



**Colorado
Legislative
Council
Staff**

HB16-1172

**FINAL
FISCAL NOTE**

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-0239 **Date:** July 18, 2016
Prime Sponsor(s): Rep. Saine; Primavera **Bill Status:** Signed into Law
 Sen. Holbert; Neville T. **Fiscal Analyst:** Erin Reynolds (303-866-4146)

BILL TOPIC: CDOT EFFICIENCY AND ACCOUNTABILITY COMMITTEE

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue		
State Expenditures	<u>\$3,392</u>	<u>\$5,936</u>
General Fund	3,248	5,684
Centrally Appropriated Costs	144	252
Appropriation Required: \$3,248 – Legislative Department (FY 2016-17).		
Future Year Impacts: Ongoing state expenditures and workload impact.		

Summary of Legislation

The bill requires the state's Transportation Commission to reestablish the Efficiency and Accountability Committee under the Colorado Department of Transportation (CDOT). It expands committee membership to include four state legislators as well as representatives of counties, municipalities, nonpartisan good governance organizations, and others as determined by the commission. The bill also clarifies committee responsibilities, which are generally aimed at ensuring that CDOT and the commission meet all federal and state requirements. The committee repeals July 1, 2019, pending a sunset review.

Background

The CDOT Efficiency and Accountability Committee was originally created under Senate Bill 09-108, the Funding Advancement for Surface Transportation and Economic Recovery (FASTER) Act of 2009, in order to assist with and guide CDOT's ongoing transportation and planning efforts. The committee was originally comprised of CDOT staff members across divisions, a commission representative, public transportation providers, and industry stakeholders. The committee informally disbanded in August 2013, after issuing the last annual report of three in 2012. The disbanding was in response to internal process improvements taking place within CDOT, including the creation of an Office of Improvement; implementation of state Lean Program recommendations; and improved construction management strategies. In August 2015, the Office of the State Auditor conducted a performance audit of FASTER, entitled "Collection and Usage of

the FASTER Motor Vehicle Fees," in which it recommended that CDOT should either reestablish the committee to ensure effective management of FASTER revenue and statutory compliance or, if these ends were being fulfilled through other means, seek statutory change to repeal the requirement.

State Expenditures

General Fund expenditures will **increase by \$3,392 in FY 2016-17, and by \$5,936 in FY 2017-18** in the Legislative Department to cover per diem and travel costs for the four legislative members serving on the committee. In addition, workload will increase in CDOT and may increase in the Department of Law.

Legislative Department. The fiscal note assumes that the committee will resume once a month meetings and that legislators will require per diem for only those meetings taking place outside the legislative session (June through December). The legislative per diem rate is \$110. With four legislators and seven interim meetings, per diem costs are expected to increase by \$3,080 per year in FY 2017-18, prorated for four meetings in FY 2016-17, at a cost of \$1,760. In addition, two legislators are assumed to require travel costs at a rate of \$93 per day, for two days per meeting, increasing costs by \$2,604 in FY 2017-18, prorated for four meetings in FY 2016-17, at a cost of \$1,488.

Cost Components	FY 2016-17	FY 2017-18
Legislative Per Diem	\$1,760	\$3,080
Travel	1,488	2,604
Centrally Appropriated Costs*	144	252
TOTAL	\$3,392	\$5,936

* Centrally appropriated costs are not included in the bill's appropriation.

CDOT. Workload will minimally increase in CDOT in several ways. CDOT staff representing each division will be required to participate in periodic committee meetings. CDOT's executive director will report to the legislative committees that oversee CDOT at least once a year to discuss activities and recommendations of the committee and actions taken by CDOT and the commission to implement these recommendations. To the extent that the committee makes recommendations, CDOT and the commission will be required to respond and, in some cases, implement these recommendations. These workload impacts are expected to be addressed within existing appropriations.

Department of Law. The Department of Law will provide legal support to the committee as necessary to interpret state and federal laws and resolve conflicts. Conflicts arising from a difference of law interpretation are expected to be minimal, therefore this workload impact is expected to be addressed within existing appropriations.

Centrally appropriated costs. 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 estimated in the fiscal note for informational purposes and summarized in Table 2.

Table 2. Centrally Appropriated Costs Under HB16-1172		
Cost Components	FY 2016-17	FY 2017- 2018
Supplemental Employee Retirement Payments	\$144	\$252
TOTAL	\$144	\$252

Local Government and Statutory Public Entity Impact

To the extent that counties, municipalities, public transportation providers, and transportation planning regions seek to be represented on the committee, workloads will increase by a minimal amount in those agencies in order to participate in committee meetings.

Effective Date

The bill was signed into law by the Governor on June 10, 2016, and takes effect August 10, 2016, assuming no referendum petition is filed.

State Appropriations

Consistent with this fiscal note, the bill appropriates \$3,248 from the General Fund to the Legislative Department for FY 2016-17.

State and Local Government Contacts

Counties	Governor's Office	Information Technology
Law	Legislative Council	Local Affairs
Municipalities	Regional Transportation District	Regulatory Agencies
Transportation		