



Legislative  
Council Staff

*Nonpartisan Services for Colorado's Legislature*

**HB 20-1069**

# FINAL FISCAL NOTE

**Drafting Number:** LLS 20-0329      **Date:** October 13, 2020  
**Prime Sponsors:** Rep. Saine; Titone      **Bill Status:** Deemed Lost  
 Sen. Sonnenberg; Coram      **Fiscal Analyst:** Max Nardo | 303-866-4776  
 max.nardo@state.co.us

**Bill Topic:**      **ADD WATER WELL INSPECTORS IDENTIFY HIGH-RISK WELLS**

**Summary of Fiscal Impact:**

<input checked="" 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 would have established a minimum staffing level for the state's Well Inspection Program, increased well permit fees, and required the identification and prioritization of high-risk wells. It would have increased state revenue and expenditures on an ongoing basis.

**Appropriation Summary:** For FY 2020-21, the bill would have required an appropriation of \$143,789 to the Department of Natural Resources.

**Fiscal Note Status:** The fiscal note reflects the introduced bill, as amended by the House Finance Committee. The bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

**Table 1  
State Fiscal Impacts Under HB 20-1069**

		<b>FY 2020-21</b>	<b>FY 2021-22</b>
<b>Revenue</b>	Cash Funds	\$190,750	\$190,750
<b>Expenditures</b>	Cash Funds	\$143,789	\$149,205
	Centrally Appropriated	\$30,637	\$33,841
	<b>Total</b>	<b>\$174,426</b>	<b>\$183,046</b>
	<b>Total FTE</b>	<b>1.8 FTE</b>	<b>2.0 FTE</b>
<b>Transfers</b>		-	-
<b>TABOR Refund</b>		-	-

## **Summary of Legislation**

The bill establishes a minimum staffing level for the state's Well Inspection Program, increases well permit fees, and requires the identification and prioritization of high-risk wells.

The bill requires that the Division of Water Resources in the Department of Natural Resources (DNR) employ at least four inspectors to monitor water well construction and pump installation. At least one inspector must be primarily concerned with Water Division 1 (South Platte River), and one inspector must be primarily concerned with Water Division 2 (Arkansas River). It increases permit fees for all types of wells by \$35, and correspondingly increases the portion of each well permit fee that is deposited into the Well Inspection Cash Fund by \$35.

The bill directs the State Board of Examiners of Water Well Construction and Pump Installation Contractors to promulgate rules by November 1, 2020, for identifying high-risk wells that should be prioritized for inspection. The program is directed to follow these rules for identifying high-risk wells and prioritize the inspection of these wells.

## **Background**

Constructing a well requires a permit from the Division of Water Resources. The current statutory permit fee for most well types is \$100, \$40 of which is deposited into the Well Inspection Cash Fund, with the remainder deposited into the Water Resources Cash Fund. In FY 2017-18, about 4,000 new wells were constructed, 310 of which were inspected by the program's staff.

## **State Revenue**

The bill increases state revenue by an estimated \$190,750 in FY 2020-21 and future years to the DNR. The additional revenue is deposited into the Well Inspection Cash Fund. This estimate is based on a 10-year median of 5,450 well permit application fees collected. This revenue is subject to state revenue limits established in TABOR.

## **State Expenditures**

The bill increases state expenditures by \$174,426 and 1.8 FTE in FY 2020-21, and \$183,046 and 2.0 FTE in FY 2021-22 and future years. These expenditures are shown in Table 2 and described below.

**Table 2**  
**Expenditures Under HB 20-1069**

	<b>FY 2020-21</b>	<b>FY 2021-22</b>
<b>Department of Natural Resources</b>		
Personal Services	\$109,769	\$119,747
Capital Outlay	\$12,400	-
Operating Expenses	\$17,700	\$17,700
Vehicle Lease Payments	\$3,920	\$11,758
Centrally Appropriated Costs*	\$30,637	\$33,841
<b>Total Cost</b>	<b>\$174,426</b>	<b>\$183,046</b>
<b>Total FTE</b>	<b>1.8 FTE</b>	<b>2.0 FTE</b>

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

**Department of Natural Resources.** DNR will hire an additional 2.0 FTE at the engineer / physical science technician II job class, prorated for an August hire date in the first year. Each inspector will require a vehicle, costing \$5,879 per vehicle per year, prorated for four months in the first year, which are provided by the Department of Personnel and Administration. Of the operating costs, \$15,000 each year is for vehicle mileage and variable costs. Rulemaking concerning high-risk wells will require a one-time workload increase for DNR that does not require an increase in appropriations. Costs will be paid from the Well Inspection Cash Fund.

**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. These costs, which include employee insurance and supplemental employee retirement payments, are estimated to be \$30,637 in FY 2020-21 and \$33,841 in FY 2021-22.

### **Effective Date**

The bill was deemed lost on June 16, 2020.

### **State Appropriations**

For FY 2020-21, the bill requires an appropriation of \$143,789 to the Department of Natural Resources from the Well Inspection Cash Fund, and 1.8 FTE. Of this amount, \$3,920 is reappropriated to the Department of Personnel and Administration for state fleet vehicles.

### **State and Local Government Contacts**

Natural Resources