

## CHAPTER 462

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**APPROPRIATIONS**

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HOUSE BILL 08-1292

BY REPRESENTATIVE(S) Buescher, Pommer, White, and Labuda;  
also SENATOR(S) Keller, Morse, and Johnson.**AN ACT****CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF LOCAL AFFAIRS.***Be it enacted by the General Assembly of the State of Colorado:***SECTION 1.** Part XII of section 2 of chapter 466, Session Laws of Colorado 2007, is amended to read:Section 2. **Appropriation.**

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART XII  
DEPARTMENT OF LOCAL AFFAIRS**

**(1) EXECUTIVE DIRECTOR'S OFFICE**

Personal Services	1,100,142				1,100,142(T) <sup>a</sup> (14.0 FTE)	
Health, Life, and Dental	812,957	409,854		74,727 <sup>b</sup>	121,956 <sup>c</sup>	206,420
Short-term Disability	14,996	5,823		1,892 <sup>b</sup>	3,688 <sup>c</sup>	3,593
S.B. 04-257 Amortization Equalization Disbursement	84,649	31,727		10,916 <sup>b</sup>	21,279 <sup>c</sup>	20,727
S.B. 06-235 Supplemental Amortization Equalization Disbursement	26,972	9,331		3,639 <sup>b</sup>	7,093 <sup>c</sup>	6,909
Salary Survey and Senior Executive Service	394,702	162,699		41,173 <sup>b</sup>	68,139 <sup>c</sup>	122,691
Performance-based Pay Awards	181,676	89,507		12,348 <sup>b</sup>	30,195 <sup>c</sup>	49,626
Workers' Compensation	<del>45,666</del> 26,711	<del>42,472</del> 24,842		<del>1,362<sup>b</sup></del> 797 <sup>b</sup>	<del>1,832<sup>c</sup></del> 1,072 <sup>c</sup>	
Operating Expenses	144,175				132,413(T) <sup>a</sup>	11,762
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Legal Services for 1,790 hours	128,934		116,901		6,054 <sup>b</sup>	1,381 <sup>c</sup>	4,598
Purchase of Services from Computer Center	<del>2,994</del> 2,420		<del>2,994</del> 2,420				
Multiuse Network Payments	<del>82,503</del> 65,532		<del>46,307</del> 36,782		<del>3,345<sup>b</sup></del> 2,657 <sup>b</sup>	<del>6,470<sup>c</sup></del> 5,139 <sup>c</sup>	<del>26,381</del> 20,954
Payment to Risk Management and Property Funds	<del>26,240</del> 13,330		<del>24,398</del> 12,394		<del>1,528<sup>b</sup></del> 776 <sup>b</sup>	<del>314<sup>c</sup></del> 160 <sup>c</sup>	
Vehicle Lease Payments	<del>79,635</del> 73,772		<del>65,897</del> 61,045			<del>13,738<sup>c</sup></del> 12,727 <sup>c</sup>	
Information Technology Asset Maintenance	104,793		29,913		10,364 <sup>b</sup>	40,192 <sup>c</sup>	24,324
Leased Space	80,849		16,800			12,830 <sup>c</sup>	51,219
Capitol Complex Leased Space	<del>468,194</del> 475,931		<del>339,460</del> 345,070		<del>17,028<sup>d</sup></del> 17,309 <sup>d</sup>	<del>60,796(T)<sup>c</sup></del> 61,801(T) <sup>c</sup>	<del>50,910</del> 51,751
Communication Services Payments	<del>21,824</del>		<del>10,912</del>				<del>10,912</del>

	26,606		13,303		13,303
Moffat Tunnel Improvement District	92,958			32,958 <sup>f</sup>	60,000 <sup>g</sup>
Workforce Development Council	466,016				466,016(T) <sup>h</sup> (4.0 FTE)
Workforce Improvement Grants	470,000				20,000 <sup>i</sup> 450,000 (1.0 FTE)
	<hr/>	4,830,875			
		4,788,121			

<sup>a</sup> These amounts shall be from indirect cost recoveries.

<sup>b</sup> These amounts shall be from various sources of cash funds.

<sup>c</sup> Of these amounts, ~~\$309,728(T)~~ \$306,472(T) shall be from the mineral and energy impact grant program, which includes moneys in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S., and moneys in the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S., and \$19,379 shall be from various sources of cash funds exempt.

<sup>d</sup> Of this amount, \$9,757 shall be from the Building Regulation Fund pursuant to Section 24-32-3309, C.R.S., ~~\$3,359~~ \$3,640 shall be from the Search and Rescue Fund pursuant to Section 33-1-112.5, C.R.S., and \$3,912 shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6 (3) (b), C.R.S.

<sup>e</sup> Of this amount, ~~\$54,950~~ \$55,955 shall be from the mineral and energy impact grant program, which includes moneys in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S. and moneys in the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S., and \$5,846 shall be from Limited Gaming funds transferred from the Department of Revenue.

<sup>f</sup> This amount shall be from the Moffat Tunnel Cash Fund pursuant to Section 32-8-126, C.R.S.

<sup>g</sup> This amount shall be from reserves in the Moffat Tunnel Cash Fund pursuant to Section 32-8-126, C.R.S.

<sup>h</sup> This amount shall be from federal funds transferred to the Department of Local Affairs from other state agencies.

<sup>i</sup> This amount shall be from donations.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(2) PROPERTY TAXATION</b>						
Board of Assessment Appeals	638,279	610,660 (15.0 FTE)			27,619(T) <sup>a</sup>	
Property Taxation	2,657,841	1,268,635 (15.7 FTE)		654,756 <sup>b</sup> (11.1 FTE)	734,450(T) <sup>c</sup> (11.7 FTE)	
State Board of Equalization	12,856	12,856				
Indirect Cost Assessment	<u>81,480</u>				81,480(T) <sup>c</sup>	
	3,390,456					

<sup>a</sup> This amount shall be from indirect cost recoveries.

<sup>b</sup> This amount shall be from the Property Tax Exemption Fund created in Section 39-2-117 (8), C.R.S.

<sup>c</sup> These amounts shall be from the mineral and energy impact grant program, which includes moneys in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S., and moneys in the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S.

**(3) DIVISION OF HOUSING<sup>100</sup>**

**(A) Administration**

Personal Services	1,451,087	313,786 (5.5 FTE)		77,694 <sup>a</sup>	139,654(T) <sup>b</sup> (1.7 FTE)	919,953 (14.9 FTE)
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Operating Expenses	323,903	25,903			298,000
Indirect Cost Assessment	<u>393,578</u>		160,786 <sup>c</sup>	31,996(T) <sup>b</sup>	200,796
	2,168,568				

<sup>a</sup> This amount shall be from the Private Activity Bond Allocations Fund created in Section 24-32-1707 (6) (b), C.R.S.

<sup>b</sup> These amounts shall be from the mineral and energy impact grant program, which includes moneys in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S., and moneys in the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S.

<sup>c</sup> This amount shall be from the Building Regulation Fund pursuant to Section 24-32-3309, C.R.S.

**(B) Manufactured Buildings Program**

Program Costs	1,033,437		1,033,437 <sup>a</sup>		
			(10.0 FTE)		

<sup>a</sup> This amount shall be from the Building Regulation Fund pursuant to Section 24-32-3309, C.R.S.

**(C) Affordable Housing Development**

Colorado Affordable Housing Construction Grants and Loans	1,238,324	1,223,324		15,000 <sup>a</sup>	
Federal Affordable Housing Construction Grants and Loans	8,880,825				8,880,825
Emergency Shelter Program	971,220				971,220
Private Activity Bond Allocation Committee	<u>2,500</u>		2,500 <sup>b</sup>		
	11,092,869				

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

<sup>a</sup> This amount shall be from gifts, grants, and donations.

<sup>b</sup> This amount shall be from the Private Activity Bond Allocations Fund created in Section 24-32-1707 (6) (b), C.R.S.

**(D) Rental Assistance**

Low Income Rental

Subsidies	17,040,000					17,040,000
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31,334,874

**(4) DIVISION OF LOCAL GOVERNMENT**

**(A) Local Government and Community Services**

(1) Administration

Personal Services	1,504,085	846,604		481,668(T) <sup>a</sup>	175,813
		(10.3 FTE)		(7.0 FTE)	(3.1 FTE)
Operating Expenses	<u>131,351</u>	42,178		25,146(T) <sup>a</sup>	64,027
	1,635,436				

<sup>a</sup> These amounts shall be from the mineral and energy impact grant program, which includes moneys in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S., and moneys in the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S.

(2) Local Government Services

Local Utility Management

Assistance	146,517			146,517 <sup>a</sup> (2.0 FTE)	
Conservation Trust Fund Disbursements	52,000,000				52,000,000 <sup>b</sup> (2.0 FTE)
Volunteer Firefighter Retirement Plans	4,082,138	289,310 <sup>c</sup>	3,792,828 <sup>d</sup>		
Volunteer Firefighter Death and Disability Insurance	30,000		30,000 <sup>d</sup>		
Environmental Protection Agency Water/Sewer File Project	50,000				50,000 (0.5 FTE)
	<u>56,308,655</u>				

<sup>a</sup>This amount shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6, C.R.S.

<sup>b</sup> This amount shall be from the net lottery proceeds pursuant to Section 33-60-104 (1) (a), C.R.S.

<sup>c</sup> This amount is included as information for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20, of the State Constitution. As this amount is continuously appropriated by a permanent statute or constitutional provision, it is not subject to the limitation on General Fund appropriations as set forth in Section 24-75-201.1, C.R.S.

<sup>d</sup> These amounts shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S. These amounts are included as information for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20, of the State Constitution. As these amounts are continuously appropriated by a permanent statute or constitutional provision, they are not subject to the limitation on General Fund appropriations as set forth in Section 24-75-201.1, C.R.S.



APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(3) Community Services						
Community Services						
Block Grant	5,176,401					5,176,401
(4) Waste Tire Fund						
Waste Tire Recycling, Reuse and Removal Grants	2,455,000			2,455,000 <sup>a</sup> (0.5 FTE)		
Allocations to the Commission on Higher Education, Advanced Technology Fund	<u>815,000</u> 3,270,000			815,000 <sup>a</sup>		

<sup>a</sup> Of these amounts, \$2,445,000 shall be from the Waste Tire Recycling Development Cash Fund pursuant to Section 25-17-202 (3) (a), C.R.S., and \$825,000 shall be from the Processors and End Users of Waste Tires Cash Fund created in Section 25-17-202.5 (1), C.R.S.

**(B) Field Services**

Program Costs	2,037,936	475,404 (5.2 FTE)		1,266,181(T) <sup>a</sup> (14.2 FTE)	296,351 (4.9 FTE)
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Community Development Block Grant (Business and Infrastructure Development)	6,701,843			6,701,843
Local Government Mineral and Energy Impact Grants and Disbursements	63,300,000		23,100,000 <sup>b</sup>	40,200,000 <sup>c</sup>
Local Government Limited Gaming Impact Grants	6,822,829			6,822,829 <sup>d</sup>
Search and Rescue Program	615,000		505,000 <sup>e</sup> (1.3 FTE)	110,000 <sup>f</sup>
Colorado Heritage Communities Grant Fund	200,000	200,000		
Colorado Heritage Communities Grants	<u>200,000</u>			200,000(T) <sup>g</sup>
	79,877,608			

<sup>a</sup>Of this amount, \$1,126,836 shall be from the mineral and energy impact grant program, which includes moneys in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S., and moneys in the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S., \$97,308 shall be from Limited Gaming Funds transferred from the Department of Revenue, and \$42,037 shall be from funds transferred from the Economic Development Commission in the Governor's Office.

<sup>b</sup>This amount shall be from the Local Government Severance Tax Fund pursuant to Section 39-29-110 (1) (a) (I), C.R.S.

<sup>c</sup>Of this amount, \$17,100,000 shall be from reserves in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S., and \$23,100,000 shall be from the Local Government Mineral Impact Fund pursuant to Section 34-63-102 (5), C.R.S., which is comprised of federal mineral leasing revenues and the existing fund balance.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

<sup>d</sup> This amount shall be from the fund balance in the Local Government Limited Gaming Impact Fund, which consists of funds transferred from the Limited Gaming Fund in the Department of Revenue during the prior fiscal year pursuant to Sections 12-47.1-701 and 12-47.1-1601, C.R.S.

<sup>e</sup> This amount shall be from the Search and Rescue Fund pursuant to Section 33-1-112.5, C.R.S.

<sup>f</sup> This amount shall be from reserves in the Search and Rescue Fund pursuant to Section 33-1-112.5, C.R.S.

<sup>g</sup> This amount shall be from General Fund moneys appropriated to the Colorado Heritage Communities Fund pursuant to Section 24-32-3207, C.R.S.

**(C) Division of Emergency Management**

Administration	2,655,465	489,472 (7.2 FTE)		64,890(T) <sup>a</sup> (1.0 FTE)	2,101,103 (20.0 FTE)
Disaster Response and Recovery	3,179,407			2,729,407 <sup>b</sup>	450,000
Preparedness Grants and Training	35,510,988			10,988 <sup>c</sup>	35,500,000
	<u>41,345,860</u>				

<sup>a</sup> This amount shall be from the mineral and energy impact grant program, which includes moneys in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S., and moneys in the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S.

<sup>b</sup> This amount shall be from the Disaster Emergency Fund created in Section 24-32-2106, C.R.S.

<sup>c</sup> This amount shall be from fees paid for emergency training programs.

**(D) Division of Local Government Indirect**

**Cost Assessments** 785,116 50,134<sup>a</sup> 337,349(T)<sup>b</sup> 397,633<sup>c</sup>

<sup>a</sup> Of this amount, \$27,379 shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6, C.R.S., \$13,202 shall be from the Search and Rescue Fund pursuant to Section 33-1-112.5, C.R.S., and \$9,553 shall be from the Waste Tire Recycling Development Cash Fund pursuant to Section 25-17-202 (3), C.R.S.

<sup>b</sup> Of this amount, \$194,145 shall be from reserves in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S., \$97,073 is anticipated from the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S., \$28,775 shall be from net lottery proceeds pursuant to Section 33-60-104 (1) (a), C.R.S., and \$17,356 shall be from Limited Gaming Funds transferred from the Department of Revenue.

<sup>c</sup> Of this amount, \$277,860 is anticipated from the Federal Emergency Management Agency, \$58,330 is anticipated from the Community Development Block Grant, \$33,553 is anticipated from the Community Services Block Grant, and \$27,890 is anticipated from Workforce Development Grants.

188,399,076

**TOTALS PART XII**

<b>(LOCAL AFFAIRS)<sup>4,5</sup></b>	<del>\$227,955,281</del>	<del>\$7,203,127<sup>a</sup></del>	\$3,822,828 <sup>b</sup>	<del>\$29,229,146</del>	<del>\$107,436,143<sup>c</sup></del>	<del>\$80,264,037</del>
	<u>\$227,912,527</u>	<u>\$7,166,543<sup>a</sup></u>		<u>\$29,227,422</u>	<u>\$107,433,892<sup>c</sup></u>	<u>\$80,261,842</u>

<sup>a</sup> Of this amount, \$289,310 is included as information for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20, of the State Constitution. As this amount is continuously appropriated by a permanent statute or constitutional provision, it is not subject to the limitation on General Fund appropriations as set forth in Section 24-75-201.1, C.R.S.

<sup>b</sup> This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S. This amount is included as information for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20, of the State Constitution. As this amount is continuously appropriated by a permanent statute or constitutional provision, it is not subject to the limitation on General Fund appropriations as set forth in Section 24-75-201.1, C.R.S.

<sup>c</sup> Of this amount, ~~\$5,459,528~~ \$5,457,277 contains a (T) notation.

**FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

- 4 All Departments, Totals -- The General Assembly requests that copies of all reports requested in other footnotes contained in this act be delivered to the Joint Budget Committee and the majority and minority leadership in each house of the General Assembly.
- 5 All Departments, Totals -- Every Department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2007-08. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.
- 100 Department of Local Affairs, Division of Housing -- The Division of Housing is requested to provide a report to the Joint Budget Committee by November 1, 2007, on its efforts to eliminate regulatory barriers to the construction of affordable housing in order to assist the Committee with evaluating future appropriations. The report should include a review of the types and prevalence of local regulatory barriers to affordable housing, a review of the steps the Division of Housing is taking to reduce these barriers, and a report on the effectiveness of the Division's efforts.

**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 19, 2008