



**Colorado
Legislative
Council
Staff**

Initiative # 68

**INITIAL FISCAL
IMPACT STATEMENT**

Date: November 15, 2017

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LCS TITLE: STATE LEGISLATIVE REDISTRICTING

Fiscal Impact Summary	FY 2018-2019	FY 2020-2021	FY 2021-2022
State Revenue			
State Expenditures	\$0	\$169,895	\$161,785
General Fund	0	169,895	161,785

Note: This *initial* fiscal impact estimate has been prepared for the Title Board. If the initiative is placed on the ballot, Legislative Council Staff may revise this estimate for the Blue Book Voter Guide if new information becomes available.

Summary of Measure

Every 10 years following the U.S. Census, the Colorado Reapportionment Commission must create and approve a legislative district plan for the Colorado House of Representatives and Colorado State Senate. This initiative replaces the 11-member Colorado Reapportionment Commission with the 12-member Independent Legislative Redistricting Commission (Commission). The new Commission is responsible for approving a state legislative redistricting plan using draft plans prepared by nonpartisan legislative staff.

Commission membership selection. The Commission consists of 12 members, of which 4 members must be registered with the state's largest political party, 4 members must be registered with the state's second largest political party, and 4 members must be unaffiliated or registered with a party other than the state's two largest parties (independent members). Commission members must be Colorado registered voters and cannot be a member or candidate for the General Assembly. At least one member must reside in each state congressional district and no more than three members may reside in the same congressional district.

Large political party member selection. The Secretary of State (SOS) must establish an application process for all commission candidates, and appointments to the Commission must be made from the pool of applicants that apply. The majority and minority leaders in the state Senate and House of Representatives alternate choosing candidates and alternates affiliated with the state's two largest parties, starting with the Senate leaders. This process must begin by March 18 in the year following the U.S Census, and will next occur in 2021.

Independent commission member selection. The SOS must review applications and issue an eligibility finding for all independent applicants by April 1. The SOS is required to form a panel of retired justices or judges to select twenty eligible independent member applicants through one or more public hearings. The four independent members and four alternates are randomly selected by the SOS from the pool of twenty applicants chosen by the panel. This must occur by April 30th.

Commission requirements. The Commission must adopt rules regarding the maintenance of records, the process for removing commissioners, filling a vacancy, and the process for recommending redistricting plan changes to staff, and must approve a statewide meeting and hearing schedule. Any motion by the Commission requires eight votes, including one vote from an independent commissioner. The Commission is authorized to retain legal counsel and is subject to the Colorado Open Records Act. The Commission will be staffed by the nonpartisan research and legal staff of the General Assembly and funding to cover the costs of the Commission and its staff must be provided by the General Assembly.

Commission plan review and approval. The commission must be convened by the Governor no later than May 15th in the redistricting year. Prior to the commission considering a preliminary plan, nonpartisan staff must prepare and present at least four state legislative district plans. These plans must be published online and presented to the Commission. The Commission must allow for public comment on all plans through email or other electronic communication. After allowing for public comment, the Commission must select a preliminary plan and must hold public hearings on the preliminary plan after posting it online. The approval of a preliminary plan and adoption of a final plan must have the support of at least two independent commissioners. At least three public hearings are required in each congressional district. Some of these hearings may be held through video conferencing. However, at least one in-person hearing is required in each district. In addition, two in-person hearings are required west of the Continental Divide and two in-person hearings are required south of El Paso County and east of the Continental Divide.

After the public hearings the Commission is required to finalize a plan and submit it to the Colorado Supreme Court for review. The Supreme Court can approve or return the plan to the Commission with instructions for submitting a revised plan. The next state legislative district plan must be approved and filed with the SOS no later than December 31, 2021.

State Expenditures

Based on preliminary costs for state legislative redistricting under current law, **this initiative is projected to increase state General Fund expenditures by \$169,895 and 0.2 FTE in FY 2020-21 and \$161,785 and 1.2 FTE in FY 2021-22.** These costs are summarized in Table 1 and discussed below.

Cost Components	FY 2018-19	FY 2020-21	FY 2021-22
Personal Services	-	\$11,879	\$101,181
FTE	-	0.2 FTE	1.2 FTE
Operating Expenses & Capital Outlay	-	3,664	475
Computer Equipment and Software	-	126,600	6,170
Travel and Per Diem	-	9,727	29,180
Senior Judge Application Panel	-	15,876	0
Benefits and Leased Space	-	2,149	24,779
TOTAL	-	\$169,895	\$161,785

Personal services and operating costs. Under the current legislative redistricting process, legislative district plans are drawn by the Reapportionment Commission in the interim (between legislative sessions). Staff support for this commission is provided by nonpartisan legislative staff. The current process is projected to last seven months and require 4.6 FTE (1.3 FTE in FY 2020-21; 3.3 in FY 2021-22). Under this initiative, the new Independent Legislative Redistricting Commission will require a total of 6.0 FTE for eight months, 1.5 FTE in FY 2020-21 and 4.5 FTE in FY 2021-22. Overall, state redistricting costs are increased due to the increased length of the process and need for more staff to complete the process outlined in the initiative. There will be a net increase of 0.2 FTE in FY 2020-21 and 1.2 FTE in FY 2021-22. Costs for these staff and related operating expenses are shown in Table 1.

Travel and per diem. Under current law, several meetings and public hearings are held as a part of the redistricting process to seek public input on new district plans. These meetings are held throughout the state and funds are needed to pay for travel expense reimbursements and per diem for staff and commission members. Under this initiative, costs will increase for additional staff and the twelfth commissioner to travel and to hold additional public hearings.

Computer equipment and software. GIS and mapping software, and printing services are needed to prepare the state redistricting plans. Computer equipment costs are expected to increase \$126,600 in FY 2020-21 for hardware and GIS and other mapping software and \$6,170 in FY 2021-22 for the printing of redistricting maps for public meetings compared to current reapportionment costs.

Secretary of State. Under this initiative, the Secretary of State is required to form and pay for the expenses of a panel of three senior judges to review the independent commissioner applications. This will increase costs to the Secretary of State in FY 2020-21 by \$15,876. This includes salary and travel expenses for each of the three judges. It is assumed that these costs will be paid with existing revenue to and appropriations from the Secretary of State Cash Fund.

Additionally, workload will increase for the SOS to hold a public meeting to randomly select the four independent commissioners and four alternates. This workload is expected to be minimal and will not require an increase in appropriations.

Employee benefits and leased space. Employee benefits and leased space for staff are estimated increase by \$2,149 in FY 2020-21 and \$24,779 in FY 2021-22. This includes health, life, and dental insurance and eight months of leased space for redistricting staff.

Effective Date

If approved by voters, the ballot initiative takes effect upon proclamation of the Governor within 30 days of the official canvas of votes at the 2018 general election.

State and Local Government Contacts

Clerks
Judicial Department

Legislative Council
Secretary of State

Abstract of Initiative 68: State Legislative Redistricting

This initial fiscal estimate, prepared by the nonpartisan Director of Research of the Legislative Council as of November 2017, identifies the following impacts:

The abstract includes estimates of the fiscal impact of the initiative. If this initiative is to be placed on the ballot, Legislative Council Staff will prepare new estimates as part of a fiscal impact statement, which includes an abstract of that information. All fiscal impact statements are available at www.ColoradoBlueBook.com and the abstract will be included in the ballot information booklet that is prepared for the initiative.

State expenditures. Under the current legislative redistricting process, legislative district plans for the Colorado House of Representatives and Colorado Senate are drawn by the Reapportionment Commission following the decennial census. Initiative 68 replaces the Reapportionment Commission with the newly created Independent Legislative Redistricting Commission. Overall, Initiative 68 increases state expenditures by \$169,895 in FY 2020-21 and \$161,785 in FY 2021-22.