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FISCAL IMPACT REPORT

ORIGINAL DATE 2/26/09

SPONSOR Campos, P. LAST UPDATED _____ HB _____

SHORT TITLE San Miguel County Clerk's Office SB 353

ANALYST Haug

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	\$75.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Finance and Administration (DFA)

SUMMARY

Synopsis of Bill

Senate Bill 353 appropriates \$75.0 thousand from the general fund to the Department of Finance and Administration, Local Government Division, to fund a position in the San Miguel County Clerk's office.

FISCAL IMPLICATIONS

The appropriation of \$75.0 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of Fiscal Year 2010 shall revert to the general fund.

The DFA reports that San Miguel County was appropriated \$55,000 non-recurring revenue to fund a Bureau of Elections position within the County Clerk's office in FY08 and again in FY09. After FY10, county officials would have to determine whether this position is needed and appropriate funding through the county's operating budget.

According to the February 2009 revenue estimate, FY10 recurring revenue will only support a base expenditure level that is \$575 million less than the FY09 appropriations before the 2009 solvency reductions. All appropriations outside of the general appropriation act will be viewed in this declining revenue context.

SIGNIFICANT ISSUES

The DFA states that the San Miguel County Clerks office consists of an elected official, chief deputy clerk and three full time employees. The San Miguel County Clerks office is responsible for overseeing all elections within the county, including land grants and school elections. San Miguel County has three school districts, two colleges, and numerous land grants located within the county. The county also oversees municipal elections. In addition, the county clerk's office is responsible for recording all legal documents, issuing marriage licenses, and officially recording all county meetings. Mandated changes such as paper ballots, Help Americans Vote Act, and allowing additional time for early and absentee voting have resulted in additional duties for the clerk's office.

The DFA notes further that although the Local Government Division of the Department of Finance and Administration and Administration has a reimbursement process in place that could be utilized for this appropriation, the San Miguel County Commission will be responsible for budgeting this appropriation through formal resolution approved by the Local Government Division of the Department of Finance and Administration, and for expending the appropriation for the purpose intended.

GH/mc