



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Drafting Number: LLS 20-0326
Prime Sponsors:

Date: October 21, 2019
Bill Status: Bill Request
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Bill Topic: REQUIRE PUBLIC INPUT ON WATER DEMAND MGMT PROGRAM

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill requires that state agencies and legislators, in developing a Colorado River demand management program, provide opportunities for public involvement and comment. The bill increases state General Fund expenditures in FY 2021-22 and FY 2022-23 only.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the bill draft requested by the Water Resources Review Committee.

Table 1
State Fiscal Impacts Under Bill 2

		FY 2020-21	FY 2021-22	FY 2022-23
Revenue		-	-	-
Expenditures	General Fund	-	\$38,370	\$38,370
	Centrally Appropriated	-	\$891	\$891
	Total	-	\$39,261	\$39,261
Transfers		-	-	-
TABOR Refund		-	-	-

Summary of Legislation

The bill requires that state agencies and legislators, in developing a Colorado River demand management program (program), provide opportunities for public involvement and comment the a process similar to the process used in the development of the state's water plan.

Scope. The Colorado Water Conservation Board (CWCB) in the Department of Natural Resources will present the scope, fundamental approach, and basic elements of the program to the Water Resources Review Committee (committee). The committee is directed to hold at least one public hearing concerning this phase of the proposed program in each of Colorado's nine basins to gather public feedback. The committee will provide a summary of the public's feedback, in addition to its own feedback, to the CWCB.

Draft. After considering the feedback described above, the CWCB will develop a draft program and present it to the committee. As with the previous phase of the program, the committee is directed to hold at least one public hearing in each basin to gather public input and provide feedback to the CWCB on the draft program.

Final program and amendments. In developing a final program, the CWCB must consider the feedback provided by the committee concerning the draft program. The CWCB must notify the committee of any proposed significant amendment to the program and consider the committee's feedback; the committee may hold hearings, and if it does, must provide a summary of the public's feedback in addition to the committee's own feedback to the CWCB. No later than November 1, 2023, and within every five years thereafter, the committee must prepare a list of topics it deems necessary to be addressed in the program; the CWCB must provide recommendations within eight months of receipt of the list.

Background

Senate Bill 19-212 appropriated \$1.7 million to the CWCB for stakeholder outreach and technical analysis to develop a water resources demand management program as part of the Upper Basin States' Drought Contingency Plan.

Assumptions

The fiscal note makes the following assumptions:

- the committee will take public input on the program during regularly held meetings in three basins each year, leaving six additional meetings needed to meet the requirement in the bill;
- the CWCB will work with the public and internally to develop the program and will present the scope, fundamental approach, and basic elements of the program to the committee early in FY 2021-22; and
- all CWCB expenditures related to the development of a demand management program will be financed by an appropriation from SB 19-212;

State Expenditures

The bill will increase state General Fund expenditures by \$38,370 in FY 2021-22 and FY 2022-23 for the Legislative Department. These costs are shown in Table 2 and described below.

Table 2
Expenditures Under Bill 2

	FY 2020-21	FY 2021-22	FY 2022-23
Legislative Department			
Legislator per diem and travel	-	\$29,046	\$29,046
Staff travel	-	\$5,724	\$5,724
Vehicle rental	-	\$3,600	\$3,600
Centrally appropriated	-	\$891	\$891
Total Cost	-	\$39,261	\$39,261

General Assembly. For FY 2021-22 and FY 2022-23, ten legislators and three committee staff will attend six additional public meetings, requiring nine total days of travel. Travel costs are estimated to be \$212 per day for each legislator and committee staff member, and per diem costs include \$110.73 per legislator. The General Assembly will also have centrally appropriated costs of \$891 for supplemental retirement payments related to legislator per diem. Historically meeting space for the committee has not required expenditures, so no costs are included in the fiscal note for this purpose.

Department of Natural Resources. The CWCB will conduct stakeholder outreach and technical analysis for the program as required under current law. While the bill adds specificity to the process, the fiscal note assumes that this does not increase workload required of the agency; therefore, no additional appropriations are required.

Effective Date

The bill takes effect August 5, 2020, if the General Assembly adjourns on May 6, 2020, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Natural Resources

