

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE CONTINUATION OF THE PUBLIC UTILITIES COMMISSION, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE 2018 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES AND MAKING AN APPROPRIATION.

Prime Sponsors: Sens. Garcia and Fenberg
Reps. Hansen and Becker

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Fiscal Impact of Bill as Amended to Date

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/24/19.

	No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	Update: Fiscal impact has changed due to <i>new information or technical issues</i>
XXX	Update: Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	Non-Concurrence: JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

The House State, Veterans, and Military Affairs Committee Report (04/30/19) and House Finance Committee Report (05/01/19) include amendments that change the fiscal impact of the bill. Legislative Council Staff and JBC Staff agree that the amendments:

- Increase the required appropriation to the Department of Regulatory Agencies by \$3,292 cash funds for FY 2019-20 to open a nonadjudicatory proceeding to conduct a survey of public electric utility retail rates; and
- Change the bill’s existing funding source for the Department of Regulatory Agencies’ regulation of vehicle booting businesses from the Public Utilities Commission Motor Carrier Fund to the Vehicle Booting Cash Fund.

Amendments in This Packet for Consideration by Appropriations Committee

Amendment	Description
J.003	Staff-prepared appropriation amendment

Current Appropriations Clause in Bill

The bill includes an appropriation clause that provides \$467,034 cash funds to the Department of Regulatory Agencies for FY 2019-20 and states that the appropriation is based on the assumption that the Department will require an additional 4.0 FTE to implement the act. Of this amount,

SB19-236

JBC Staff Analysis

\$111,920 is reappropriated to the Department of Law for FY 2019-20, and this provision states that the appropriation is based on the assumption that the Department of Law will require an additional 0.6 FTE to implement the act.

Based on amendments adopted in House Finance Committee, the existing appropriation clause requires an increase of \$3,292 from the Public Utilities Commission Fixed Utility Fund to the Department of Regulatory Agencies for a survey of public electric utility retail rates. Additionally, the amendments necessitate a decrease of \$97,601 from the Public Utilities Commission Motor Carrier Fund and 1.5 FTE due to the change in the Department's funding source for the regulation of vehicle booting businesses to the Vehicle Booting Cash Fund. Appropriations to cover the Department's regulatory duties are not needed because money in the Vehicle Booting Cash Fund is continuously appropriated to the Public Utilities Commission.

Description of Amendments in This Packet

J.003 Staff has prepared amendment **J.003** (attached) to change the existing clause to appropriate an additional \$3,292 from the Public Utilities Commission Fixed Utility Fund to the Department of Regulatory Agencies. Additionally, amendment **J.003** reduces appropriations to the Department by \$97,601 from the from the Public Utilities Commission Motor Carrier Fund and 1.5 FTE.

Points to Consider

Legislative Authority

Is it necessary to "continuously appropriate" money in the Vehicle Booting Cash Fund? This method of funding essentially moves related expenditures off-budget, and thus expenditures are not reported or accounted for through the budget process.