

JOINT BUDGET COMMITTEE



STAFF BUDGET BRIEFING FY 2018-19

ORGANIZATIONAL MEETING

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

PREPARED BY:
JOHN ZIEGLER, JBC STAFF
NOVEMBER 13, 2017

JOINT BUDGET COMMITTEE STAFF
200 E. 14TH AVENUE, 3RD FLOOR • DENVER • COLORADO • 80203
TELEPHONE: (303) 866-2061 • TDD: (303) 866-3472
<https://leg.colorado.gov/agencies/joint-budget-committee>

TABLE OF CONTENTS

| | |
|--|---|
| JOINT BUDGET COMMITTEE OPERATING RULES | 1 |
| JOINT BUDGET COMMITTEE OPERATING PROCEDURES | 2 |
| SHARING INFORMATION WITH THE OFFICE OF STATE PLANNING AND BUDGETING (OSPB), THE DEPARTMENTS, AND OTHER INTERESTED PARTIES | 3 |
| PRIOR YEAR COMMON BRIEFING QUESTIONS TO DEPARTMENTS | 4 |

JOINT BUDGET COMMITTEE OPERATING RULES

The following are the operating rules that were adopted by the JBC in November 2016:

1. Every two years, after the Committee is formed, the JBC members elect a Chairman (from the Senate) and vice-chairman (from the House). The Chairman and Vice-Chairman switch titles the next year.
2. A quorum consists of two members from each chamber and at least one minority party member.
3. Motions go through the Chairman.
4. Motions do not require a second.
5. The Chairman may make motions.
6. Passage of a motion requires a simple majority. In the event of a tie vote, the motion fails.
7. Only one substitute motion is allowed at any one time.
8. A member can ask for reconsideration of a decision at any time. Passage requires a simple majority.
9. To "close" or agree that no further votes will be taken on the Long Bill or a department requires two votes from each house.
10. Decisions by the Conference Committee members on supplemental bills, the Long Bill, and any other orbital Joint Budget Committee Bills require two votes from each house.
11. The Committee, by two-thirds vote of the entire body, can go into Executive Session to discuss legal matters or staff personnel matters.
12. Members need to ask the Chair to be officially "excused" when they will not be able to attend scheduled meetings.
13. A unanimous vote of the JBC is necessary for a bill to be considered a JBC bill.

JOINT BUDGET COMMITTEE OPERATING PROCEDURES

The following are the operating procedures that the JBC adopted in November 2014:

1. Staff write-ups will be available to Committee members by 4:00 p.m. two days before action by the Committee. Write-ups will be pre-punched and placed in notebooks for Committee members.
2. Telephone messages will be taken and placed in the Committee's message box or forwarded to a member's voice mail. Only if it is an emergency will support staff carry messages to Committee members across the street to the Capitol.
3. Requests for Tuesday/Thursday meetings will be coordinated through the Staff Director. The Staff Director will review these requests with the Chair. Meetings will be scheduled on Tuesday and Thursday afternoons. Priority will be given to meetings where participants have not previously met with the JBC and groups without a lobbyist.
4. Information prepared for the Committee will not be released before the Committee has had an opportunity to receive the information.
5. Letters received by all Committee members regarding the same budget matters may be referred to the Staff Director for response by the appropriate staff analyst. Responses will be reviewed and approved by the Committee before being sent out. Individual letters regarding budget matters or separate legislation will not be reviewed by the full Committee.
6. Staff will not be responsible for constituent related correspondence and matters; House and Senate staff, aides, or interns will handle these items.
7. Support staff will not call Committee members out of hearings or take messages into a hearing unless specifically instructed by a Committee member to do so.

SHARING INFORMATION WITH THE OFFICE OF STATE PLANNING AND BUDGETING (OSPB), THE DEPARTMENTS, AND OTHER INTERESTED PARTIES

The following is a list of the procedures for sharing information that have been used in the past by the JBC:

1. Staff briefing write-ups will be available the day of the briefing and given to the OSPB and the department representatives at the start of the briefing. Additional copies will be made available for the press and other interested parties at the start of the briefing.
2. Supplemental and figure setting write-ups will be available at the start of the presentation and given to OSPB and department representatives. Technical issues/errors will be discussed at the staff level and brought to the Committee's attention for approval. These write-ups will also be available to interested parties at the start of the Committee's discussion.
3. All other printed information will be made available to OSPB and the department representatives at the time it is presented to the Committee. This information will also be available to interested parties at the start of the Committee discussion. Staff documents (briefing, hearing agenda, supplemental and figure setting write-ups) will be posted on the Internet.
4. OSPB will present departmental requests for reconsideration of Committee decisions ("comebacks") on supplemental requests or figure setting at the end of decision making by the Committee. The other elected officials and the Judicial Branch will be allowed the same opportunity.
5. A draft of each department's portion of the Long Bill will be shared prior to introduction of the bill with the department's budget officer to check for technical errors.
6. General overview information presented during caucus discussions of the Long Bill will be made available to OSPB and other interested parties after members have the information. Amendments or responses to individual questions will not be available to OSPB or other interested parties.
7. Staff responses to individual member questions during caucus discussions of the Long Bill will be provided to the member who asked the question and to the JBC members.

PRIOR YEAR COMMON BRIEFING QUESTIONS TO DEPARTMENTS

The following is a list of the common briefing questions that were included in each department's briefing agenda's by the JBC during the FY 2017-18 briefing cycle:

1. [Sen. Lambert] Provide a list of any legislation that the Department has: (a) not implemented, or (b) partially implemented. Explain why the Department has not implemented or has only partially implemented the legislation on this list. Please explain any problems the Department is having implementing any legislation and any suggestions you have to modify legislation.
2. If the Department receives federal funds of any type, please respond to the following:
 - a. [Rep. Young] Please provide a detailed description of any federal sanctions or potential sanctions for state activities of which the Department is already aware. In addition, please provide a detailed description of any sanctions that MAY be issued against the Department by the federal government during FFY 2016-17.
 - b. [Rep. Young/Sen. Lambert] Are expecting any changes in federal funding with the passage of the FFY 2016-17 federal budget? If yes, in which programs, and what is the match requirement for each of the programs?
3. [Sen. Lambert] Does the Department have any HIGH PRIORITY OUTSTANDING recommendations as identified in the "Annual Report of Audit Recommendations Not Fully Implemented" that was published by the State Auditor's Office and dated June 30, 2016 (link below)? What is the department doing to resolve the HIGH PRIORITY OUTSTANDING recommendations?

http://leg.colorado.gov/sites/default/files/documents/audits/1667s_annual_report_-_status_of_outstanding_recommendations_1.pdf
4. [Sen. Lambert/Lundberg] Is the department spending money on public awareness campaigns? What are these campaigns, what is the goal of the messaging, what is the cost of the campaign? Please distinguish between paid media and earned media. Do you have any indications or metrics regarding effectiveness? How is the department working with other state or federal departments to coordinate the campaigns?
5. [Rep. Young, Rep. Hamner, Sen. Lambert] Based on the Department's most recent available record, what is the FTE vacancy and turnover rate by department and by division? To what does the Department attribute this turnover/vacancy?
6. [Rep. Young] For FY 2015-16, do any line items in your Department have reversions? If so, which line items, which programs within each line item, and for what amounts (by fund source)? What are the reasons for each reversion? Do you anticipate any reversions in FY 2016-17? If yes, in which programs and line items do you anticipate these reversions occurring? How much and in which fund sources do you anticipate the reversion being?

7. [Sen. Moreno] [Background Information: For FY 2017-18, the Department of Law has submitted a request to change the calculation of legal services appropriations as well as the monthly billing system for legal services provided to state agencies. Specifically, the proposal would: 1) calculate the number of budgeted legal services hours for each agency as the average of actual usage in the prior three years; 2) include a two-year average of “additional litigation costs” such as court reporting, travel for depositions, expert witness costs, etc., in the appropriation for legal services (these costs are not currently included in the appropriation and are often absorbed from other personal services and operating expenses line items); and 3) convert from monthly billing based on the actual hours of service provided to monthly billing based on twelve equal installments to fully spend each client agency’s appropriation.]

Please discuss your agency’s position on the Department of Law’s proposed changes to the legal services system, including the potential impacts of the changes on your agency budget. That is, does your department support the proposed changes? How would you expect the changes to positively or negatively impact your department? Please explain.

8. [Sen. Lambert] What is the expected impact of Amendment 70 (minimum wage increase) on Department programs? Please address impacts related to state personnel, contracts, and providers of services.
9. [Sen. Lambert] Please provide an update on the Department’s status, concerns, and plans of action for increasing levels of cybersecurity, including existing programs and resources. How does the Department work with the Cybersecurity Center in the Office of Information Technology?
10. [Rep. Rankin] Is the SMART Act an effective performance management and improvement tool for your Department? What other tools are you using? Do your performance tools inform your budget requests? If so, in what way?
11. [Sen. Lambert/Rep. Rankin] Please identify how many rules you have promulgated in the past two years. With respect to these rules, have you done any cost-benefit analysis pursuant to Section 24-4-103 (2.5), C.R.S., regulatory analysis pursuant to Section 24-4-103 (4.5), C.R.S., or any other similar analysis? Have you conducted a cost-benefit analysis of the Department’s rules as a whole? If so, please provide an overview of each analysis.
12. [Rep. Hamner] What has the department done to decrease red tape and make the department more navigable/easy to access?
13. [Rep. Hamner] What is the number one customer service complaint the department receives? What is the department doing to address it?