channel Authority Board of Directors currently provides its members with a \$100 per diem and reimbursement of actual and necessary expenses and is expected to meet five times in 2014. The SIPA provides reimbursement of actual and necessary expenses only and is expected to meet monthly in 2014. Both of these entities have four legislative members. Based on the average travel costs for legislative members of \$88 per meeting and assuming each legislative member requests reimbursement for each meeting, the bill is anticipated to reduce costs by \$3,760 for the Colorado Channel Authority Board of Directors and by \$4,224 for the SIPA.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature, and applies to service provided to a state entity on or after this date.

State Appropriations

For FY 2014-15, the bill requires the following adjustments in appropriations:

- \$87,098 General Fund for the Legislative Department;
- (\$1,408) General Fund for the Department of Public Safety;
- (\$352) from the Local Government Limited Gaming Impact Fund for the Department of Local Affairs; and
- (\$2,816) from the Colorado Department of State Cash Fund for the Department of State.

State and Local Government Contacts

All Departments