

**FOI Commission Responses to Budget Questions From Rep Nuccio, General Government A
Subcommittee, February 10, 2026, for FY 27**

Submitted by: Colleen M. Murphy, Executive Director and General Counsel, FOI Commission

Headcount Questions:

1. What is your current headcount? **Funded 18- Actual 17= Open 1**
 - a. Total headcount: **18**
 - b. Of the total, how many are Funded headcount: **18**
 - c. Of the funded, how many Actual headcount: **17**
 - d. Open/vacancies headcount: **1**
 - i. Are these opens part-time or full-time resources? **Full-time**

*These numbers should tie (example): (Funded) 90 – (Actual) 80 = (Open) 10

2. Is there is change in headcount (either up or down) for this budget ask? **No change.**
 - a. If there is a positive change in headcount, please explain what the positions are and what is driving the need for the positions
 - i. If these adds are legislatively driven, what piece of legislation is driving the increase? **n/a**
 - ii. If they are not legislatively driven, please indicate which program is increasing if there is one **n/a**
 - b. If there is a reduction, please explain what is driving the reduction
 - i. Are the positions being transferred to another area? **n/a**
3. Does this budget ask include the open/vacant positions above? **Yes, the vacant position is included.**
 - a. If yes, how are they budgeted into your plan? (Please explain for all opens – if you have ten opens then explain for all ten) **The current Staff Attorney 2 is in the hiring process now and should start before the end of FY26.**
 - i. Are these full-time or part-time positions? **Full Time**
 - ii. What is the anticipated start date of your vacancies? **Before the end of FY26**

*Please detail by number, for example: There are 10 open positions – 8 are full-time and 2 are part-time. We have built them into the budget as follows. 8 full-time positions are expected to be filled on 07/01 and 2 part-time positions are expected to be filled on 01/01

There is 1 full-time open position, built into the budget and expected to be filled by April 2026.

4. How many opens/vacancies did you have at the prior year end on 06/30/2025? **1 open position at prior year end, 6/30/25**
 - a. How many vacancies did you start the prior year with (07/01/2024)? **2 full time**
 - b. How many people left throughout the year either via leaving, retiring, or transferring? **1**
 - c. How many new hires did you have in the same time period (07/01/24-06/30/25)? **2**

***Started FY25 with 2 full time vacancies: 1 transferred, 2 hired, leaving 1 vacancy at the start of FY26.**

5. What is the average salary of your open positions? 1 open position, average Salary \$113,494

Lapse Questions: *(please provide the numbers and not a link to the comptroller's report)

1. Were there any lapsing accounts on 06/30/2025? **Yes**
 - a. If yes, what were the accounts? **Personnel Services (PS) and Other Expenses (OE)**
 - b. If yes, what was the lapse balance? **PS \$286,900 and OE \$64,095**
 - c. If yes, what drove the lapse? **The PS lapses were largely caused by various challenges in the hiring process for open positions. The OE lapse was small and due to incidental items, such as: less need than projected for security at Commission meetings and hearings; fewer expenses related to court appeals; less mileage paid due to remote training sessions; and lower postage costs than projected.**

2. Please provide the starting Personnel Services budget number and the ending Personnel Services number. Please do not include any dollars that may have been moved via the FAC process. Just total non-adjusted budgeted PS line item and total ending PS line item.
- **Starting PS \$2,058,093 ending in \$1,771,192**

3. Where there any dollars for new programs/legislation that did not kick off? **No**
 - a. If so what were the programs/legislation? **n/a**
 - b. What prevented implementation of the program? **n/a**

4. If there is a lapsing balance, do you anticipate it carrying forward? **No**
 - a. If yes, how do you propose to use that lapse? **n/a**
 - b. Will it be for one-time expenses? **n/a**
 - i. If so, what are those one-time expenses? **n/a**
 - c. If ongoing expense is that expense built into this budget in FY 25? **n/a**

ARPA Questions:

1. Are there still ARPA funds included in this budget? **No**
 - a. If yes, when will the funding be fully utilized? **n/a**

Audit Questions:

1. Have you reviewed your agencies latest audit finding? **N/A - The Agency audit for FY 24/25 has recently commenced. The review and recommendations for the prior audit have not changed since last implemented.**

2. Have you implemented the recommendations with no fiscal impact? **n/a**
 - a. If so, please provide explanation of what you have changed to meet audit expectations.

3. If your agency has a recommendation with a fiscal impact, do you know what that annualized impact is? **n/a**

General Questions:

1. Is there anything you would change about this budget? **The agency will be reviewing its needs for additional attorney, support and IT staff for the next biennium, as the Commission's caseload significantly increased in 2025.**
2. Is there anything you would add to this budget? **Not at this time.**
3. Is there anything you would remove from this budget? **No.**
4. Is there any legislation that was passed you feel you are not adequately prepared to implement?
No
If so, what would we need to change to make it implementable? **n/a**