

**COLORADO GENERAL ASSEMBLY
JOINT BUDGET COMMITTEE**



SUPPLEMENTAL REQUESTS FOR FY 2009-10

OFFICE OF THE GOVERNOR

**JBC Working Document - Subject to Change
Staff Recommendation Does Not Represent Committee Decision**

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Prioritized Supplementals

**Early Supplemental Request, Department Priority #1
 Governor's Office Reduction**

	Request	Recommendation
Total	(\$230,967)	(\$230,967)
FTE	<u>(2.3)</u>	<u>(2.3)</u>
General Fund	(230,967)	(230,967)

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of <i>data that was not available when the original appropriation was made.</i>	

Department Request: The Department requests a reduction to the Administration of the Governor's Office and Residence line item by 2.3 FTE and \$230,967 in FY 2009-10 and 3.0 FTE and \$307,956 in FY 2010-11.

Staff Analysis: The Department anticipates vacancies during FY 2009-10, however, it cannot identify which specific positions will be left unfilled at this time. Additionally, in certain cases, the Department will move expenses for positions from General Fund moneys to federal funds sources. Duties will be reassigned to other staff for positions left open. The table below summarizes the General Fund reductions for the 2.3 FTE in FY 2009-10 and 3.0 FTE in FY 2010-11.

Position	FY 2009-10 Reduction	FY 2010-11 Reduction
Senior Staff	(\$100,818)	(\$134,424)
Senior Staff	(71,397)	(95,196)
Line Staff	(58,752)	(78,336)
Total	(\$230,967)	(\$307,956)

Staff Recommendation: Staff recommends that the Committee approve the Department's request to reduce the Administration of the Governor's Office and Residence line item by 2.3 FTE and \$230,967 in FY 2009-10.

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**Early Supplemental Request, Department Priority #2
 Lieutenant Governor's Office Reduction**

	Request	Recommendation
Total	(\$34,681)	(\$34,681)
General Fund	(34,681)	(34,681)

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
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JBC staff and the Department agree that this request is the result of *data that was not available when the original appropriation was made.*

Department Request: The Department requests an ongoing reduction of \$34,681 in General Fund appropriations in the Lieutenant Governor's Office.

Staff Analysis: The Lieutenant Governor's Office was appropriated \$346,818 in General Fund moneys in FY 2009-10. The Department's request seeks to reduce the Office's General Fund appropriation by 10 percent. The reduction proposal consists of decreases in travel expenses, distributions to non-governmental organizations, and official functions, as well as vacancy savings and migrating a portion of the Deputy Chief's salary to anticipated grant funding. The table below summarizes the proposed reductions.

Long Bill Line Item	General Fund Reduction
Lt. Governor Administration	(\$14,706)
Discretionary Fund	(2,000)
Commission of Indian Affairs	(17,975)
Total	(\$34,681)

Staff Recommendation: Staff recommends that the Committee approve the Department's request to reduce General Fund appropriations in the Lieutenant Governor's Office by \$34,681 in FY 2009-10.

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**Early Supplemental Request, Department Priority #3
 Business Development Reorganization**

	Request	Recommendation
Total	(\$203,148)	(\$203,148)
General Fund	(203,148)	(203,148)

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of <i>data that was not available when the original appropriation was made.</i>	

Department Request: The Department requests a General Fund reduction of \$203,148 and 1.5 FTE in FY 2009-10 to the Business Development, Minority Business Office, and International Trade Office line items within the Economic Development Programs division. Additionally, the Department requests fund transfer authority between the Business Development, Grand Junction Satellite Office, Minority Business Office, and International Trade Office line items to begin consolidating operations into one line item to achieve the requested savings. A separate base reduction item was submitted by the Department with the November 2, 2009 budget request to adjust the FY 2010-11 Long Bill to reflect the consolidation and appropriation reduction proposed with this supplemental request. The base reduction item for FY 2010-11 results in a proposed savings of \$217,049 in General Fund moneys and 1.5 FTE.

Staff Analysis: The current organization of the Office of Economic Development and International Trade includes separate line items for Business Development, Grand Junction Satellite Office, International Trade Office, and Minority Business Office. In FY 2009-10, the four line items are appropriated \$1.7 million in General Fund moneys and 19.1 FTE. The Department proposes to eliminate 1.0 FTE from the Business Development line item and 0.5 FTE from the International Trade Office. The table below summarizes the impact of the staffing reductions. Note, FY 2009-10 salaries are prorated to account for the expiration of one quarter.

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Long Bill Line Item	Position Reduction	General Fund Reduction
Business Development	Manager, Communications and External Affairs	(\$38,360)
Minority Business Office	Surety Bond Coordinator	(24,215)
Total		(\$62,575)

An additional proposed reduction of \$140,573 consists of an approximately 8.8 percent decrease in General Fund appropriations to the Business Development, International Trade Office, and Minority Business Office line items. The savings is generated through efficiencies gained by consolidating staff operations within the Office of Economic Development and International Trade. The table below describes the total fiscal impact of the Department's request. An additional reduction was not applied to the Grand Junction Satellite Office, as historically the costs of operating the office have exceeded the available appropriation.

	General Fund Reduction	FTE Reduction
Business Development	(\$111,183)	(1.0)
Grand Junction Satellite Office	0	0.0
Minority Business Office	(56,976)	0.0
International Trade Office	(34,989)	(0.5)
Total	(\$203,148)	(1.5)

The staffing and budgetary reductions to the Office of Economic Development and International Trade would result in a decrease in community assessments and community action planning services, as well as a reduction in participation in all general economic development planning meetings and functions. Additional training for remaining staff would be necessary to ensure service delivery at levels needed to maintain successful business development initiatives.

Staff Recommendation: Staff recommends that the Committee approve the Department's request to reduce General Fund appropriations by \$203,148 and 1.5 FTE in the Economic Development Programs division in FY 2009-10. **Additionally, staff recommends that the Committee approve the Department's request to be granted fund transfer authority between the Business Development, Grand Junction Satellite Office, Minority Business Office, and International Trade Office line items by appending the following footnote to the FY 2009-10 Long Bill appropriation (pending Office of Legislative Legal Services approval):**

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OFFICE OF THE GOVERNOR, ECONOMIC DEVELOPMENT PROGRAMS -- IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT MAY TRANSFER FUNDS AMONG THE BUSINESS DEVELOPMENT, GRAND JUNCTION SATELLITE OFFICE, MINORITY BUSINESS OFFICE, AND INTERNATIONAL TRADE OFFICE LINE ITEMS.

**Early Supplemental Request, Department Priority #5
 FY 2009-10 OIT Management & Administration One Time Adjustment**

	Request	Recommendation
Total	<u>\$0</u>	<u>\$0</u>

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of <i>data that was not available when the original appropriation was made.</i>	

Department Request: The Department proposes an adjustment in FY 2009-10 only billings for the Office of Information Technology (OIT) Management and Administration Common Policy Item. The one-time adjustment equals a reduction of \$255,343 in General Fund moneys (\$498,087 total funds) across state agencies in FY 2009-10. This proposal only affects billed agencies and does not impact the OIT budget.

Staff Analysis: OIT collected more funds from agencies in FY 2008-09 than were expended due to transition and timing issues associated with the centralization of information technology resources within the Department. The Department proposes providing General Fund relief for FY 2009-10 by reducing allocations and subsequent billings for the OIT Management and Administration Common Policy item by a total of \$498,087 (\$255,343 General Fund) based on the FY 2008-09 over-collection by OIT. The table below summarizes the reductions to each billed agency.

Agency	Total Funds	General Fund
Agriculture	(\$1,652)	(\$1,652)
Corrections	(21,147)	(21,147)
Governor's Office	(7,887)	(7,887)
Health Care Policy & Financing	(68,435)	(34,217)

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Agency	Total Funds	General Fund
HCPF Impact on DHS	(5,686)	(2,843)
Human Services	(132,251)	(101,926)
Labor	(16,775)	0
Local Affairs	(2,036)	(750)
Military Affairs	(2,228)	(2,228)
Natural Resources	(33,687)	(7,111)
Personnel & Administration	(8,524)	(5,752)
Public Health & Environment	(16,649)	0
Public Safety	(31,660)	(6,547)
Regulatory Agencies	(9,984)	(228)
Revenue	(63,055)	(63,055)
Transportation	(76,431)	0
Total	(\$498,087)	(\$255,343)

Staff Recommendation: Staff recommends the Committee approve the Department's request to make reductions in each of the impacted agencies to total \$255,343 in General Fund moneys (\$498,087 total funds) in FY 2009-10.

**Early Supplemental Request, Department Priority #6
 Sno Cat Replacement Program Elimination - FY 2009-10 Cash Fund Transfer**

	Request	Recommendation
Total	<u>(\$230,520)</u>	<u>(\$230,520)</u>
Reappropriated Funds	(230,520)	(230,520)

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of <i>data that was not available when the original appropriation was made.</i>	

This request requires separate legislation.

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Department Request: The Department requests a reduction of \$230,520 in reappropriated funds in FY 2009-10 in the Office of Information Technology (OIT) through the elimination of the final year of the Sno Cat replacement program.

Staff Analysis: Sno Cat vehicles are used by OIT to service and maintain the state's public safety networks in remote areas. The ongoing Sno Cat replacement program was initiated in the FY 2005-06 Long Bill to facilitate the replacement of OIT's aging fleet of 10 Sno Cats. The Department has replaced several of the oldest machines. Given the current state budget shortfall, the Department is proposing the elimination of the final year appropriation of the replacement cycle.

OIT traditionally recovers its program operating costs for communications services annually from state agencies through the Communications Services payments Common Policy item. The Department's proposed reduction in reappropriated funds does not achieve a reduction via a decrease in agency allocations, however. Federal accounting standards do not allow for capital outlay and purchase costs for equipment like Sno Cats. As a result, OIT has used an existing transfer from the Public Safety Trust Fund as the source of funds for the Sno Cat replacement program. Legislation is required to transfer \$230,520 from the Public Safety Communications Trust Fund to the General Fund.

Staff Recommendation: Staff recommends that the Committee approve the Department's request to eliminate the Sno Cat replacement program by reducing OIT's appropriation by \$230,520 in reappropriated funds in FY 2009-10. **Additionally, staff recommends legislation to transfer \$230,520 from the Public Safety Communications Trust Fund to the General Fund.**

**Early Supplemental Request, Department Priority #7
 OIT Personal Services Reduction Initiative**

	Request	Recommendation
Total	(\$596,916)	(\$596,916)
FTE	<u>(8.7)</u>	<u>(8.7)</u>
Reappropriated Funds	(596,916)	(596,916)

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of <i>data that was not available when the original appropriation was made.</i>	

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Department Request: The Department requests a reduction of \$596,916 in reappropriated funds (with a corresponding General Fund reduction of \$256,260) and 8.7 FTE in FY 2009-10 in the Office of Information Technology (OIT). The reduction would annualize to a base reduction of \$1,254,566 in reappropriated funds (with a corresponding General Fund reduction of \$538,585) and 13.0 FTE in FY 2010-11.

Staff Analysis: OIT reviewed its current program operating and personal services obligations and proposes a variety of personal services reductions outlined in the table below. The calculated reductions for FY 2009-10 assume an implementation date of November 1, 2009.

Long Bill Line Item	Reappropriated Fund Reduction	FTE Reduction
Internal Program Support, Personal Services	(\$63,466)	(0.7)
Geographic Information Systems, Personal Services	(56,397)	(0.7)
Customer Services, Personal Services	(60,363)	(0.7)
Order Billing, Personal Services	(31,672)	(0.7)
Network Services, Personal Services	(76,663)	(1.3)
Computing Services, Personal Services	(125,100)	(2.0)
Technology Management Unit, Personal Services	(165,310)	(2.6)
Total	(\$578,971)	(8.7)

The remaining FY 2009-10 requested reduction of \$17,945 in reappropriated funds would be achieved through decreases in common policy areas. The table below summarizes the common policy impacts of the proposal in FY 2009-10.

Long Bill Line Item	Reappropriated Fund Reduction
Special Purpose, AED	(\$10,541)
Special Purpose, SAED	(6,588)
Special Purpose, STD	(816)

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Long Bill Line Item	Reappropriated Fund Reduction
Total	(\$17,945)

Actual reductions to agency billings as a result of the Department's proposal would occur in Information Technology Common Policy allocations for the General Government Computer Center, the Multi-use Network, and other direct billed services paid from the program and operating appropriations in agencies (as applicable). The table below summarizes the impact of the Department's proposal to each agency.

Agency	Total Funds	General Fund
Agriculture	(\$2,275)	(\$2,275)
Corrections	(7,467)	(7,467)
Education	(1,768)	(1,768)
Governor's Office	(10,859)	(6,229)
Health Care Policy & Financing	(5,940)	(2,970)
Higher Education	(24,123)	0
Human Services	(148,224)	(64,684)
Judicial	(11,776)	(11,776)
Labor	(49,760)	0
Law	(3,182)	(3,182)
Legislature	(2,358)	(2,358)
Local Affairs	(1,664)	(1,664)
Military Affairs	(359)	(359)
Natural Resources	(39,559)	(396)
Personnel & Administration	(152,707)	(63,088)
Public Health & Environment	(31,070)	0
Public Safety	(7,498)	0
Regulatory Agencies	(2,144)	0
Revenue	(88,120)	(88,044)
State	(1,975)	0
Transportation	(4,088)	0
Total	(\$596,916)	(\$256,260)

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Staff Recommendation: Staff recommends that the Committee approve the Department's request to reduce the reappropriated funds appropriation for the Governor's Office of Information Technology by \$596,916 and 8.7 FTE in FY 2009-10, and make corresponding reductions in each of the impacted agencies.

**Supplemental Request, Department Priority #1
 Legal Services - Lobato Case**

	Request	Recommendation
Total	<u>\$330,902</u>	<u>\$330,902</u>
General Fund	330,902	330,902

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of an <i>unforeseen contingency</i> .	

Department Request: The Department requests an increase of \$330,902 in General Fund moneys in FY 2009-10 to fund the defense and trial of *Lobato v. State of Colorado*. The Department indicates that the costs of the defense and trial will equal \$975,236 in FY 2010-11 and \$775,236 in FY 2011-12. The Department of Law requests corresponding amount totals of \$330,902 and 1.0 FTE in FY 2009-10, \$975,236 and 4.0 FTE in FY 2010-11, and \$775,236 and 4.0 FTE in FY 2011-12 to staff the case.

Staff Analysis: Parents of eight individual students, along with 14 school districts, have filed suit against the State of Colorado, the Colorado Board of Education, the Commissioner of Education, and the Governor. The complaint alleges that the current statutory scheme for funding public schools in Colorado violates three state constitutional provisions (Article IX, Section 2, Article IX, Section 15, and Article X, Section 3(1)(a)). Plaintiffs are asking the court to declare the entire existing system of public school finance in Colorado unconstitutional. Additionally, plaintiffs are asking the court to enter interim and permanent injunctions compelling defendants to design, enact, fund, implement, and maintain a new system of public school finance.

On August 24, 2005, the Attorney General's Office filed a motion to dismiss the case for lack of substantive matter jurisdiction and failure to state a claim upon which relief can be granted. The district court granted the state's motion, and the court of appeals affirmed. On October 19, 2009, the Colorado Supreme Court reversed the lower courts' rulings and held that the matter was capable of

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being settled by the action of a court, and the plaintiff school districts have standing to challenge the constitutionality of the state's public school financing system. The Supreme Court remanded the case to the district court for trial. The estimated defense start-up date is April 1, 2010. The Department of Law indicates that the court case will likely continue through FY 2011-12.

The Attorney General's Office will staff this case, prepare it for trial, and hire outside experts. The Governor's Office will review and pay the bills to the Attorney General. The Attorney General's Office will pay the experts and additional attorneys with reappropriated funds from the Governor's Office. Factors driving the cost of the defense include staffing needs and expert defense witnesses.

The case necessitates extensive pre-trial discovery throughout the state, involving a high number of documents, depositions of individual plaintiffs, plaintiff school districts, other school districts, and experts, as well as preparation of dispositive motions. The Department proposes a team of three attorneys and one paralegal to work on the case full time.

In the last Colorado school finance court case, three to four defense experts were retained to assist the state in its defense. Based on preliminary interviews of potential experts, it appears that a blended rate of \$1,500 per hour for experts should be expected. The costs are dictated by the highly specialized knowledge held by experts in the subject matters to be addressed in the Lobato case.

The table below summarizes the appropriation request for FY 2009-10, as well as the impact in FY 2010-11 and FY 2011-12.

	FY 2009-10	FY 2010-11	FY 2011-12
Legal Hours	\$135,684	\$542,736	\$542,736
Defense Experts	150,000	400,000	200,000
Capital Outlay	17,718	0	0
Travel	2,500	7,500	7,500
Other Costs	25,000	25,000	25,000
Total	\$330,902	\$975,236	\$775,236

It is difficult to quantify the scope of the financial impact if the state loses the Lobato case and the plaintiffs prevail on their adequacy claims. In a 2005 school finance case in the State of Kansas, the Kansas Supreme Court ordered the state to more than double its school funding appropriation. An independent study used by plaintiffs to support their claims indicates that an additional \$5.7 to \$10 billion should be spent in the State of Colorado on capital facilities. This figure does not include any other aspect of educational funding. The Department indicates that the plaintiffs will demand increases for other aspects of educational funding, as well, if the plaintiffs prevail.

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Staff Recommendation: Staff recommends that the Committee approve the Department's request to increase General Fund appropriations by \$330,902 in FY 2009-10 to adequately staff the *Lobato v. State of Colorado* lawsuit, and make corresponding changes in the FY 2009-10 appropriation for the Department of Law.

**Supplemental Request, Department Priority #5
 COFRS Help Desk Partial Reinstatement**

	Request	Recommendation
Total	\$25,839	\$25,839
FTE	<u>0.3</u>	<u>0.3</u>
Reappropriated Funds	25,839	25,839

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of an <i>unforeseen contingency</i> .	

Department Request: The Department proposes an increase of \$25,839 in reappropriated funds and 0.3 FTE in FY 2009-10, annualized to \$77,516 and 1.0 FTE in FY 2010-11, to support the Office of Information Technology's (OIT) helpdesk operations for the Colorado Financial Reporting System (COFRS).

Staff Analysis: The Governor's budget balancing package presented to the Committee in August of 2009 included an annualized reduction in OIT helpdesk support staff for COFRS of 2.0 FTE. Helpdesk staff provide specialized technical assistance to executive and legislative branch agency users. In response to the FY 2009-10 reduction proposal in August, OIT developed and implemented a plan to eliminate the historic COFRS helpdesk function in OIT. Existing OIT staff were trained to take specific and limited support calls for COFRS. OIT also provided various levels of training to agency level business leads in accounting units to help absorb the duties associated with the eliminated COFRS helpdesk personnel. The change in service provision was fully implemented by November 1, 2009.

The Department indicates that the plan has not worked as desired. An increase in COFRS workload, coupled with a lack of technical resources to address user needs, has caused technical service delivery to fall below standards required by user agencies. The Department is requesting a

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reinstatement of one of the eliminated COFRS helpdesk positions to address agency concerns.

Staff Recommendation: Staff recommends that the Committee approve the Department's request to reinstate \$25,839 in reappropriated funds and 0.3 FTE in FY 2009-10 to staff the COFRS helpdesk.

**Supplemental Request, Department Priority #6
 Colorado Office of Film, Television, and Media**

	Request	Recommendation
Total	\$451,181	\$451,181
FTE	<u>4.5</u>	<u>4.5</u>
Cash Funds	451,181	451,181

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of a <i>technical error in calculating the original appropriation</i> .	

Department Request: The Department proposes to add a line item and appropriation of \$451,181 in cash funds and 4.5 FTE to the FY 2009-10 Long Bill and \$429,156 in cash funds and 4.5 FTE in FY 2010-11 for informational purposes only to capture funding and staffing levels for the Colorado Office of Film, Television, and Media within the Colorado Office of Economic Development and International Trade.

Staff Analysis: H.B. 09-1010 (Massey & McGihon/Gibbs & Spence) created the Colorado Office of Film, Television, and Media within the Colorado Office of Economic Development and International Trade. The legislation provided a continuous appropriation of funds transferred from limited gaming revenue to the Colorado Office of Film, Television and Media Operational Account for use by the Office of Film, Television, and Media. The Department's request is a technical correction to ensure that appropriation and FTE levels are captured in the Long Bill.

Staff Recommendation: Staff recommends that the Committee approve the Department's request to add a line item and appropriation of \$451,181 in cash funds and 4.5 FTE to the FY 2009-10 Long Bill for informational purposes only.

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Non-Prioritized Supplementals

**JBC Staff-initiated Supplemental
 Communications Services Funding**

	Request	Recommendation
Total	<u>\$0</u>	<u>\$0</u>

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
This supplemental is the result of a technical error.	

Staff-initiated Request: Staff requests that the Department's Office of Information Technology (OIT) Communications Services line items be changed from a line item fund split structure to a bottom line fund split structure and funding split changes be made to correct technical errors included in the FY 2009-10 Long Bill appropriation. The proposed technical corrections have no net fiscal impact to the state in FY 2009-10.

Staff Analysis: OIT's Communications Services subdivision is funded with a mixture of cash funds, reappropriated funds from user agencies, and federal funds in FY 2009-10. Beginning in FY 2003-04, the subdivision, which resided within the Department of Personnel and Administration at the time, was funded at a bottom line fund split structure to provide the Department with flexibility in applying appropriated funds to needed operating expenses. With the passage of S.B. 08-155 (Cadman/Kerr, A.), the Communications Services subdivision, and its bottom line fund split structure, was transferred to OIT from the Department of Personnel and Administration.

Due to a technical error, the FY 2009-10 Long Bill attempted to identify specific funding sources for Communications Services by line item. As a result, the Department has sources of funds that have traditionally been used to offset program expenses and mitigate operating shortfalls that are currently not able to be used for this purpose. Specifically, the Department's FY 2009-10 federal funds commitment from the National Oceanic and Atmospheric Administration (NOAA) is not being leveraged across the Communications Services program area due to the line item fund split structure of the program's appropriation. The table below represents the current appropriation structure for Communications Services subdivision.

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Long Bill Line Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds
(7) Communication Services					
Personal Services	3,618,822	0	708,028	2,791,993	118,801
Operating Expenses	134,631	0	0	134,631	0
Training	22,000	0	0	22,000	0
Utilities	165,002	0	0	165,002	0
Snocat Replacement	230,520	0	0	230,520	0
Local Systems Development	121,000	0	0	121,000	0
Indirect Cost Assessment	431,076	0	0	431,076	0
Total	4,723,051	0	708,028	3,896,222	118,801

In addition to the funding split structure issue, \$118,801 in federal funds was incorrectly applied to the Personal Services line item. The appropriation of \$118,801 should be indicated as a reappropriated fund source, not federal funds. Similarly, the Local Systems Development line item was incorrectly appropriated \$121,000 in reappropriated funds. The appropriation of \$121,000 should be indicated as a federal fund source, not reappropriated funds. The table below presents the JBC Staff proposal to remedy the technical errors in the FY 2009-10 Long Bill.

Long Bill Line Item	Total Funds	General Fund	Cash Funds	Reapprop. Funds	Federal Funds
(7) Communication Services					
Personal Services	3,618,822				
Operating Expenses	134,631				
Training	22,000				
Utilities	165,002				
Snocat Replacement	230,520				
Local Systems Development	121,000				
Indirect Cost Assessment	431,076				
Total	4,723,051	0	708,028	3,894,023	121,000

Staff Recommendation: Staff recommends the JBC approve the supplemental change to correct the technical errors and make corresponding letternote adjustments in the Communications Services subdivision in the FY 2009-10 Long Bill appropriation.

**Non-Prioritized Supplemental #1
 Budget Adjustment to Reflect FY 2009-10 Furloughs**

	Request	Recommendation
Total	<u>(\$648,060)</u>	<u>(\$648,060)</u>
General Fund	(100,473)	(100,473)

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	Request	Recommendation
Cash Funds	(24,249)	(24,249)
Reappropriated Funds	(400,038)	(400,038)
Federal Funds	(123,300)	(123,300)

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
This supplemental is the result of <i>data that was not available when the original appropriation was made.</i>	

Department Request: The General Assembly included a statewide personal services reduction equivalent to 1.82 percent of each agencies' appropriation in the FY 2009-10 Long Bill (S.B. 09-259). The net FY 2009-10 impact of the one-time reduction was \$26.5 million, of which \$16.1 million was General Fund. The executive branch was given the flexibility to develop and implement a plan to meet the mandated reduction. The Governor requests an adjustment to the personal services reductions within the FY 2009-10 Long Bill to reflect the actual staffing actions taken within each agency to achieve a decrease of 1.82 percent.

Staff Analysis: The Department's proposal is technical in nature to bring the FY 2009-10 appropriation into congruence with actions taken by the Department. The table below describes the impact of the executive branch implementation of the 1.82 percent decrease by division and Long Bill line item.

Long Bill Division and Line Item	Total	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
(1) OFFICE OF THE GOVERNOR						
(A) Governor's Office						
Administration of Governor's Office and Residence	(48,945)	(41,049)	0	(7,896)	0	0.0
(B) Special Purpose						
SB 04-257 Amortization Equalization Disbursement	(7,762)	(1,018)	(297)	(5,217)	(1,230)	0.0
SB 06-235 Supplemental Amortization Equalization Disbursement	(4,820)	(636)	(186)	(3,261)	(737)	0.0
Short-term Disability	(505)	(79)	(22)	(404)	0	0.0

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Long Bill Division and Line Item	Total	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
(C) Governor's Energy Office						
Program Administration	(83,160)	0	0	0	(83,160)	0.0
Clean Energy	(11,162)	0	(11,162)	0	0	0.0
School Energy Efficiency	(4,636)	0	(4,636)	0	0	0.0
(E) Office of Homeland Security						
Program Administration	(30,100)	0	0	0	(30,100)	
(2) OFFICE OF THE LIEUTENANT GOVERNOR						
Administration	(8,787)	(7,539)	0	(1,248)	0	0.0
Commission of Indian Affairs	(2,598)	(2,316)	(282)	0	0	0.0
(3) OFFICE OF STATE PLANNING AND BUDGETING						
Personal Services	(37,778)	0	0	(37,778)	0	0.0
(4) ECONOMIC DEVELOPMENT PROGRAMS						
Administration	(12,954)	(12,954)	0	0	0	0.0
Business Development	(14,344)	(14,344)	0	0	0	0.0
Minority Business Office	(3,992)	(3,992)	0	0		0.0
Small Business Development Centers	(6,020)	(1,878)	0	0	(4,142)	0.0
International Trade Office	(10,162)	(10,162)	0	0	0	0.0
Colorado Welcome Centers	(7,260)	0	(7,260)	0	0	0.0
Colorado Promotion Other Program Costs	(9,336)	0	(9,336)	0	0	0.0
General Economic Incentives and Marketing	(4,506)	(4,506)	0	0	0	0.0
CAPCO Administration	(2,116)	0	0	(2,116)	0	0.0
Colorado Council on the Arts	(9,468)	0	(3,338)	0	(6,130)	0.0
Bioscience Discovery Program	(836)	0	(836)	0	0	0.0
(5) OFFICE OF INFORMATION TECHNOLOGY						
(A) Administration						
Personal Services	(26,940)	0	0	(26,940)	0	0.0
(B) Office of the Chief Information Security Officer						
Personal Services	(4,121)	0	0	(4,121)	0	0.0

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Long Bill Division and Line Item	Total	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
(C) Chief Information Officers in State Agencies						
Personal Services	(48,972)	0	0	(48,972)	0	0.0
(D) Statewide Information Technology Services						
(1) Administration						
Personal Services	(8,901)	0	0	(8,901)	0	0.0
(2) Internal Program Support						
Personal Services	(23,519)	0	0	(23,519)	0	0.0
(3) Statewide IT Management						
Personal Services	(8,935)	0	0	(8,935)	0	0.0
(4) Geographic Information Systems						
Personal Services	(3,119)	0	0	(3,119)	0	0.0
(5) Customer Service						
Personal Services	(25,191)	0	0	(25,191)	0	0.0
(6) Order Billing						
Personal Services	(16,100)	0	0	(16,100)	0	0.0
(7) Communication Services						
Personal Services	(44,283)	0	13,106	(59,588)	2,199	0.0
(8) Network Services						
Personal Services	(40,817)	0	0	(40,817)	0	0.0
(9) Computer Services						
Personal Services	(37,551)	0	0	(37,551)	0	0.0
(10) Technology Management Unit						
Personal Services	(38,364)	0	0	(38,364)	0	0.0
Department Total	(\$648,060)	(\$100,473)	(\$24,249)	(\$400,038)	(\$123,300)	0.0

Staff Recommendation: Staff recommends that the Committee approve the Department's request to adjust the FY 2009-10 appropriation in the Office of the Governor to align with actual staffing actions taken to achieve a decrease in personal services by 1.82 percent. The Department-wide impact equates to a total appropriation reduction of \$648,060, of which \$100,473 is General Fund.

**OFFICE OF THE GOVERNOR
 FY 2009-10 SUPPLEMENTAL RECOMMENDATIONS
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Statewide Common Policy Supplemental Requests

These requests are not prioritized and are not analyzed in this packet. The JBC will act on these items later when it makes decisions regarding common policies.

Department's Portion of Statewide Supplemental Request	Total	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Statewide American Recovery and Reinvestment Act Administrative Cost Spending Authority	\$1,298,386	(\$608,526)	\$2,104,316	(\$197,404)	\$0	0.0
Risk Management Contract Review and Reduction	(2,115)	(2,115)	0	0	0	0.0
Capitol Complex Building Maintenance Reductions	(6,520)	(6,520)	0	0	0	0.0
Risk Management Reduction of Liability, Property and Workers' Compensation Volatility	(29,135)	(29,135)	0	0	0	0.0
Annual Fleet Vehicle Replacement True-up	(1,363)	0	0	(1,363)	0	0.0
Mail Equipment Upgrade	(1,592)	(1,592)	0	0	0	0.0
OIT Personal Services Reduction Initiative	(10,859)	(6,229)	0	(4,630)	0	0.0
FY 2009-10 OIT Management and Administration One-time Adjustment	(7,887)	(7,887)	0	0	0	0.0
Department's Total Statewide Supplemental Requests	\$1,238,915	(\$662,004)	\$2,104,316	(\$203,397)	\$0	0.0

Staff Recommendation: The staff recommendation for these requests is pending Committee approval of common policy supplementals. Staff asks permission to include the corresponding appropriations in the Department's supplemental bill when the Committee approves this common policy supplemental. If staff believes there is reason to deviate from the common policy, staff will appear before the Committee later to present the relevant analysis.

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total With Recommendation

GOVERNOR'S OFFICE
Governor Bill Ritter, Jr.

Early Supplemental #1 - Governor's Office Reduction

(1) Office of the Governor

(A) Governor's Office

Administration of Governor's Office

and Residence	2,539,833	2,516,948	(230,967)	(230,967)	2,285,981
FTE	<u>36.4</u>	<u>35.4</u>	<u>(2.3)</u>	<u>(2.3)</u>	<u>33.1</u>
General Fund	2,522,903	2,497,828	(230,967)	(230,967)	2,266,861
Reappropriated Funds	16,930	19,120	0	0	19,120
Federal Funds	0	0	0	0	0

Early Supplemental #2 - Lt. Governor's Office Reduction

(2) Office of the Lieutenant Governor

Administration	318,911	322,013	(14,706)	(14,706)	307,307
FTE	<u>3.7</u>	<u>3.7</u>	<u>0.0</u>	<u>0.0</u>	<u>3.7</u>
General Fund	230,176	244,475	(14,706)	(14,706)	229,769
Reappropriated Funds	0	77,538	0	0	77,538
Federal Funds	88,735	0	0	0	0

(2) Office of the Lieutenant Governor

Discretionary Fund - GF	4,875	4,875	(2,000)	(2,000)	2,875
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	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total With Recommendation
<i>(2) Office of the Lieutenant Governor</i>					
Commission of Indian Affairs	98,968	98,968	(17,975)	(17,975)	80,993
FTE	<u>2.3</u>	<u>2.3</u>	<u>0.0</u>	<u>0.0</u>	<u>2.3</u>
General Fund	97,468	97,468	(17,975)	(17,975)	79,493
Cash Funds	1,500	1,500	0	0	1,500
Total for Early Supplemental #2 - Lt. Governor's Office Reduction					
	422,754	425,856	(34,681)	(34,681)	391,175
FTE	<u>6.0</u>	<u>6.0</u>	<u>0.0</u>	<u>0.0</u>	<u>6.0</u>
General Fund	332,519	346,818	(34,681)	(34,681)	312,137
Cash Funds	1,500	1,500	0	0	1,500
Reappropriated Funds	0	77,538	0	0	77,538
Federal Funds	88,735	0	0	0	0
Early Supplemental #3 - Business Development Reorganization					
<i>(4) Economic Development Programs</i>					
Business Development	863,902	878,736	(111,183)	(111,183)	767,553
FTE	<u>8.2</u>	<u>9.2</u>	<u>(1.0)</u>	<u>(1.0)</u>	<u>8.2</u>
General Fund	863,902	863,736	(111,183)	(111,183)	752,553
Cash Funds	0	15,000	0	0	15,000
Minority Business Office	146,491	151,274	(34,989)	(34,989)	116,285
FTE	<u>2.5</u>	<u>2.5</u>	<u>(0.5)</u>	<u>(0.5)</u>	<u>2.0</u>
General Fund	146,491	146,324	(34,989)	(34,989)	111,335
Cash Funds	0	4,950	0	0	4,950

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total With Recommendation
International Trade Office	679,045	695,775	(56,976)	(56,976)	638,799
FTE	<u>5.5</u>	<u>6.4</u>	<u>0.0</u>	<u>0.0</u>	<u>6.4</u>
General Fund	630,605	645,775	(56,976)	(56,976)	588,799
Cash Funds	48,440	50,000	0	0	50,000
Total for Early Supplemental #3 - Business Development Reorganization	1,689,438	1,725,785	(203,148)	(203,148)	1,522,637
FTE	<u>16.2</u>	<u>18.1</u>	<u>(1.5)</u>	<u>(1.5)</u>	<u>16.6</u>
General Fund	1,640,998	1,655,835	(203,148)	(203,148)	1,452,687
Cash Funds	48,440	69,950	0	0	69,950
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Early Supplemental #5 - FY 2009-10 OIT Management & Administration One Time Adjustment (see narrative for more detail)	N.A.	N.A.	N.A.	N.A.	N.A.
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Early Supplemental #6 - Snocat Replacement Program Elimination <i>(5) Office of Information Technology</i> <i>(D) Statewide Information Technology Services</i> <i>(7) Communications Services</i>					
Snocat Replacement - RF	0	230,520	(230,520)	(230,520)	0

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total With Recommendation
Early Supplemental #7 - OIT Personal Services Reduction Initiative					
<i>(1) Office of the Governor</i>					
<i>(B) Special Purpose</i>					
SB 04-257 Amortization Equalization					
Disbursement	<u>330,638</u>	<u>389,217</u>	<u>(10,541)</u>	<u>(10,541)</u>	<u>378,676</u>
General Fund	50,105	76,680	0	0	76,680
Cash Funds	32,196	716	0	0	716
Reappropriated Funds	238,830	307,056	(10,541)	(10,541)	296,515
Federal Funds	9,507	4,765	0	0	4,765
SB 06-235 Supplemental Amortization					
Equalization Disbursement	<u>154,008</u>	<u>242,447</u>	<u>(6,588)</u>	<u>(6,588)</u>	<u>235,859</u>
General Fund	22,654	47,112	0	0	47,112
Cash Funds	15,092	447	0	0	447
Reappropriated Funds	111,805	191,910	(6,588)	(6,588)	185,322
Federal Funds	4,457	2,978	0	0	2,978
Short-term Disability					
General Fund	<u>26,491</u>	<u>28,870</u>	<u>(816)</u>	<u>(816)</u>	<u>28,054</u>
Cash Funds	4,158	5,632	0	0	5,632
Reappropriated Funds	2,616	55	0	0	55
Federal Funds	19,419	22,814	(816)	(816)	21,998
<i>(5) Office of Information Technology</i>					
<i>(D) Statewide Information Technology Services</i>					
(2) Internal Program Support - RF	817,386	817,731	(63,466)	(63,466)	754,265
FTE	11.0	11.0	(0.7)	(0.7)	10.3

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		New Total With Recommendation
	Actual	Appropriation	Requested Change	Recommended Change	
(4) Geographic Information Systems - RF	58,092	108,057	(56,397)	(56,397)	51,660
FTE	1.0	1.0	(0.7)	(0.7)	0.3
(5) Customer Service					
Personal Services - RF	917,727	955,129	(60,363)	(60,363)	894,766
FTE	12.3	12.0	(0.7)	(0.7)	11.3
(6) Order Billing					
Personal Services - RF	629,902	689,205	(31,672)	(31,672)	657,533
FTE	8.8	10.0	(0.7)	(0.7)	9.3
(8) Network Services					
Personal Services - RF	1,511,236	1,586,122	(76,663)	(76,663)	1,509,459
FTE	14.1	17.0	(1.3)	(1.3)	15.7
(9) Computer Services					
Personal Services	2,715,407	2,833,464	(125,100)	(125,100)	2,708,364
FTE	<u>38.6</u>	<u>36.3</u>	<u>(2.0)</u>	<u>(2.0)</u>	<u>34.3</u>
Cash Funds	2,328	0	0	0	0
Reappropriated Funds	2,713,079	2,833,464	(125,100)	(125,100)	2,708,364
(10) Technology Management Unit					
Personal Services - RF	2,990,202	3,096,269	(165,310)	(165,310)	2,930,959
FTE	36.9	35.5	(2.6)	(2.6)	32.9

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total With Recommendation
Total for Early Supplemental #7 - OIT					
Personal Services Reduction Initiative	10,151,089	10,746,511	(596,916)	(596,916)	10,149,595
FTE	<u>122.7</u>	<u>122.8</u>	<u>(8.7)</u>	<u>(8.7)</u>	<u>114.1</u>
General Fund	76,917	129,424	0	0	129,424
Cash Funds	52,232	1,218	0	0	1,218
Reappropriated Funds	10,007,678	10,607,757	(596,916)	(596,916)	10,010,841
Federal Funds	14,262	8,112	0	0	8,112
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Supplemental #1 - Legal Services - Lobato Case					
<i>(B) Special Purpose</i>					
Legal Services	<u>244,682</u>	<u>109,376</u>	<u>330,902</u>	<u>330,902</u>	<u>440,278</u>
General Fund	238,599	100,580	330,902	330,902	431,482
Reappropriated Funds	6,083	8,796	0	0	8,796
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Supplemental #5 - COFRS Help Desk Partial Reinstatement					
<i>(5) Office of Information Technology</i>					
<i>(D) Statewide Information Technology Services</i>					
<i>(10) Technology Management Unit</i>					
Personal Services - Reappropriated Funds	2,990,202	3,096,269	25,839	25,839	3,122,108
FTE	36.9	35.5	0.3	0.3	35.8

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total With Recommendation
Supplemental #6 - Colorado Office of Film, Television, and Media					
<i>(4) Economic Development Programs</i>					
Colorado Office of Film, Television, and					
Media (new line) - Cash Funds	0	0	451,181	451,181	451,181
FTE	0.0	0.0	4.5	4.5	4.5
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JBC Staff-initiated Supplemental - Communications Services Funding					
<i>(see narrative for more detail)</i>	N.A.	N.A.	N.A.	N.A.	N.A.
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Non-prioritized Supplemental #1 - Budget Adjustment to Reflect FY 2009-10 Furloughs					
<i>(see narrative for more detail)</i>					
TOTAL - Various Line Items	<u>N.A.</u>	<u>55,886,095</u>	<u>(648,060)</u>	<u>(648,060)</u>	<u>55,238,035</u>
FTE		<u>373.6</u>	<u>0.0</u>	<u>0.0</u>	<u>373.6</u>
General Fund		8,720,770	(100,473)	(100,473)	8,620,297
Cash Funds		21,379,331	(24,249)	(24,249)	21,355,082
Reappropriated Funds		22,374,363	(400,038)	(400,038)	21,974,325
Federal Funds		3,411,631	(123,300)	(123,300)	3,288,331

	FY 2008-09	FY 2009-10	Fiscal Year 2009-10 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total With Recommendation

Totals Excluding Pending Items					
OFFICE OF THE GOVERNOR					
TOTALS for ALL Departmental line items	96,024,259	122,958,100	(1,136,370)	(1,136,370)	121,821,730
FTE	<u>342.3</u>	<u>376.6</u>	<u>(7.7)</u>	<u>(7.7)</u>	<u>368.9</u>
General Fund	13,421,669	14,283,355	(238,367)	(238,367)	14,044,988
Cash Funds	32,033,749	25,512,170	426,932	426,932	25,939,102
Reappropriated Funds	47,454,481	50,183,795	(1,201,635)	(1,201,635)	48,982,160
Federal Funds	3,114,360	32,978,780	(123,300)	(123,300)	32,855,480

Statewide Common Policy Supplementals

(see narrative for more detail)	<u>N.A</u>	<u>N.A</u>	<u>1,238,915</u>	<u>Pending</u>	<u>Pending</u>
General Fund			(662,004)		
Cash Funds			2,104,316		
Reappropriated Funds			(203,397)		

Totals Including Pending Items					
OFFICE OF THE GOVERNOR					
TOTALS for ALL Departmental line items	96,024,259	122,958,100	102,545	102,545	123,060,645
FTE	<u>342.3</u>	<u>376.6</u>	<u>(7.7)</u>	<u>(7.7)</u>	<u>368.9</u>
General Fund	13,421,669	14,283,355	(900,371)	(900,371)	13,382,984
Cash Funds	32,033,749	25,512,170	2,531,248	2,531,248	28,043,418
Reappropriated Funds	47,454,481	50,183,795	(1,405,032)	(1,405,032)	48,778,763
Federal Funds	3,114,360	32,978,780	(123,300)	(123,300)	32,855,480

Key: N.A = Not Applicable or Not Available