

FACE THE STATE

April 4, 2008

Sally Symanski, CPA
Office of the State Auditor
200 East 14th Avenue
Denver, Colorado 80203

Dear Ms. Symanski:

I am writing to request an investigation into the practice of state agencies, departments and divisions in reporting to the legislature on the cost of legislative proposals.

Obviously, the estimated cost of a proposal is an important consideration for members of the General Assembly as they consider what is in the best interest for their constituents and the people of Colorado.

I have recently discovered serious discrepancies between the actual cost of some proposals and the estimates that are being given to legislative staff for fiscal notes.

These discrepancies have raised questions about the reliability of information being provided by state agencies, departments and division.

While it is more difficult to tell if the cost of a proposal has been overestimated when that estimate leads to the defeat of a proposal, I can point to several incidents where the opposite has been the case:

- In 2007, the legislature passed, and the governor signed, House Bill 1341 concerning membership of the Colorado Oil and Gas Conservation Commission (COGCC). The fiscal note for the bill indicated that an additional 0.8 FTE would be needed in 07-08 and an additional 2 FTE would be needed in 08-09. As a result of the bill, however, the Department of Natural Resources this year receives an additional 21 FTE for the COGCC.

- In 2007, the legislature passed, and the governor signed, Senate Bill 242, concerning the creation of the health disparities office. Legislative Council's fiscal note indicated that the bill had "no fiscal impact." As a result of the bill, however, the office this year receives \$233,000 in state funding and 3 new FTE.

While I have received complaints from numerous members of my caucus citing further examples, these are two concrete incidents that should provide enough grounds to move forward with an audit.

Because of the importance of this issue, I respectfully request that your office work to complete the audit in the next 6 months.

I appreciate all of the hard work that you and your office perform in your service to the state. Thank you in advance for your time and effort in addressing this matter.

Sincerely,

Mike May
House Minority Leader

CC: Rep. Jim Kerr, Legislative Audit Chair
Rep. Dianne Primavera, Legislative Audit Vice Chair

The logo for "FACE THE STATE" is displayed in white text on a dark blue rectangular background. The word "FACE" is on the left, "THE" is in the center with the "T" and "H" stacked vertically, and "STATE" is on the right. Horizontal lines are positioned below the "FACE" and "STATE" words.

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