

JOINT BUDGET COMMITTEE



STAFF FIGURE SETTING FY 2021-22

LEGISLATIVE DEPARTMENT (LONG BILL APPROPRIATIONS ONLY)

JBC WORKING DOCUMENT - SUBJECT TO CHANGE
STAFF RECOMMENDATION DOES NOT REPRESENT COMMITTEE DECISION

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DEPARTMENT OVERVIEW

The Legislative Branch includes the elected members of the House of Representatives and the Senate, and the necessary staff to support legislators in their duties and responsibilities. The staff include those assigned to the House and the Senate, and those employed by the following legislative service agencies:

- Office of the State Auditor;
- Joint Budget Committee (JBC);
- Legislative Council; and
- Committee on Legal Services.

The legislative service agency staff are full-time nonpartisan professionals. The House and the Senate employ both partisan and nonpartisan staff, and many of these staff serve only when the General Assembly is in session.

GENERAL NOTES ABOUT THIS PACKET

While the majority of appropriations for the Legislative Department are included in a separate bill (e.g., H.B. 20-1345), some line item appropriations for the Department are included in the Long Bill. These Long Bill appropriations provide funding for:

- studies and analyses that are required by statute or the State Constitution; and
- statewide common policies that relate to services provided by the Executive Branch agencies (e.g. workers' compensation).

This document only includes staff recommendations for Long Bill appropriations.

Unlike Executive and Judicial Branch departments, the Legislative Department does not submit a budget request to the Joint Budget Committee. Instead, each legislative agency Director makes a recommendation to their respective oversight committee, and the budget approved by the oversight committee is submitted to the Executive Committee. The Executive Committee is responsible for proposing the Legislative Branch budget to the General Assembly.

At this point in the legislative budget process, JBC staff does not yet have information about each agency's budget request for FY 2021-22. Absent this information, the "Numbers Pages" appendix that is typically included in a JBC staff figure setting document is of limited value. Thus, staff has elected to exclude this appendix from this document.

→ STAFF RECOMMENDATION FOR PLACEHOLDER

Staff recommends that the JBC approve a General Fund place holder as part of its FY 2021-22 budget proposal to cover the appropriations that are included in the 2021 Legislative Appropriation Bill. Staff also requests permission to adjust this placeholder if necessary based on any amendments to the Legislative Appropriation Bill.

Staff currently anticipates that the Executive Committee will take final action on the legislative budget bill on Friday, March 12. Staff will prepare a memo for the JBC at that time identifying the required General Fund place holder, along with Numbers Pages to provide JBC members with details concerning legislative agency recent expenditures, current fiscal year appropriations, and proposed appropriations for FY 2021-22. These Numbers Pages will include appropriations that will be included in the Legislative Appropriation Bill (based on Executive Committee action) as well as the Long Bill (based on JBC action).

LEGISLATIVE DEPARTMENT: LONG BILL APPROPRIATIONS

(1) LEGISLATIVE COUNCIL

PROPERTY TAX STUDY PURSUANT TO SECTION 39-1-104 (16), C.R.S.

This line item provides funding for Legislative Council Staff to annually contract for a statutorily required “valuation for assessment” study. The audit of county assessor valuations follows a two year cycle, with odd numbered fiscal years involving the bulk of the data gathering, field work, and analysis as new levels of value are being established through reappraisals updating the "base year" levels of value. Even-numbered years tend to focus more on directives of the State Board of Equalization, maintaining the audit database, and monitoring the actions of the counties, but also include a detailed abstract of properties used by legislative staff in analyzing proposals to change the state's property tax system.

STATUTORY AUTHORITY: Section 39-1-104 (16)(a), C.R.S.

REQUEST: The Legislative Council Staff requests \$676,000 General Fund for the audit of county assessor values, which is a continuation level of funding.

RECOMMENDATION: **Staff recommends approving the request.**

COST OF LIVING ANALYSIS PURSUANT TO SECTION 22-54-104 (5)(C)(III)(A), C.R.S.

This line item provides funding for Legislative Council Staff to contract for a cost of living analysis to certify the cost of living factor for each school district. The cost of living factor is included in the statutory school finance formula to allocate State funds among school districts. These factors must be certified by April 15 every other year, and the new factors are effective for the following two state fiscal years. The source of funding for this study is a transfer from the appropriation to the Department of Education for the State Share of Districts’ Total Program Funding. A footnote attached to this line item appropriation specifies the maximum amount of the transfer to fund the biennial cost of living analysis.

The cost-of-living study conducted during the 2019 interim determined school district cost-of-living factors for FY 2019-20 and FY 2020-21. A FY 2021-22 appropriation is needed for a study to be conducted during the 2021 interim to determine cost-of-living factors for FY 2021-22 and FY 2022-23.

STATUTORY AUTHORITY: Section 22-54-104 (5)(C)(III)(A) and (B), C.R.S.;

REQUEST: The Legislative Council Staff requests \$250,000 reappropriated funds for the cost-of-living analysis of school districts, which is the same as the appropriation provided for FY 2019-20.

RECOMMENDATION: **Staff recommends approving the request.**

BALLOT ANALYSIS

This line item provides funding for the printing, mailing, and analysis of statewide ballot measures. Sections 1 (7.3) and (7.5) of Article V of the State Constitution requires the nonpartisan staff of the General Assembly to:

- cause to be published in each county the text and title of every statewide initiated or referred measure; and
- prepare and distribute to active registered voters statewide a ballot information booklet that includes the text and title of each statewide measure along with a fair and impartial analysis of each measure.

This provision also requires the General Assembly to provide sufficient appropriations for the preparation and distribution of the ballot information booklet at no charge to recipients.

The expenditures related to these requirements can vary significantly from year to year. Generally, expenses are higher in even election years (e.g., the appropriations for FY 2016-17, FY 2018-19, and FY 2020-21). The annual appropriation is designed to fund one-half of the estimated costs over a two year period, thus allowing the General Assembly to maintain a similar appropriation from year to year.

The annual General Fund appropriation in this line item is credited to the Ballot Information Publication and Distribution Revolving Fund. Money in this fund is continuously appropriated to the Legislative Council to pay the costs of publishing the text and title of each measure and the costs of distributing the ballot information booklet.

CONSTITUTIONAL AND STATUTORY AUTHORITY: Sections 1 (7.3) and (7.5) of Article V of the State Constitution; Section 1-40-144.5, C.R.S.

REQUEST: The Legislative Council Staff requests \$1,600,000 General Fund for printing, mailing, and associated costs for ballot analysis, which is a continuation level of funding.

RECOMMENDATION: **Staff recommends approving the request.**

(2) GENERAL ASSEMBLY

WORKERS' COMPENSATION

This line item is used to pay the Department of Personnel for the Legislature's share for inclusion in the State's workers' compensation program for state employees.

STATUTORY AUTHORITY: Section 24-30-1510.7, C.R.S.

RECOMMENDATION: **The staff recommendation is pending Committee action on Department of Personnel operating common policies.** Staff requests permission to reflect the amount approved by the Committee (scheduled for Friday, February 19).

LEGAL SERVICES

This line item appropriation is used to pay the Department of Law for the provision of legal services for the Legislature.

STATUTORY AUTHORITY: Sections 24-31-101 (1)(a), C.R.S., and 24-75-112 (1)(i), C.R.S.

RECOMMENDATION: **The staff recommendation is pending future action by the Committee.** Staff requests permission to ultimately reflect the amount approved by the Committee when the common policy for Legal Services is established.

PAYMENT TO RISK MANAGEMENT AND PROPERTY FUNDS

This line item appropriation is used to pay the Department of Personnel for the Legislature's share of liability and property insurance. The State's liability program is used to pay liability claims and expenses brought against the State.

STATUTORY AUTHORITY: Section 24-30-1510 and 24-30-1510.5, C.R.S.

RECOMMENDATION: **The staff recommendation is pending Committee action on Department of Personnel operating common policies.** Staff requests permission to reflect the amount approved by the Committee (scheduled for Friday, February 19).

MAINTENANCE OF LEGISLATIVE SPACE

This line item appropriation is used to pay the Department of Personnel for the Legislature's share of the costs of maintaining State buildings that are part of the Capitol Complex. In addition to the Capitol, the Legislative Services Building, and legislative office space in the State Services Building at 1525 Sherman Street, this payment includes funding for parking and the equivalent of 26 days of use of the conference center at 1525 Sherman Street.

STATUTORY AUTHORITY: Section 24-30-1104 (4) and Part 1 of Article 82 of Title 24, C.R.S.

RECOMMENDATION: **The staff recommendation is pending Committee action on Department of Personnel operating common policies.** Staff requests permission to reflect the amount approved by the Committee (scheduled for Friday, February 19).

PAYMENTS TO OIT

This line item appropriation is used to pay the Governor's Office of Information Technology for information technology services provided for the Legislature.

STATUTORY AUTHORITY: Section 24-37.5-104, C.R.S.

RECOMMENDATION: **The staff recommendation is pending future action by the Committee.** Staff requests permission to ultimately reflect the amount approved by the Committee when the common policy for the Payments to OIT is established.

CORE OPERATIONS

This line item appropriation is used to pay the Department of Personnel for the Legislature's share of the costs of the Colorado Operations Resource Engine (CORE) system. This is the accounting system that is used to record all State revenues and expenditures.

STATUTORY AUTHORITY: Section 24-30-209, C.R.S.

RECOMMENDATION: **The staff recommendation is pending Committee action on Department of Personnel operating common policies.** Staff requests permission to reflect the amount approved by the Committee (scheduled for Friday, February 19).

COLORADO CHANNEL AUTHORITY

This line item provided a one-time appropriation in FY 2018-19 for the upgrade and maintenance of equipment associated with the Colorado Channel Authority.

STATUTORY AUTHORITY: Section 24-49.9-101 et seq., C.R.S.

RECOMMENDATION: This one-time appropriation was eliminated for FY 2019-20. In the future, if the General Assembly requires an appropriation for this purpose, such appropriation will be included in the Legislative appropriation bill rather than the Long Bill.