

**COLORADO GENERAL ASSEMBLY
JOINT BUDGET COMMITTEE**



SUPPLEMENTAL REQUESTS FOR FY 2008-09

**DEPARTMENT OF
MILITARY AND VETERANS AFFAIRS**

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

**Prepared By:
David Meng, JBC Staff
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For Further Information Contact:

Joint Budget Committee Staff
200 E. 14th Avenue, 3rd Floor
Denver, Colorado 80203
Telephone: (303) 866-2061
TDD: (303) 866-3472

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Prioritized Supplementals

**Supplemental Request, Department Priority #1
 Information Technology Asset Maintenance Reduction**

	Request	Recommendation
General Fund	(\$5,000)	(\$5,000)

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>an unforeseen contingency</i> .	

Department Request: The Department requests a reduction to the Information Asset Maintenance line of \$5,000 General Fund, which represents an 18 percent reduction to the line item.

Staff Analysis: The Department has identified that by replacing desktop computer systems "upon failure" instead of adhering to the State's periodic replacement schedule, it can reduce expenses in this line item. The Department will have spare units on hand ready to replace units that fail so as not to have unnecessarily long down-time. Some components, such as servers, routers and switches for the network will continue to be the priority for replacing on a periodic basis.

Staff Recommendation: Staff recommends that the Committee approve a reduction in the Information Technology Asset Maintenance line item of \$5,000 General Fund.

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**Supplemental Request, Department Priority #2
 County Veterans Service Officer Payments Reduction**

	Request	Recommendation
General Fund	(\$45,000)	(\$45,000)

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>an unforeseen contingency</i> .	

Department Request: The Department requests a reduction of \$45,000 General Fund in the County Veterans Service Officer pilot program in the Division of Veterans Affairs, a reduction of 36 percent in the pilot program and a 21 percent reduction in the line item.

Staff Analysis: Section 28-5-801 (1), C.R.S., requires each county to establish a County Veterans Service Office for that county and appoint one or more County Veterans Service Officers (CVSO), and provide additional assistance, including clerical assistance as may be deemed necessary. Some of the larger counties have one or more full-time CVSOs, other counties have part-time CVSOs, some are volunteers and some counties share a CVSO with an adjacent county.

Section 28-5-707 (1) (a), C.R.S., authorizes the state to reimburse the counties for part of the county's expenses in operating the CVSO program. In FY 2007-08, the amount was \$100 per month for a county with a part-time CVSO, and \$200 per month for a county with a full-time CVSO. The amounts were fixed and were unrelated to the amounts the counties spent in support of the program. In the aggregate, the counties spend more than \$1 million per year in support of the CVSO's, while the General Assembly appropriated \$88,800.

In the FY 2008-09 budget process, the Department requested a decision item for a pilot program to increase funding for the County Veterans Service Officer program by \$124,354 General Fund. This pilot program was to increase the reimbursement to counties for their efforts and expenditures in the County Veterans Service Officer program.

The JBC and General Assembly approved, for FY 2008-09, \$124,354 for a pilot program for five counties to increase state support of the CVSO program. Reimbursement to the counties would be based on the county's ability to register veterans for veterans benefits from the federal government, thus increasing the flow of federal moneys to the state. As of December 1, 2008, the counties had spent \$21,813, leaving \$102,541 remaining. At this rate, the counties will spend \$52,351 for the

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year. Allowing for a slow start in implementation, the Department estimates it needs \$79,354 for the whole year, or a \$45,000 reduction in the appropriation.

Staff Recommendation: Staff recommends that the Committee a reduction of \$45,000 General Fund for the County Veterans Service Officer Payments line item.

**Supplemental Request, Department Priority #3
 Veterans Services Operations Reduction**

	Request	Recommendation
General Fund	(\$22,500)	(\$22,500)

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>an unforeseen contingency</i> .	

Department Request: The Department requests a reduction of \$22,500 General Fund for the Veterans Service Operations line in the Division of Veterans Affairs.

Staff Analysis: The Veterans Service Operations line is a line with personal services and operating expense components. The operating expense component of the line is \$89,238, which the Department proposes to cut by 25 percent, or \$22,500.

The Department will reduce operating expenses in this line by: (1) postponing the scanning of veterans related documents to an electronic filing system, (2) delaying the annual renewal of reference materials related to veterans and (3) forgoing one of two annual training conferences related to professional development for County Veterans Service Officers. The personal services component of the appropriation will not be affected.

This reduction will come at some loss of efficiency and effectiveness. Postponing the scanning of veterans' documents to an electronic filing system will result in delays in processing claims as documents must be accessed by traditional means. Reference materials will become slightly out-of-date, and the ability of County Veterans Service Officers to serve their constituents will be affected by the lack of professional development.

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Staff Recommendation: Staff recommends that the Committee approve a reduction of \$22,500 General Fund for FY 2008-09 for Veterans Service Operations.

**Supplemental Request, Department Priority #4
 Operations and Maintenance Agreement Buckley/Greeley Reduction**

	Request	Recommendation
Total	(\$46,679)	(\$46,679)
General Fund	(46,679)	(46,679)
Federal Funds	0	0

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>an unforeseen contingency</i> .	

Department Request: The Department requests a reduction of \$46,679 General Fund to the Operations and Maintenance Agreement - Buckley/Greeley in the Air National Guard Division.

Staff Analysis: This line item is a line that has a General Fund personal services component (\$239,999) and an operations and maintenance component (\$216,019). The Department has proposed postponement or elimination of some maintenance projects on Air National Guard buildings located at Buckley Air Force Base. The \$46,679 reduction represents about 22 percent of the operations and maintenance component of the total appropriation. The appropriation for Personal Services would not be affected by this request.

The projects that will be postponed or eliminated will be determined by the Air National Guard Civil Engineering section, which is responsible for all maintenance projects for ANG facilities. Postponing maintenance projects often leads to increased expenses in future years.

Staff Recommendation: Staff recommends that the Committee approve a reduction of \$46,679 General Fund for FY 2008-09 in the Air National Guard Division, Operations and Maintenance Agreement Buckley/Greeley.

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**Supplemental Request, Department Priority #5
 EDO Operating Expenses Reduction**

	Request	Recommendation
General Fund	(\$27,178)	(\$27,178)

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>an unforeseen contingency</i> .	

Department Request: The Department requests a reduction in the appropriation for Executive Director and Army National Guard, Operating Expenses line of \$27,178 General Fund.

Staff Analysis: The Department's General Fund portion of the Operating Expenses Line is broken down into three main categories: \$90,000 for administration, \$732,516 for armory maintenance, and \$635,552 for utilities, with a total General Fund for the line of \$1,456,068. The Departments proposal is to reduce administrative expenses by \$12,000, and armory maintenance by \$15,178.

The administrative expenses portion of the proposal would be achieved by reducing professional development for employees, administrative supplies and materials, printing and reproduction, and postponing acquisition of office-specific hardware and software upgrades outside of the planned IT updates. The armory maintenance savings will be achieved by postponing minor repair and maintenance projects until the next fiscal year.

During the last economic downturn, armory maintenance was reduced by \$185,170 (about one-third) and only life and safety repairs were addressed. Over the years the budget reduction was in place, a backlog of maintenance and repair issues built up from leaks and other issues until by 2006, the Department had identified a backlog of \$669,837 for maintenance requests. The General Assembly addressed this backlog starting in 2006 by appropriating approximately one-third of the backlog in each of the next three fiscal years, and by increasing the base for armory maintenance by \$254,419 starting in FY 2009-10.

Staff Recommendation: **Staff recommends that the Committee** approve a reduction \$27,178 General Fund for FY 2008-09 to the Departments appropriation for Executive Director and Army National Guard, Operating Expenses.

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**Supplemental Request, Department Priority #6
 Hiring Freeze Vacancy Savings Reduction**

	Request	Recommendation
Total	(\$102,009)	(\$102,009)
FTE	0.0	(2.0)
General Fund	(28,402)	(28,402)
Federal Funds	(73,607)	(73,607)

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>an unforeseen contingency</i> .	

Department Request: The Department requests a reduction of \$102,009 and 2.0 FTE, consisting of \$28,402 General Fund and \$73,607 Federal Funds

Staff Analysis: The Department estimates that the savings from the hiring freeze will save \$102,009 and 2.0 FTE. A total of eight positions are estimated to be frozen by the end of the year, generating a total of 2.0 FTE savings. Most of the vacancies will occur in March, so each will save about one-quarter of a year savings.

In addition, an employee has delayed his retirement into the next fiscal year, meaning that the separation payout the Department expected to incur in this fiscal year will be deferred until next year. This will result in a savings of \$10,000 General Fund in the EDO-Personal Services line item. While not technically a savings from the hiring freeze, this employee decided to delay his retirement because his position would have been frozen.

Staff Recommendation: Staff recommends that the Committee approve a reduction of \$102,009 and 2.0 FTE, consisting of \$28,402 General Fund and \$73,607 Federal Funds for FY 2008-09.

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Statewide Common Policy Supplemental Requests

Staff Recommendation: Neither the Department nor OSPB has submitted statewide supplemental requests, but these requests may be received in the near future. If requests are submitted, they will be presented to the Committee by the Common Policy analyst. **Staff asks permission to include the corresponding appropriations in the Department's supplemental bill if the Committee approves a 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.

Cash Fund Transfers

**Department Requested Transfer, OSPB #10
Transfer from Colorado State Veterans Trust Fund
Statutory Change Required**

FY 2008-09	Request	Recommendation
Transfer from Colorado State Veterans Trust Fund to the General Fund	\$4,585,627	\$4,585,627

Staff Analysis: Section 28-5-709, C.R.S., establishes the Colorado State Veterans Trust Fund, funded by a transfer of one percent, up to a maximum of \$1 million, of the state's annual settlement moneys from the Tobacco Master Settlement Agreement. The statute further specifies that, for FY 2008-09, 45 percent of the transfer must be credited to the Trust Fund, while 55 percent (along with any interest earned from the investments in the fund) may be spent for the purposes authorized. The authorized uses of the moneys are:

1. Capital improvements or needed amenities for existing or future state veterans nursing homes.
2. Costs incurred by the Legislative oversight committee and the State and Veterans Nursing Home Commission to evaluate the quality of care provided to veterans and their families at certain state and veterans nursing homes.
3. Costs incurred by existing or future state veterans cemeteries.
4. Costs incurred by the Division of Veterans Affairs.
5. Veterans Programs operated by nonprofit veterans organizations that meet criteria adopted by the State Board of Veterans Affairs and are selected by the Board as grant recipients.

In the past several years, the largest proportion of the moneys expended have gone to Veterans Organization that provide services such as transportation of veterans to medical and other necessary

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appointments, other services to veterans, and assisting with homeless veterans. The history of expenditures by the Board from the Trust fund is shown below:

<u>Fiscal Year</u>	<u>Total Expenditures</u>
2003-04	\$522,176
2004-05	598,353
2005-06	611,917
2006-07	547,827
2007-08	645,819
2008-09 (Approp)	627,500
2009-10 (Request)	639,411

In FY 2002-03, the General Assembly directed that \$2,280,900 be transferred from the Trust Fund to the General Fund to help the State overcome the effects the economic downturn that occurred in the early 2000s. In the 2008 Session, the General Assembly directed that by August 15, 2008, \$2,917,300 be transferred from the General Fund to the Trust Fund. This amount represented the principal, plus interest that would have accrued to the fund, that was transferred in 2003.

The State Controller's Fund Balance Report as of January 12, 2009 shows that the Fund has an uncommitted fund balance of \$4,857,122. This transfer would leave the fund with a balance of \$261,495. The tobacco settlement moneys are received in April of each year. During FY 2008-09, the Department can spend up to 55 percent of the transfer. The estimated transfer this year will be \$998,551. The statute allows \$549,203 of that transfer, plus interest earned in previous years, to be appropriated.

The Board can expend the appropriation, which includes a percentage of the transfer, plus interest earned on the fund in the previous year. Transferring the fund balance will largely eliminate interest earnings, which was about \$75,000 in FY 2007-08. After the effects of this transfer, the interest earning will increase to about \$130,000, which can be appropriated next fiscal year. For fiscal years after that, interest earnings will drop to about \$30,000.

Current statutes dictate that the amount of the annual transfer that can be appropriated will be reduced by 10 percent each year until it reaches 25 percent in FY 2011-12. This represents a decrease of \$100,000 in spending authority each year. If this transfer is approved, in FY 2011-12, the amount of current spending allowed will fall to about \$280,000 (including \$250,000 spent from

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the transfer and \$30,000 interest earnings) from the current level of \$640,000. Since most of these funds are for grants to programs for veterans, this will have the result of reducing services to veterans through non profit groups such as the Disabled Veterans, Veterans of Foreign Wars, and other similar groups.

In order to alleviate the funding reductions that would be required under current statutes, the Department has discussed with the JBC, but not formally requested, a bill that would remove the cap from the amount of the transfer that can be appropriated.

Below is a table that shows the effect on the Trust Fund and expenditures from the trust fund of transferring the funds in the trust fund to the General Fund. In addition, the effects of the statutory requirement to reduce spending from the Tobacco Settlement and the reduced interest earnings from the transfer of the balance in the fund show up in FY 2010-11, where funds available for appropriation drop to \$373,000.

Colorado State Veterans Trust Fund Department Request and Staff Recommendation				
	FY 2007-08 Actual	FY 2008-09 Estimate	FY 2009-10 Estimate	FY 2010-11 Estimate
Beginning FY Balance	\$1,248,995	\$1,601,001	\$479,856	\$864,165
Revenues (Includes Interest)	997,825	1,174,682	1,023,720	1,033,425
Transfer from General Fund	0	2,917,300	0	0
Expenditures	<u>(645,819)</u>	<u>(627,500)</u>	<u>(639,411)</u>	<u>(373,720)</u>
Ending FY Balance without transfer	\$1,601,001	\$5,065,483		
Proposed Transfer	<u>0</u>	<u>(4,585,627)</u>	<u>0</u>	<u>0</u>
Ending Balance after transfer	\$1,601,001	\$479,856	\$864,165	\$1,523,870

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Other Balancing Options

These options are presented without staff recommendation in order to maximize the Committee's choices. The Committee may wish to consider these options now or in the future.

Numbering does not indicate priority.

Options with Appropriation Impacts	GF	CF	RF	FF	Total	FTE
1	(350,000)	350,000	0	0	0	0.0
<p>Change Statute to Allow More of Transfer of Tobacco Settlement Moneys to be Spent and Changing the Parameters of the Spending.</p> <p>Section 28-5-709 (3), C.R.S. dictates that the amount that may be appropriated from the transfer from the Tobacco Settlement moneys will decline from 55 percent in the current year (FY 2008-09) to 25 percent in FY 2011-12. In addition, because of the recommended transfer from the Veterans' Trust Fund, interest earnings will be reduced to about \$30,000 in FY 2009-10. Staff recommends that the Joint Budget Committee consider a bill that would remove the cap on spending from the transfer, and change the way the funds are allocated, so that some of the additional moneys above what is currently spent in the Division from the General Fund, such as the costs of the Western Slope Military Veterans Cemetery, Veterans Service Operations or the County Veterans Service Officer Program could be spent from the Tobacco transfers instead of the General Fund. Staff proposes that the General Fund component of the Western Slope Veterans Cemetery and the County Veterans Service Officer Payments be funded from the transfer of Tobacco funds. This proposal would protect funding for veterans programs provided by non profit groups at the current level.</p>						

	FY 2007-08	FY 2008-09	Fiscal Year 2008-09 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
DEPARTMENT OF MILITARY AND VETERANS AFFAIRS					
Major General H. Michael Edward, Adjutant General and Executive Director					
Supplemental #1 - Reduction in Information Technology Asset Maintenance					
<i>(1) Executive Director and Army National Guard</i>					
Information Technology Asset Maintenance -	26,013	27,372	(5,000)	(5,000)	22,372
Supplemental #2 - Reduce County Veterans Officer Payments					
<i>(2) Division of Veterans Affairs</i>					
County Veterans Service Officer Payments -	71,200	213,154	(45,000)	(45,000)	168,154
Supplemental #3 - Veterans Service Operations Reduction					
<i>(2) Division of Veterans Affairs</i>					
Veterans Service Operations	559,118	590,168	(22,500)	(22,500)	567,668
FTE	<u>8.0</u>	<u>8.0</u>	<u>0.0</u>	<u>0.0</u>	<u>8.0</u>
General Fund	557,204	586,659	(22,500)	(22,500)	564,159
Reappropriated Funds	1,914	3,509	0	0	3,509
Supplemental #4 - Operations and Maintenance Agreement Buckley/Greeley Reduction					
<i>(3) Air National Guard</i>					
Operations and Maintenance Agreement for	1,454,779	2,059,999	(46,679)	(46,679)	2,013,320
FTE	<u>26.1</u>	<u>26.1</u>	<u>0.0</u>	<u>0.0</u>	<u>26.1</u>
General Fund	448,095	456,018	(46,679)	(46,679)	409,339
Federal Funds	1,006,684	1,603,981	0	0	1,603,981

	FY 2007-08	FY 2008-09	Fiscal Year 2008-09 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
Supplemental #5 - EDO Operating Expenses Reduction					
<i>(1) Executive Director and Army National Guard</i>					
Operating Expenses	<u>1,010,410</u>	<u>2,333,640</u>	<u>(27,178)</u>	<u>(27,178)</u>	<u>2,306,462</u>
General Fund	762,041	1,458,068	(27,178)	(27,178)	1,430,890
Cash Funds	3,895	46,000	0	0	46,000
Federal Funds	244,474	829,572	0	0	829,572
Supplemental #6 - Savings from Hiring Freeze					
<i>(1) Executive Director and Army National Guard</i>					
Personal Services	2,056,233	2,147,047	(10,000)	(10,000)	2,137,047
FTE	<u>28.6</u>	<u>34.7</u>	<u>0.0</u>	<u>0.0</u>	<u>34.7</u>
General Fund	1,925,742	1,922,542	(10,000)	(10,000)	1,912,542
Cash Funds	0	3,624	0	0	3,624
Federal Funds	130,491	220,881	0	0	220,881
<i>(3) Air National Guard</i>					
Operations and Maintenance Agreement for	1,454,779	2,059,999	(92,009)	(92,009)	1,967,990
FTE	<u>26.1</u>	<u>26.1</u>	<u>0.0</u>	<u>(2.0)</u>	<u>24.1</u>
General Fund	448,095	456,018	(18,402)	(18,402)	437,616
Federal Funds	1,006,684	1,603,981	(73,607)	(73,607)	1,530,374

	FY 2007-08	FY 2008-09	Fiscal Year 2008-09 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
Total for Supplemental #6	3,511,012	4,207,046	(102,009)	(102,009)	4,105,037
FTE	<u>54.7</u>	<u>60.8</u>	<u>0.0</u>	<u>(2.0)</u>	<u>58.8</u>
General Fund	2,373,837	2,378,560	(28,402)	(28,402)	2,350,158
Cash Funds	0	3,624	0	0	3,624
Federal Funds	1,137,175	1,824,862	(73,607)	(73,607)	1,751,255
Totals Including Pending Items					
Department of Military and Veterans Affairs					
Totals for ALL Departmental line items	171,413,843	203,247,032	(248,366)	(248,366)	202,998,666
FTE	<u>1,383.8</u>	<u>1,386.9</u>	<u>0.0</u>	<u>(2.0)</u>	<u>1,384.9</u>
General Fund	5,383,038	5,854,264	(174,759)	(174,759)	5,679,505
Cash Funds	79,731	958,889	0	0	958,889
Reappropriated Funds	1,307,994	653,509	0	0	653,509
Federal Funds	164,643,080	195,780,370	(73,607)	(73,607)	195,706,763

Key:

N.A. = Not Applicable or Not Available