

This file contains the following documents:

1. JBC staff technical correction memo titled "FY 2012-13 Technical Supplemental CBI Letternote Correction".
2. Department of Public Safety Supplemental Requests for FY 2012-13 (All Divisions Except Division of Criminal Justice).

MEMORANDUM

TO: Joint Budget Committee

FROM: Viktor Bojilov, JBC Staff (303) 866-2149

SUBJECT: FY 2012-13 Technical Supplemental CBI Letternote Correction

DATE: January 17, 2013

House Bill 10-1284 (Concerning Regulation of Medical Marijuana) regulates medical marijuana by creating the state and local medical marijuana licensing authority. The Bill required the Department of Revenue (DOR) to perform background checks on all of the employees at a medical marijuana center. The fiscal note assumed that 6,600 background checks will be performed annually at an expense of \$260,700 and 1.2 FTE that must be reappropriated to the Department of Public Safety from the Medical Marijuana License Fund.

The FY 2012-13 budget bill (H.B. 12-1335) should have reflected funding for background checks related to H.B. 10-1284, however, due to a JBC staff oversight, H.B. 12-1335 did not reflect the proper funding through the letternote designation. **Staff requests that the Committee allow staff to fix this error by increasing the reappropriated funds appropriation to the Personal Services and Operating Expenses line items in the Identification Unit within the Colorado Bureau of Investigation (CBI). Staff requests to increase the appropriation to the Identification Unit from the Medical Marijuana License Cash Fund by \$259,777 reappropriated funds and decrease the appropriation to the Identification Unit from the CBI Identification Unit Fund by \$259,777 reappropriated funds.**

The table below shows the correction staff is proposing to the CBI, Identification Unit appropriation in H.B. 12-1335:

Correction to Letternote Funding Designation in H.B. 12-1335			
	H.B. 12-1283	Correct Version	Letternote Correction
Colorado Bureau of Investigation			
(2) Identification			
Personal Services	3,195,919	3,195,919	0
FTE	<u>53.6</u>	<u>53.6</u>	<u>0.0</u>
General Fund	1,155,085	1,155,085	0
FTE	21.8	21.8	0.0
Cash Funds - CBI Identification Unit Fund	1,793,276	1,793,276	0
FTE	25.7	25.7	0.0
Reappropriated Funds - CBI Identification Unit Fund	247,558	188,264	(59,294)
Reappropriated Funds - Med. Marijuana License Fund, REV	0	59,294	59,294
FTE	6.1	6.1	0.0
Operating Expenses	<u>5,198,999</u>	<u>5,198,999</u>	<u>0</u>
General Fund	244,510	244,510	0
Cash Funds - CBI Identification Unit Fund	2,485,124	2,485,124	0
Reappropriated Funds - CBI Identification Unit Fund	2,469,365	2,268,882	(200,483)
Reappropriated Funds - Med. Marijuana License Fund, REV	0	200,483	200,483

**COLORADO GENERAL ASSEMBLY
JOINT BUDGET COMMITTEE**



SUPPLEMENTAL REQUESTS FOR FY 2012-13

DEPARTMENT OF PUBLIC SAFETY

(All Divisions Except Division of Criminal Justice)

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

**Prepared By:
Viktor Bojilov, JBC Staff
January 17, 2013**

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TABLE OF CONTENTS

	Narrative Page	Numbers Page
Prioritized Supplementals in Department-Assigned Order		
Supplemental #1 – DHSEM, Backfill and Clean-up for General Fund Shortages	1	32
Supplemental #2 – EDO, Request for Additional Legal Services Spending Authority	6	34
Supplemental #3 – CSP, Colorado Automobile Theft Prevention Authority (CATPA) Spending Authority Increase	9	35
Supplemental #5 – CSP, Additional Security for Ralph L. Carr Judicial Center	11	36
Supplemental #6 – CSP, Increase Spending Authority for "Special Events" Road and Lane Closure	13	38
Supplemental #7 – CSP, Moffat County Public Safety Center Operating Agreement	14	39
Supplemental #8 – EDO, Spending Authority for School Safety Resource Center	15	40
Supplemental #9 – CBI, CCIC System Changes for Department of Revenue and H.B. 10-1284	17	41
Supplemental #10 – DFPC, Wildfire Emergency Response Fund Reimbursement Funding	18	42
Supplemental #11 – CBI, Funding for InstaCheck	25	43
 Non-prioritized Supplementals		
Statewide Common Policy Supplemental Requests	31	N.A.
Totals for All Supplementals	N.A.	43

Prioritized Supplemental Requests

SUPPLEMENTAL REQUEST, DEPARTMENT PRIORITY #1 DHSEM, BACKFILL AND CLEAN-UP FOR GENERAL FUND SHORTAGES

	Request	Recommendation
Total	<u>\$480,125</u>	<u>\$479,357</u>
General Fund	480,125	479,357

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 data that was not available when the original appropriation was made and an unforeseen contingency.	

Department Request: On January 2, 2013, the Department requested a three-part FY 2012-13 supplemental increase for the Division of Homeland Security and Emergency Management (DHSEM) totaling \$511,878 General Fund. The request also impacts the Department of Local Affairs (DOLA). Part 3 of the request, described in the tables below, involves the transfer of funds from DOLA. The table below shows the combined request from January 2, 2013.

Summary of Department Request, Supplemental #1 (January 2, 2013)			
	FY 2012-13	FY 2013-14	Two-Year Request
1. Severance Expenditures	\$466,925	\$0	\$466,925
2. Additional Vehicles	\$6,168	\$12,336	\$18,504
3. DOLA Transfers	<u>\$38,785</u>	<u>\$38,785</u>	<u>\$77,570</u>
Totals	<u>\$511,878</u>	<u>\$51,121</u>	<u>\$562,999</u>

On January 10, 2013, the Department submitted an amended Supplemental Request 1. The table below shows the combined request from January 10, 2013.

Summary of Department Request, Supplemental #1 (January 10, 2013)			
	FY 2012-13	FY 2013-14	Two-Year Request
1. Severance Expenditures	\$466,925	\$0	\$466,925
2. Additional Vehicles	\$6,168	\$12,336	\$18,504
3. DOLA Transfers	<u>\$7,032</u>	<u>\$7,032</u>	<u>\$14,064</u>
Totals	<u>\$480,125</u>	<u>\$19,368</u>	<u>\$499,493</u>

The Department left out the vehicle lease transfer from the January 10, 2013 request that was supposed to come from DOLA. The Department informed staff that the vehicle lease

JBC Staff Supplemental Recommendations: FY 2012-13
Staff Working Document – Does Not Represent Committee Decision

appropriation transfer from DOLA associated with part 3 of the request shown in the tables above will be handled through a centralized vehicle lease supplemental and budget amendment that will be submitted by the Department of Personnel (DPA). As of the printing of this narrative the DPA had not submitted the vehicle lease adjustment statewide supplemental request to the JBC staff.

Staff Recommendation: Staff recommends that the Committee approve the Department's request at a slightly lower amount than the Department request from January 10, 2013. The reason for the lower amount has to do with a different JBC staff calculation for the per mile cost calculation of Part 2 of the request. JBC staff also recommends that the Department of Local Affairs (DOLA) FY 2012-13 appropriation for Communications Services Payments be reduced by \$7,032 General Fund. The table below shows the JBC staff recommendation:

Summary of JBC Staff Recommendation, Supplemental #1			
	FY 2012-13	FY 2013-14	Two-Year Request
1. Severance Expenditures	\$466,925	\$0	\$466,925
2. Additional Vehicles	\$5,400	\$10,800	\$16,200
3. DOLA Transfers	<u>\$7,032</u>	<u>\$7,032</u>	<u>\$14,064</u>
Totals	\$479,357	\$17,832	\$497,189

Staff Analysis: The supplemental budget request is made up of three parts. The table below shows a breakdown of JBC Staff analysis for the JBC staff recommendation.

*JBC Staff Supplemental Recommendations: FY 2012-13
Staff Working Document – Does Not Represent Committee Decision*

CDPS/DHSEM FY2013 Supplemental Budget Request JBC Staff Calculations				FY 12-13 Request	FY 13-14 Request
Part 1	Office of Preparedness (OP) General Fund Spent on Displaced Employees		Office of Emergency Management (OEM) General Fund Spent on Displaced Employees		
	Salary thru Sep. 2012	102,113	Salary (3 staff) Oct. thru Dec. 2012	70,410	
	HLD	5,474	HLD	2,653	
	PERA*	16,588	PERA*	11,731	
	Vacancy Savings - 2.0 FTE/3 months	(28,044)	Potential buyouts 2 @ \$143,000	286,000	
Total Part 1	Total OP Request	\$96,131	Total OEM Request	\$370,794	\$466,925
Part 2	4x4 vehicle - Chevy Tahoe Lease Cost (10 yr lease period)		Monthly Estimates		
			\$450		2,700
			\$450		2,700
	0.225/mile @ 2,000 miles/month				5,400
Total Part 2				\$5,400	\$10,800
Part 3	Vehicle Lease Payments		\$0		0
	Communications Services Payments		\$7,032		7,032
Total Part 3				\$7,032	\$7,032
			Grand Total Request Parts 1-3	\$479,357	\$17,832

*These amounts include payments to the Public Employee's Retirement Association (PERA) as well as supplemental PERA payments, Short-term Disability, and Medicare.

1. Part one of the request is for \$466,925 General Fund and is intended to be used to cover salaries and payouts of employees that did not transfer with H.B. 12-1283 (Consolidate Homeland Security Functions Under the Department of Public Safety (DPS)) from DOLA to DPS.

Due to the Department's requirement that all DPS employees take polygraphs and pass background investigations prior to becoming employees of the Department, not all Office of Emergency Management (OEM) employees transferred from DOLA to DPS. As a result, the Department states that it incurred unanticipated personnel costs for staff that worked temporary positions within other departments, or until they are permanently placed in another department or until they separate from state employment. The OEM is primarily funded through federal grant dollars with an associated General Fund match. The Department states that the unanticipated costs incurred are ineligible to be assessed to any of the division's federal grants, so the

Department states that it utilized the OEM and Office of Preparedness (OP) General Fund dollars to cover the one-time unanticipated costs.

The Department states that it is obligated to pay state classified OEM staff that did not transfer to the Department while they work temporary positions within other departments, until they are permanently placed in another department or until they have separated from state employment. The employees in question were largely paid with federal funds, however, the Department states that their changed status made them ineligible for the federal grants because their work was no longer related to the federal grant. The Department states that after several months of actively networking with DPA and other departments, it is still unable to successfully place or separate two employees (it is not clear from the request narrative how many employees failed the initial polygraph and how many employees have since either found employment in other agencies and how many may have separated). The Department states that it is no longer cost effective for the State to continue to employ the two individuals, in addition to recouping the lost General Fund, the Department requests moneys to pay for separation/early retirement settlements for two employees.

On background checks, the Department provided the following response:

Pre-employment background checks for most CDPS employees were instituted at the formation of the Department in 1984. The investigations were required for all personnel in all divisions, except for the Division of Criminal Justice. In 2011, all perspective employees of the Department, including the Division of Criminal Justice, were required to pass a pre-employment background check.

The pre-employment background investigation satisfies two goals: 1) assuring compliance with all applicable minimum standards for appointment and 2) screening out candidates who, based on their past history or other relevant information, are found unsuitable for the positions in a criminal justice agency such as the Department and offices where there is access to criminal justice information systems (the Department's computer network), protected critical infrastructure information, and classified information. Pre-employment background investigations are among the most important investigations that the Department conducts.

The Federal Information Security Management Act of 2002 provides legal basis for security requirements mandated to protect criminal justice information and the standards that personnel with access to criminal justice information. The National Security Act, Intelligence Reform and Terrorism Prevention Act also have background requirements for personnel accessing national security information.

As the Department provides unique public safety functions and its personnel have access to sensitive criminal justice, national security and critical infrastructure information; drugs, cash and weapons that are held in evidence its personnel are held to a higher standard than what is expected in other departments.

The Department did not provide the exact reasons that caused the employees to initially fail the background investigations or polygraph; the Department states that this information is confidential. The Department gives the following reasons for having to pay employees that

cannot start work for the Department until they are successfully placed in a different Department or separated:

Chapters 6 and 8 of the State Personnel Board Rules and Colorado case law, require the Department to maintain pay, status and tenure for personnel that are subject to an adverse personnel action through no fault of their own and that is not part of a layoff plan or restructuring for a minimum of three years. Since these employees did not ask to be transferred, were not subject a layoff plan or restructuring, the Department must continue their pay, status and tenure through the “saved pay” period.

Office of Preparedness (OP) appropriations were used to cover OEM costs because the General Fund dollars in OP were not required to be used as a match to the Emergency Management Performance Grant (EMPG). For this reason, the Department utilized some of the General Fund appropriations made to OP to cover employee costs in OEM.

2. With the transfer of OEM to DPS, all but one of the vehicles assigned to the OEM field managers transferred to DPS. One 4x4 vehicle assigned to an OEM field manager was not included in the transfer because the vehicle was also used for another program in DOLA. The Department would like to use state funds to pay for a state vehicle so that the OEM field manager is not made to use their personal vehicle. The Department estimates the yearly cost of the new vehicle to be \$12,336. The JBC staff calculation for this part of the request is slightly different because the Department provided a slightly lower cost per mile (0.225 cents vs. 0.289 cents) with its January 10, 2013 request. As such, the JBC staff estimated one-year cost for the vehicle lease and per mile cost is \$10,800. At the current state reimbursement rate for a 4x4 vehicle of 53 cents/mile, it would cost the Department \$12,720 to reimburse a state employee for 24,000 miles of personal vehicle use for State purposes related to emergency operations and routine visits to each of the OEM field manager's assigned counties for technical assistance with plans, exercise development and execution, grant monitoring, and assistance with properly managing the grants.

3. This part of the request is submitted to align central appropriations for the Vehicle Lease Payments and Communications Services Payments line items with H.B. 12-1283. The Department states that the appropriations contained in H.B. 12-1283 did not accurately reflect the transfer need for OEM related expenses. On January, 10, 2013, the Department submitted an amended Supplemental 1 that removed the Vehicle Lease Payments line item component of the supplemental request, or \$31,753 General Fund and left only the Communications Services Component, or \$7,032 General Fund. Staff notes that the appropriation for H.B. 12-1283 reflected \$12,521 federal funds for Vehicle Lease Payments.

**SUPPLEMENTAL REQUEST, DEPARTMENT PRIORITY #2
EDO, REQUEST FOR ADDITIONAL LEGAL SERVICES SPENDING
AUTHORITY**

	Request	Recommendation
Total	<u>\$188,645</u>	<u>\$182,349</u>
General Fund	188,645	12,647
Cash Funds – Various	0	169,702

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 believes that the information provided by the Department shows a need for additional funds for Legal Services for FY 2012-13.	

Department Request: The Department requests a FY 2012-13 supplemental request for Legal Services expenditures totaling \$188,645 General Fund (or 2,445 legal services hours at a FY 2012-13 blended legal rate of \$77.25 per hour) and a FY 2013-14 budget amendment for Legal Services expenditures totaling \$112,244 General Fund (or 1,554 legal services hours at a FY 2012-13 blended legal rate of \$77.25 per hour).

Staff Recommendation: Staff does not recommend the Department request. Staff recommends that the Committee provide \$182,349 additional funds for FY 2012-13 for Legal Services comprised of \$12,647 General Fund and \$169,702 various cash funds.

Staff Analysis: The Department of Law currently provides services to the Department in the following general categories:

- Lawsuits (non-damage litigation and personnel board cases);
- Proactive requests for legal services;
- Complex lawsuits;
- Memoranda of understanding and intergovernmental agreement review;
- New training, development, and delivery;
- Legal review of policies;
- Colorado Open Records Act (CORRA) requests.

On January 30, 2012, the Department submitted a letter to the JBC pursuant to Section 24-75-112, (1) (m) (II), C.R.S., notifying the Committee that it was about to expend personal services appropriations for legal services provided by the Attorney General's Office (AG) due to experiencing unexpected legal expenses in FY 2011-12. The Department has informed staff that it ended up paying out \$136,957 of legal services costs out of the "Sergeants, Technicians, and Troopers" line item in the Colorado State Patrol. Neither staff nor the Department followed up at the time or made recommendations to increase the FY 2012-13 legal services appropriation.

JBC Staff Supplemental Recommendations: FY 2012-13
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The Department was appropriated a total of \$173,401 for 2,245 legal services hours in FY 2012-13. The Department states that it needs a total of \$355,737 for 4,605 legal services hours in FY 2012-13. The table below shows the Department request:

Legal Services Hours, Department Request						
	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
	Actual	Actual	Actual	Actual	Estimate	Estimate
Administration	\$27,732	\$10,089	\$50,621	\$21,593	\$38,579	\$30,579
Colorado State Patrol	95,280	68,737	85,513	247,185	201,709	158,308
Fire Safety	3,086	4,795	4,734	7,221	60,591	35,591
Criminal Justice	7,098	13,507	3,818	3,075	6,323	6,323
Colorado Bureau of Investigation	32,364	33,902	17,387	12,471	45,097	45,097
Homeland Security	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>3,438</u>	<u>3,438</u>
Total Actual/Estimate	\$165,560	\$131,030	\$162,073	\$291,545	\$355,737	\$279,336
FY 2013 Appropriation					173,401	
FY 2013 Supplemental Request					188,645	
Total FY 2013 Request¹					362,046	

¹ The Department supplemental request does not add to the total estimated FY 2013 expenditures due to a technical error in the Department calculation.

As the table above shows, the main reasons for the increase in legal costs is related to State Patrol, Fire Safety, and the Colorado Bureau of Investigation. The Department states that it "is witnessing increasing challenges to various personnel decisions uniquely related to law enforcement" and that the Department "is experiencing increasing legal costs related to the expanded business requirements and risk mitigation efforts, and the need to bolster legal business support for the traditional programs housed within DPS".

The table below shows JBC Staff calculation of legal services hours need for FY 2012-13 and FY 2013-14 based on information provided by the Department. Based on the tables below, the Department needs funding for 4,605.5 legal hour in FY 2012-13, this is an increase of 2,360.5 hours or \$182,349 from the current FY 2012-13 appropriation.

JBC Staff Calculation of Legal Services Hours				
	FY 13	FY 13	FY 14	FY 14
Personnel Matters	Total	Dollars	Total	Dollars
	Hours		Hours	
"B" Cases to Hearing	774.0	\$59,792	516.0	\$39,861
"B" Cases Settled/Dismissed	516.0	\$39,861	451.5	\$34,878
Preliminary Review	320.0	\$24,720	120.0	\$9,270
"G" Cases to Hearing	218.0	\$16,841	0.0	\$0
"G" Cases Settled/Dismissed	73.5	\$5,678	24.5	\$1,893
Personnel Advice	300.0	\$23,175	200.0	\$15,450
Personnel Appeal	100.0	\$7,725	0.0	\$0
Appeals	<u>224.0</u>	<u>\$17,304</u>	<u>224.0</u>	<u>\$17,304</u>
Total	2,525.5	\$195,096	1,536.0	\$118,656

JBC Staff Supplemental Recommendations: FY 2012-13
Staff Working Document – Does Not Represent Committee Decision

JBC Staff Calculation of Legal Services Hours				
Program and General Business, Advice, Representation and Risk Mitigation	FY 13 Total Hours	FY 13 Dollars	FY 14 Total Hours	FY 14 Dollars
Hours Already Used in FY 2013 ¹	490.0	\$37,853	490.0	\$37,853
Litigation	900.0	\$69,525	900.0	\$69,525
Policy Matters	150.0	\$11,588	150.0	\$11,588
DFPC and DHSEM ¹	300.0	\$23,175	300.0	\$23,175
DPS Boards	40.0	\$3,090	40.0	\$3,090
Legal Agreements	60.0	\$4,635	60.0	\$4,635
Training	20.0	\$1,545	20.0	\$1,545
Special Events	20.0	\$1,545	20.0	\$1,545
Other	<u>100.0</u>	<u>\$7,725</u>	<u>100.0</u>	<u>\$7,725</u>
Total	2,080.0	\$160,681	2,080.0	\$160,681
<hr/>				
Total for Personnel and Program	4,605.5	\$355,777	3,616.0	\$279,337

JBC Staff Legal Hours Calculation	
FY 2012-13 Estimated Legal Hours	4,605.5
Current FY 2012-13 Legal Hours	<u>2,245.0</u>
Additional FY 2012-13 Legal Hours	2,360.5
<hr/>	
FY 2013 Additional Hours @ \$77.25/hour	\$182,349

The Department requested General Fund for the entire supplemental, staff does not agree with the Department's funding split. Staff believes that the majority of the need for funding increase is driven by cash funded programs. For example, as the table below shows, the majority of the increase in funding need is driven by the State Patrol, Fire Safety, and the CBI. **Based on the funding of the programs, the State Patrol and Fire Safety are mostly cash funded programs, the CBI is funded approximately half and half between General Fund and cash funds, staff recommends that the increase in funding provided be listed as coming from various cash funds, and that only \$12,647 should come from the General Fund.**

JBC Staff Calculation of Funding Splits						
	FY 2011 Actual	FY 2013 Estimate	Increase	% of Total	Funding Split	
Colorado State Patrol	85,513	201,709	116,196	58.2%	106,067	HUTF
Fire Safety	4,734	60,591	55,857	28.0%	50,988	CF
Colorado Bureau of Investigation	<u>17,387</u>	<u>45,097</u>	<u>27,710</u>	<u>13.9%</u>	<u>25,294</u>	GF/CF
Total	107,634	307,397	199,763	100.0%	182,349	

**SUPPLEMENTAL REQUEST, DEPARTMENT PRIORITY #3
CSP, COLORADO AUTOMOBILE THEFT PREVENTION AUTHORITY
(CATPA) SPENDING AUTHORITY INCREASE**

	Request	Recommendation
Total	<u>\$120,000</u>	<u>\$120,000</u>
Cash Funds	120,000	120,000

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 data that was not available when the original appropriation was made.	

Department Request: The Department requests \$120,000 cash funds (Colorado Automobile Theft Prevention Cash Fund) increase in FY 2012-13 and \$1.0 million increase in FY 2013-14.

Staff Recommendation: Staff recommends that the Committee approve the Department's request and provide \$120,000 cash funds increase in FY 2012-13.

Staff Analysis:

The Automobile Theft Prevention Authority is created in Section 42-5-112, C.R.S., and makes grants to create and improve automobile theft prevention, enforcement, and prosecution programs. Prior to FY 2008-09, the Auto Theft Prevention Authority received less than \$1.0 million per year in spending authority and had no appropriated FTE. However, S.B. 08-60 levied an annual per-vehicle fee of \$1.0 on automobile insurers to increase the program's funding by \$4.3 million per year and provided 3.0 dedicated FTE in FY 2008-09.

The Colorado Automobile Theft Prevention Authority (CATPA) Cash Fund was created in 2003 to establish a funding mechanism to address Colorado's auto theft problem. On July 1, 2008, under S.B. 08-060, mandatory funding for the program was established through collection of \$1.00 for every insured motor vehicle from insurance companies. The Legislative intent provides for a direct investment by consumers to combat auto theft. There is an eleven member CATPA Board which approves and distributes grant funding for multijurisdictional law enforcement, prosecution initiatives and public awareness campaigns that proactively mitigate auto theft. The CATPA Board authorizes grant awards on an annual grant cycle to coincide with the state fiscal year. Per statute, grants may be awarded for a period of up to three years. CATPA Board has oversight of the funding through ten multijurisdictional grantees working on the ground. The grantees consist of two full-time, four overtime and four statewide teams that provide enforcement, prosecution and prevention education. Overall, there are 68 partnering agencies that receive funding to combat auto theft.

Current spending authority for the CATPA program is \$5,213,420 and 3.0 FTE. In FY 2012-13, the Board has approved committed obligations to operating and grant agreements up to the current spending authority, with anticipated incremental grant requests of approximately \$120,000.

For FY 2013-14 and beyond, the CATPA Board anticipates that there will be additional grant requests due to upcoming information technology infrastructure enhancements and additional grantee improvements in support of auto theft prevention. The annual funds cover recurring costs for salary, overtime, vehicle maintenance, software maintenance and licenses, training, and informant funds and other day to day operation costs.

CATPA collections and awards: On July 1st of each year, the numbers of insured vehicles are counted by each insurance company. This number is reported to CATPA on August 15th of that same year. The fee to CATPA is \$1 for each insured vehicle payable on the following January 1st and July 1st.

Grant applications are accepted prior to the January collections. Grant application reviews and presentations are conducted with award decisions complete in April. The contracts are finalized in order to award the full year's collection. This process ties the collection of fees to be awarded over the one year collection period and connects the awards to be tracked with the State fiscal year.

In the past, collections were completed and then a grant cycle was initiated. The Department states that working in collaboration with the Department's Controller, a Lean process was developed to expedite the turnaround time from collections to awards. The new process has streamlined the collection and issuance of grants.

The Board has now aligned all grant applications with the State's fiscal year. The fund balance includes approximately \$1.0 million in savings and \$500,000 in collections for the next grant cycle. The CATPA Board projects that grantees will request these funds in the next grant cycle.

The increase in spending authority will allow grantees the necessary funding for upcoming infrastructure costs and/or equipment needs. One of the top priorities of the Board is to support the build of a critical infrastructure technology database for the State of Colorado law enforcement for auto theft crimes. This database will glean specific auto theft data from Colorado Crime Information Center (CCIC) and local agency records management systems, and populate the information into one central depository for analysis. Then communication across jurisdictional boundaries can be achieved to enhance public safety through expedited arrests and reducing crime that travels across the state in a stolen vehicle. Distribution of the remaining funds will also fund incremental overtime and specialized equipment needed to conduct operations during high crime periods.

Projected Expenditures Assumption: These amounts are based on administrative budgets and funds granted for FY 2012-13 and projected for FY 2013-14. Additional funding requests are anticipated to include:

- 1) Overtime requests
- 2) Specialized equipment

3) Information Technology infrastructure enhancement and upgrades

Assumptions for Calculations:

FY 2012-13 Projected Expenditures:
 Projected Expenditures - \$5,333,420
 Less: Long Bill Spending Authority -5,213,420
 Projected Additional Requests - \$120,000

FY 2013-14 and Beyond Projected Expenditures:
 Projected Expenditures - \$6,213,420
 Less: Long Bill Spending Authority -5,213,420
 Projected Additional Requests - \$1,000,000

FY	Collections	Expenditures	Fund Balance
2009			\$2,357,305
2010	\$5,489,756	\$2,563,627	\$5,283,434
2011	\$5,012,800	\$4,276,933	\$6,019,300
2012	\$2,804,223	\$4,820,143	\$4,003,380
2013 Proj.	\$4,400,000	\$5,333,420	\$3,069,960

**SUPPLEMENTAL REQUEST, DEPARTMENT PRIORITY #5
CSP, ADDITIONAL SECURITY FOR RALPH L. CARR JUDICIAL
CENTER**

	Request	Recommendation
Total	<u>\$18,951</u>	<u>\$18,983</u>
Reappropriated Funds	18,951	18,983

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 data that was not available when the initial recommendation was made.	

Department Request: The Department requests \$18,951 reappropriated funds (Judicial Department) for FY 2012-13 to pay for an additional two months of security coverage for the opening of Ralph L. Carr Judicial Center.

Staff Recommendation: Staff recommends that the Committee approve the Department request. However, due to rounding, the JBC staff recommendation is slightly higher than the Department request at \$18,983 reappropriated funds. In addition, the Department requested that the entire amount be appropriated to the Colorado State Patrol, Executive and Capitol Complex Security Program. However, JBC staff recommends that the funding for Short-term Disability,

JBC Staff Supplemental Recommendations: FY 2012-13
Staff Working Document – Does Not Represent Committee Decision

Amortization Equalization Disbursement (AED), Supplemental Amortization Equalization Disbursement (SAED), and Health, Life and Dental be appropriated in the central lines in the Executive Director's Office.

Staff Analysis: Prior to FY 2012-13, both the Judicial Department and the Department of Law received appropriations to pay the Colorado State Patrol for security services in the buildings they occupied. The security for the Carr Center includes a total of 15.0 FTE (11.0 FTE security officers, 3.0 FTE troopers, and 1.0 FTE supervisor). This represents an increase of 10.0 FTE above the 5.0 FTE previously funded by the two agencies. This coverage provides for weapons screening at two public entrances during business hours (each of the magnetometers are staffed by two security guards and one trooper for ten hours daily), 24-hour roving coverage, and the staffing of an information/security desk.

For FY 2012-13, the Department of Law maintained its appropriation for security in its current building, and the Judicial Department's appropriation was increased to cover all of the additional costs of security in the Carr Center for FY 2012-13. The initial appropriation was based on the assumption that security would begin at the Carr Center January 1, 2013. The Carr Center actually opened December 17, 2012. The Department of Public Safety indicates that an additional \$18,951 is required, in addition to the \$559,693 that was included in the FY 2012-13 Long Bill, to cover the costs associated with the earlier than anticipated opening.

JBC Staff Calculation of Recommendation			
Salary	FTE	Months	Total
2,814	1.3	November	3,714
2,814	3.5	December	<u>9,849</u>
Total Salary			\$13,563
<hr/>			
Benefits		Rate	
PERA		10.15%	1,377
Medicare		1.45%	197
Short-term Disability		0.18%	24
AED + SAED		5.95%	807
Health, Life, and Dental			<u>1,289</u>
Total Benefits			\$3,694
<hr/>			
Total Salary and Benefits			\$17,257
<hr/>			
Indirect Cost @ 10.0 Percent			\$1,726
<hr/>			
Total JBC Staff Recommendation			\$18,983

**SUPPLEMENTAL REQUEST, DEPARTMENT PRIORITY #6
CSP, INCREASE SPENDING AUTHORITY FOR "SPECIAL EVENTS"
ROAD AND LANE CLOSURES**

	Request	Recommendation
Total	<u>\$548,262</u>	<u>\$548,262</u>
Cash Funds	548,262	548,262

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 data that was not available when the original appropriation was made.	

Department Request: The Department requests an additional \$548,262 Cash Fund spending authority in FY 2012-13 and beyond for the increased demand for “Special Event” road and lane closures within the Colorado State Patrol (CSP or Patrol). This request was also submitted as an FY 2013-14 funding request R-4.

Staff Recommendation: Staff recommends that the Committee approve the Department request.

Staff Analysis: The Patrol requests additional spending authority to ensure its ability to safely close roads and provide escort for Oversize/Overweight loads (OSOW) and for the USA Pro Cycling Challenge.

“Special Events” requiring road or lane closures are requested from a variety of state agencies and private entities. These entities request these closures on a routine basis with the understanding that they will compensate the Patrol for the overtime and vehicle costs related to the road or lane closures or escorts. Non-state entities pay for estimated hours at a flat rate based on the average overtime rate paid to the uniformed members eligible to work the overtime, plus a minimal administrative charge. State agencies pay the actual costs for the uniformed members working the event at a time-and-a-half rate. The number of hours and uniformed members needed for an event is negotiated between the troop commander and the event sponsor or requesting agency.

OSOW Escort

In April of 2011, the Patrol began escorting Oversize/Overweight loads with uniformed troopers in marked patrol cars. The Colorado Department of Transportation’s (CDOT) permitting department reviews all OSOW loads between 20,000 and 500,000 pounds to determine if a trooper escort is required based on safety criterion (load size, road width, shoulder width, etc.).

Section 42-4-510 (3), C.R.S., grants CDOT and the Patrol the authority to prescribe conditions to protect the safety of highway users and infrastructure, such as escorts by a uniformed trooper on OSOW loads. In both OSOW situations, the trucking company is responsible for compensating the Patrol for the escort.

USA Pro Cycling Challenge (USAPCC)

In FY 2011-12, the Patrol earned \$150,000 cash revenue for the escort and road closures related to the USA Pro Cycling Challenge. Due to the success of this race, it is now an annual Colorado summer event. The Patrol expects to receive \$150,000 annually for its support of the USAPCC through the 2015 race. At that time, a new agreement will be negotiated.

Calculation of Request

The Department states that the total revenue collected for both services was approximately \$465,000 Cash Funds in FY 2011-12.

The Patrol projects a 25.0 percent increase in OSOW in FY 2013-14 and into the future. This increase is based on expected growth in the use of uniformed trooper escorts prescribed by CDOT to ensure safety of highway users and infrastructure.

Description:	Amount:
FY 2011-12 OSOW Revenue	\$318,611
Projected 25% increase in OSOW Revenue	\$79,653
USA Pro Cycling Challenge	<u>\$150,000</u>
Total Requested	\$548,264

**SUPPLEMENTAL REQUEST, DEPARTMENT PRIORITY #7
CSP, MOFFAT COUNTY PUBLIC SAFETY CENTER OPERATING
AGREEMENT**

	Request	Recommendation
Total	<u>\$63,525</u>	<u>\$0</u>
Cash Funds	63,525	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.]	NO
JBC staff and the Department disagree that this request is the result of data that was not available when the original appropriation was made. Staff believes that the Department had knowledge of the increased costs on November 1, 2011, or earlier.	

Department Request: The Department requests an increase of \$63,525 HUTF “Off the Top” in FY 2012-13 and beyond to fund an increase in operating expenses related to the “Second

Amendment to Operating Agreement Moffat County Public Safety Center.” This request was also submitted as an FY 2013-14 funding change request R-3.

Staff Recommendation: Staff recommends that the Committee not approve the Department's FY 2012-13 supplemental request. Staff believes that the supplemental portion of this change request does not meet supplemental criteria as the Department knew about the increase in operating costs on November 1, 2011, or earlier.

Staff Analysis: The Colorado State Patrol (Patrol) requests additional operating expenses appropriations to fund the increase in operating costs at the Craig Colorado troop office.

In the late 1990’s, the Colorado State Patrol partnered with the Moffat County Sheriff’s Office and the Craig Police Department to co-locate in the Moffat County Public Safety Center to be built in Craig. The Patrol owns the space occupied by the Craig troop office and the Craig communications center. Moffat County owns the remainder of the building. The original operating agreement exempted the Patrol from paying for certain utilities, capital renewal, maintenance and janitorial services until November 1, 2011 in exchange for the sharing of certain building construction costs. The original agreement was effective August 1, 2001. The Patrol did not receive additional operating appropriations at that time because they were not needed. The new agreement is ongoing and to be reviewed every two years for incremental changes to the rate based on actual operating expenditures. The current rate is comparable to what the Patrol pays to operate its other owned facilities and Colorado Department of Transportation (CDOT) owned facilities.

Assumptions for Calculations

Rate per Sq. Ft.	Sq. Footage	Amount
\$7.00	9,075	\$63,525

**SUPPLEMENTAL REQUEST, DEPARTMENT PRIORITY #8
EDO, SPENDING AUTHORITY FOR SCHOOL SAFETY RESOURCE
CENTER**

	Request	Recommendation
Total	\$100,000	\$100,000
Cash Funds	100,000	100,000

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 data that was not available when the original appropriation was made.	

Department Request: The Department requests \$100,000 Cash Funds spending authority to accept and expend private grants awarded to the School Safety Resource Center (SSRC) for the purposes of providing training, technical assistance and resources.

Staff Recommendation: Staff recommends that the Committee approve the Department request.

Staff Analysis: House Bill 10-1336 created the School Safety Resource Center Cash Fund and allowed the Department to solicit gifts, grants, and donations for the costs to operate the SSRC. The Department was also authorized to charge a fee on attendees to offset the costs of any training programs or conferences that the center provides. The fiscal note for the bill estimated that the Department would have \$44,000 in revenues per year from conferences and training programs (Typically 300 to 350 people attend the each of the two conferences put on by the SSRC annually). No appropriations were provided at the time for any gifts, grants, or donations as none were identified.

In July 2012, the SSRC applied for a grant from the Gill Foundation to continue to provide Bullying Prevention Institutes across the state. In September 2012, the SSRC was awarded a grant in the amount of \$53,000.

The Department also states that additional spending authority will allow the Department to organize additional one-day trainings at an average cost of \$8,000 per training. The Department did not provide any additional specifics on the one-day trainings. The Department pointed to the fiscal note for H.B. 10-1336 that stated:

"The bill increases cash fund expenditures from the DPS by \$44,000 beginning in FY 2010-11. Currently, the center offers two conferences a year at a cost of \$22,000 each. Because of funding cuts, the DPS pays for one of the conferences and the University of Colorado pays for the other through federal funding. By assessing a fee on attendees, the fiscal note assumes that the DPS will be able to pay for the conferences with cash funds. House Bill 10-1312, the FY 2009-10 supplemental budget bill for the DPS, reduced the center's General Fund appropriation by 20 percent. The fiscal note assumes that the money that was used to fund the conferences could be applied to activities that have recently been eliminated."

**SUPPLEMENTAL REQUEST, DEPARTMENT PRIORITY #9
CBI, CCIC SYSTEM CHANGES FOR DEPARTMENT OF REVENUE AND
H.B. 10-1284**

	Request	Recommendation
Total	<u>(\$46,800)</u>	<u>\$0</u>
Reappropriated Funds	(46,800)	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.]	NO
JBC staff does not believe that the Department needs a reduction in funding in FY 2012-13, the Department can simply revert the spending authority.	

Department Request: The Department requests a reduction of \$46,800 reappropriated funds (appropriations to the Department of Revenue (DOR) from the Medical Marijuana License Cash Fund created in Section 12-43.3-501 (1), C.R.S.) in FY 2012-13 and a restatement of the appropriation for one year in FY 2013-14

Staff Recommendation: Staff recommends that the Committee not approve the Department's request. Staff believes that the Department should continue to receive funding until the time it completes the interface between the Colorado Crime Information Center (CCIC) system and the DOR, for this reason, staff believes that the Department should receive funding in FY 2013-14. However, staff does not believe that a reduction in appropriations is necessary, the Department can simply revert the spending authority provided in FY 2012-13.

Staff Analysis: During the FY 2012-13 figure setting process the Department submitted Budget Amendment – 1 CCIC System Changes for H.B. 10-1284 (Regulation of Medical Marijuana). The Department requested an additional one-time \$93,600 reappropriated funds (\$46,800 from the Medical Marijuana Program Fund, Department of Public Health and \$46,800 from the Medical Marijuana License Fund, Department of Revenue) to complete the interface between the Departments of Public Health and Revenue. The JBC funded this Department request.

The Department received \$92,000 reappropriated funds through a FY 2010-11 supplemental appropriation to update the Colorado Crime Information Center (CCIC) system interface. However, the Department stated that the three months were not enough to complete the changes. In FY 2011-12, the funding was reduced to \$16,000 for system maintenance. The Department stated that if the funding is provided, the CCIC system changes would allow law enforcement agencies to verify state licensing requirements under the Colorado Medical Marijuana Code. The Department states that if funding is not provided, the Department of Health and the Department of Revenue will not be in compliance with the requirement of H.B. 10-1284.

With the January 2, 2013, supplemental request, the Department is requesting the extension of the funding into FY 2013-14 from Department of Revenue Medical Marijuana License Cash Fund.

In October 2012, the Department, the Department of Public Health and Environment (DPHE), and the CCIC’s vendor, completed the system interface requirements to perform patient registry queries. The vendor is anticipated to have the interface completed and deployed by March 2013.

Because of uncertain cash fund revenue forecasts, the development of the system interface requirements with DOR cannot be completed in FY 2012-13. Until the revenue forecast for the Medical Marijuana License Cash Fund is more certain, the CDPS believes work on the final interface with DOR will not begin until FY 2013-14. Therefore, the Department requests a transfer of spending authority in the amount of \$46,800 Reappropriated Funds from FY 2012-13 to FY 2013-14.

Staff does not believe that a negative supplemental is necessary to reflect the inability of the Department to spend its appropriation, the Department can simply revert any spending authority not used up by the end of FY 2012-13.

SUPPLEMENTAL REQUEST, DEPARTMENT PRIORITY #10
DFPC, WILDFIRE EMERGENCY RESPONSE FUND REIMBURSEMENT
FUNDING

	Request	Recommendation
Total	<u>\$608,200</u>	<u>\$608,200</u>
General Fund	608,200	608,200

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 data that was not available when the original appropriation was made.	

Department Request: The Department requests \$608,200 General Fund which to reimburse expenses incurred by the Wildfire Emergency Response Fund (WERF). In CY 2012, the fund is estimated to be short by \$608,200.

Staff Recommendation: Staff recommends that the Committee fund the Department request.

Staff Analysis: The Department states that due to the availability of forest fuel, the extremely low fuel moistures, and other factors, the 2012 wild land fire season was one of the worst on record. In CY 2012, sixteen fires qualified as a state or federal disaster. In an effort to keep

small fires from growing into large fires, aggressive initial attack utilizing single engine air tankers and/or helicopters, supplemented by hand crews was encouraged.

The Department states that in the “typical” year (over the past four years), WERF was utilized on an average of 22 fires per year for a total of \$132,867 in expenditures. In 2012, WERF was utilized on 52 fires for a total of \$920,871 in expenditures.

The WERF is created in Section 24-33.5-1226, C.R.S.:

(1) There is hereby created in the state treasury the wildfire emergency response fund, which shall be administered by the division. The division is authorized to seek and accept gifts, grants, reimbursements, or donations from private or public sources for the purposes of this section. The fund consists of all moneys that may be appropriated thereto by the general assembly and all private and public funds received through gifts, grants, reimbursements, or donations that are transmitted to the state treasurer and credited to the fund. All interest earned from the investment of moneys in the fund shall be credited to the fund. The moneys in the fund are hereby continuously appropriated for the purposes indicated in this section. Any moneys not expended at the end of the fiscal year shall remain in the fund and shall not be transferred to or revert to the general fund.

(2) The division shall use the moneys in the wildfire emergency response fund to provide funding or reimbursement for:

(a) The first aerial tanker flight or the first hour of a firefighting helicopter to a wildfire at the request of any county sheriff, municipal fire department, or fire protection district; and

(b) The employment of wildfire hand crews to fight a wildfire for the first two days of a wildfire at the request of any county sheriff, municipal fire department, or fire protection district, with a preference for the use of wildfire hand crews from the inmate disaster relief program created in section 17-24-124, C.R.S.

WERF Background

The Wildfire Emergency Response Fund (WERF) was created in the 2nd Extraordinary Session of the General Assembly in 2002 from the enactment of House Bill 02S-1025 to provide funding or reimbursement for the first aerial tanker flight to a wildfire at the request of any county sheriff, municipal fire department, or fire protection district. The General Assembly appropriated \$240,250 to WERF from the Disaster Emergency Fund.

The WERF statutes were modified in 2004 (House Bill 04-1151) and again in 2006 (Senate Bill 06-096). House Bill 04-1151 added the authority to seek and accept gifts, grants, reimbursements, or donations for the fund; added the authority to fund the first hour of a firefighting helicopter from WERF; and added the requirement to develop an initial aerial attack plan to address the availability of appropriate aerial firefighting resources for the initial aerial attack of a wildfire.

Senate Bill 06-096, added the employment of hand crews to fight a wildfire for the first two days of a wildfire at the request of any county sheriff, municipal fire department, or fire protection district to the list of authorized uses of WERF. The bill also created the requirement for a

wildfire preparedness plan to guide the use of WERF, the Wildfire Preparedness Fund, and the Disaster Emergency Fund, related to wildfires.

In 2008, Senate Bill 08-232 appropriated \$250,000 from the Wildfire Preparedness Fund to WERF. In 2009, House Bill 09-1199 authorized the Governor to make a one-time transfer of up to \$600,000 from the Disaster Emergency Fund to WERF. After making the transfer, the Governor was to notify the Revisor of Statutes and this provision was to be repealed.

Wildfire Partners Committee

In the spring of 2012, a group of stakeholders meeting as the “Wildfire Partners Committee” discussed enhancing the use of the WERF to augment initial attack in hopes of preventing wildfires from becoming state and federal disasters. The Committee believed that the fund balance in WERF, in addition to available funds in the Disaster Emergency Fund, would pay for this enhanced use.

The "Wildfire Partners Committee" is an ad hoc committee created in 2010 by the Executive Director of the Department of Local Affairs (DOLA), at the request of the Director of the Division of Emergency Management (CDEM), to bring together stakeholders in wildland fire, to make recommendations to the responsible state agencies and the Governor's Office. The Committee had representation from DOLA, CDEM, Department of Natural Resources (DNR), Colorado State Forest Service, Division of Homeland Security, Division of Fire Safety, Colorado Counties, Inc., Colorado State Fire Chiefs, County Sheriffs of Colorado and Governor Hickenlooper's Office. The Committee had no authority under statute or an Executive Order.

As the 2012 fire season progressed at record pace, the State acted to enhance initial attack in order to help prevent small fires from growing into large fires. On July 18, 2012, the State implemented enhanced use of the Wildfire Emergency Response Fund by doubling the amount for the resources listed in §24-33.5-1226 (2a and 2b), C.R.S.

Funding Source for Request

The Department states that when responsibility for wildland fire management and WERF transferred from the Colorado State Forest Service (CSFS) to the Division of Fire Prevention and Control (DFPC) effective July 1, 2012, it was unclear how much funding was available in WERF and what the current liabilities were. However, it was anticipated that the extraordinary WERF expenditures would be reimbursed by a transfer from the Disaster Emergency Fund by Executive Order.

When JBC staff asked the Department why the Governor did not just authorize a transfer from the Disaster Emergency Fund (DEM) to replenish the WERF, the Department responded that they do not believe that the DEM can be used for this purpose because "*The Department believes that the Governor may only make moneys available from the Disaster Emergency Fund when he finds that local governments' funds are insufficient to pay for a "particular disaster." He is not given authority to expend from the fund for any other reason.*" The Department went on to quote Section 24-33.5-706 (4), C.R.S.:

(4) It is the legislative intent that first recourse be to funds regularly appropriated to state and local agencies. If the governor finds that the demands placed upon these funds

*JBC Staff Supplemental Recommendations: FY 2012-13
Staff Working Document – Does Not Represent Committee Decision*

in coping with a particular disaster are unreasonably great, the governor may, with the concurrence of the council, make funds available from the disaster emergency fund. If moneys available from the fund are insufficient, the governor, with the concurrence of the council, may transfer and expend moneys appropriated for other purposes.

Section 24-33.5-706 (2) (b) (I), C.R.S., allows the Governor to make a one-time transfer from the DEM to the WERF. The Department states that the transfer occurred in July 2009, but that apparently the Revisor of statutes was never notified in writing about the transfer.

Staff believes that a General Fund appropriation can be made to the WERF, however, staff has concerns about the long-term funding of the WERF. Staff recommends that the Committee consider how they wish to fund the WERF in FY 2013-14 and future years, is the intent of the Committee that the fund be replenished on an ad-hoc basis, through annual appropriations in the budget bill, or some other way?

Calculation of Request

The Department states that in the “typical” year (over the past four years), WERF was utilized on an average of 22 fires per year as follows:

2008 – \$185,210 (33 fires)
2009 – \$129,319 (21 fires)
2010 – \$ 99,473 (16 fires)
2011 – \$117,464 (17 fires)

Over the past four years, the average cost per fire that WERF was requested on was \$6,109. As of November 9, 2012, WERF was utilized on a total of 52 fires and enhanced WERF was utilized on 19 of these fires. As of November 9, 2012, this resulted in a total estimated cost of \$920,871 to the Wildfire Emergency Response Fund. Of this amount, \$267,100 was for “enhanced WERF”. In 2012, the average cost per fire that WERF was requested on was \$17,709.

The table below shows the Department estimated fund balance of the WERF over time.

WERF Fund Balances Over Time		
	Fund Balance	Burn Rate
July 31, 2009	\$647,831	
July 31, 2010	\$567,055	\$80,776
July 31, 2011	\$453,769	\$113,286
July 31, 2012	\$266,867	\$186,902
November 1, 2012	\$110,617	\$156,250

The Department states that it has a total of \$920,871 cost to WERF and that the Department is requesting \$608,200 in General Fund in order to be able to pay all obligations for FY 2012-13. The department did not provide a clear calculation that gets to this number, however, the

department provided a spreadsheet that shows \$647,200 of outstanding WERF requests. The spreadsheet on the following page shows an itemized list of outstanding requests.

2012 WILDFIRE EMERGENCY FIRE FUND (WERF) EXPENDITURES

Request Date	Fire Name	County	Resources Ordered	Estimated or Actual Amount	
				Crews	Aviation
Requests that have been Paid					
	Indian Gulch	Jefferson	aviation	\$ -	\$ 1,800
	Centennial Cone	Jefferson	crew	\$ 14,148	\$ -
	Lower North Fork	Jefferson	crew	\$ 4,500	\$ -
	Montezuma	Summit	crew	\$ 4,500	\$ -
	Cottonwood Creek	Rio Blanco	crew	\$ 4,500	\$ -
	Fox	Jackson	crew	\$ 9,000	\$ -
	Mile Marker 125	Gunnison	crew	\$ 9,000	\$ -
	Centennial Cone	Jefferson	crew	\$ -	\$ -
	Davis Ranch	Larimer	aviation	\$ -	\$ 1,876
	Indian Valley	Rio Blanco	crew	\$ 17,650	\$ -
	Hewlett	Larimer	crew	\$ 9,000	\$ -
	Nepesta	Pueblo	crew	\$ 4,500	\$ -
	Sunrise Mine	Mesa	crew	\$ 9,000	\$ -
	Coyote Basin	Moffat	crew	\$ 9,000	\$ -
	X Rock	La Plata	crew	\$ 9,000	\$ -
	Ute Trail	Delta	crew	\$ 4,500	\$ -
	Camman	Larimer	crew	\$ 6,750	\$ -
	Cabin Creek	Gunnison	crew	\$ 18,000	\$ -
	Wolf	Moffat	crew	\$ 9,000	\$ -
	Puddin Ridge	Garfield	crew	\$ 9,000	\$ -
	Puddin Ridge	Garfield	crew	\$ 9,000	\$ -
	Ebby Creek	Eagle	crew	\$ 9,000	\$ -
	Divide	Moffat	crew	\$ 33,447	\$ -
	Frisco Canyon	Las Animas	2 hours helicopter time + Juniper Valley	\$ 18,000	\$ -
	Burns	Archuleta	2 SEAT drops + Juniper Valley	\$ 22,500	\$ -
	Cross Canyon	Dolores	2 SEAT drops + Juniper Valley	\$ 18,000	\$ -
	Waddle	Moffat	Juniper Valley	\$ 9,000	\$ -
TOTAL PAID				\$ 269,995	\$ 3,676

Outstanding Requests (Estimated)

02/10/12	Salt	Bent	unknown resource(s)	\$ 4,500	\$ 1,000
03/26/12	Sawmill Gulch	Jefferson	Type II helicopter for 1 hour	\$ -	\$ 2,000
04/09/12	Cottonwood Creek	Rio Blanco	Juniper Valley crew	\$ 9,000	\$ -
04/09/12	Rancho Rosodo	Rio Grande	1 hand crew for 2 periods	\$ 9,000	\$ -
04/10/12	Middle Creek	Routt	Uniweep crew	\$ 10,500	\$ -
05/16/12	Brushy Mountain	Mesa	Craig IHC for 2 shifts + 1 hour Type 3 helicopter	\$ 21,000	\$ 2,000
05/29/12	Little Bear	LaPlata	Type 3 helicopter	\$ -	\$ 1,000
06/11/12	X Rock	LaPlata	Juniper Valley crew + type 1 helicopter	paid	\$ 8,200
06/23/12	Woodland Heights	Larimer	Heavy airtanker + type 2 contract crew	\$ 17,200	\$ 6,900
06/25/12	Camman	Larimer	Juniper Valley crew + Type 1 helicopter	paid	\$ 8,200
06/27/12	County Road 102	Elbert	SEAT drop	\$ -	\$ 5,000
06/27/12	Halligan	Larimer	Heavy airtanker flight time only	\$ -	\$ 14,000
06/27/12	High Park	Larimer	Roosevelt IHC for 2 shifts	\$ 10,500	\$ -
06/29/12	Ebby Creek	Eagle	Aerial tanker + hand crew for 2 operational periods	\$ 21,000	\$ 14,000
07/02/12	Pine Ridge	Mesa	Air tanker + Type 2 crew	\$ 21,000	\$ 14,000
07/10/12	Cedar Knob	Moffat	SEAT drop	\$ -	\$ 5,000
07/10/12	Cold	Moffat	Helicopter + Green River Type II crew	\$ 10,500	\$ 1,000
07/23/12	Brush Creek	Garfield	2 Type 1 crews for 2 days each	\$ 42,000	\$ -
07/27/12	Jesse	Moffat	2 hours helicopter time + 2 20-person IHC crews	\$ 42,000	\$ 2,000
07/27/12	Mud Springs	Moffat	2 IHC crews for 2 shifts	\$ 42,000	\$ -
07/27/12	AGEE	Moffat	1 IHC crew for 1 shift	\$ 10,500	\$ -
08/03/12	Cabin Creek	Gunnison	Juniper Valley crew 2-3 shifts	paid	\$ -
08/04/12	Wolf	Moffat	2 days IHC	\$ 21,000	\$ -
08/04/12	Divide	Moffat	2 crews 2 shifts	\$ 42,000	\$ 5,000
08/04/12	KJ	LaPlata	SEAT + Type 1 crew + helicopter	\$ 10,500	\$ 8,200
08/13/12	Perrins Peak	LaPlata	2 SEAT drops	\$ -	\$ 10,000
08/13/12	Bill Weller	Moffat	2 SEAT drops + 2 crews for 2 shifts each	\$ 21,000	\$ 10,000
08/13/12	Wapiti	Moffat	2 SEAT drops + 1 crew for 2 or 3 days	\$ 31,500	\$ 10,000
08/13/12	Kearns East	Archuleta	2 SEAT drops + 1 crew for 2-4 shifts	\$ 18,000	\$ 10,000

2012 WILDFIRE EMERGENCY FIRE FUND (WERF) EXPENDITURES

08/14/12	Pudding	Garfield	2 SWIFT crews for 2 shifts each + 2 Heavy Air Tanker drops	paid	\$	28,000
08/29/12	Frisco Canyon	Las Animas	2 hours helicopter time + Juniper Valley	paid	\$	2,000
08/20/12	Burns	Archuleta	2 SEAT drops + Juniper Valley	paid	\$	10,000
09/04/12	Cross Canyon	Dolores	2 SEAT drops + Juniper Valley	paid	\$	10,000
10/11/12	Hwy 13	Garfield	2 hrs helicopter time and 2 JV crews 1 day each		\$	9,000
10/19/12	Little East	LaPlata	2 crews 2 shifts and 2 hrs helicopter time		\$	21,000
10/24/12	Simon Draw	Montezuma	unknown resource(s)		\$	9,000
	Waddle	Moffat	Juniper Valley crew	paid	\$	-
ESTIMATED TOTAL OUTSTANDING					\$	453,700
					\$	193,500

Notes:

1. Used standard cost estimates from 2012 Rocky Mountain Incident Cost Estimator spreadsheet
2. Enhanced WERF approved effective July 18, 2012

**SUPPLEMENTAL REQUEST, DEPARTMENT PRIORITY #11
CBI, FUNDING FOR INSTACHECK**

	Request	Recommendation
Total	<u>\$455,784</u>	<u>\$455,784</u>
General Fund	455,784	455,784

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 data that was not available when the original appropriation was made.	

Department Request: The Department requests \$455,784 General Fund in FY 2012-13 to reduce the backlog of firearm transfers and to process the estimated higher number of daily requests being submitted to the Colorado Bureau of Investigation (CBI) InstaCheck Unit (Unit). This increase is requested to pay for 24.0 additional temporary employees to work from January through May 2013 and to increase hours of operation from 12 hours/day to 17 hours/day to coincide with National Instant Criminal Background Check System (NICS) availability from 8:00 am to 1:00 am. Section 24-33.5-424 (7)(b)(IV)(A), C.R.S., states that the Bureau shall be open for business at least twelve hours per day every calendar day, except Christmas day and Thanksgiving day.

The Department states that firearms transfer requests from federally licensed firearms dealers have increased significantly because of recent national events in Aurora, Colorado, Portland, Oregon, and Newtown, Connecticut, as well as federal and state proposals for gun control. The Department states that the Unit is receiving approximately 1,500 firearm transfer requests per day and that the Unit currently has the ability to process approximately 1,000 requests per day. The Department also states that in December 2012, the Unit received 58,218 firearm transfers. As of December 31, 2012, there were 12,593 firearm transfers in backlog.

Staff Recommendation: Staff recommends that the Committee approve the Department request.

Staff Analysis: Section 24-33.5-424, C.R.S., regulates the CBI's National Instant Criminal Background Check System (NICS). The statute designates the CBI as the State Point of Contact for the purpose of performing background checks for firearms purchased from federally licensed firearms dealers.

*JBC Staff Supplemental Recommendations: FY 2012-13
Staff Working Document – Does Not Represent Committee Decision*

InstaCheck Performance Measure

The Department's Strategic Plan submitted on November 1, 2012 (the updated 2013 operational plan has not yet been submitted as of the writing of this document) includes a performance measure for the CBI's InstaCheck Unit. The performance measure is described below:

Objective: Minimize the average wait time before an InstaCheck Technician answers a call for service.

Performance Measure	Outcome	FY 2010-11 Actual	FY 2011-12 Actual	FY 2012-13 Approp.	FY 2013-14 Request	FY 2014-15 Estimate
Maintain a monthly average wait time of 15 minutes or less.	Benchmark	20 min	15 min	15 min	15 min	15 min
	Actual	27 min	15 min	Average queue time is currently between 6 to 8 days		

The process to complete a firearm transfer is divided in two parts: (1) queue time; and (2) processing time. Queue time is the amount of time the transfer check "waits" to be processed by a technician. Processing time is the actual time it takes a technician to review the transfer application for compliance with federal and state statutes, and search several databases, which include the Department of Motor Vehicles, State Judicial, NICS, Colorado Crime Information Center (CCIC), National Crime Information Center, Interstate Identification Index, and Immigration. The Department states that processing time averages are between 3 to 4 minutes. However, due to the events described above, current queue times are between 6 to 8 days.

In its strategic plan submission from November 1, 2012, the Department states that the InstaCheck Unit continues to explore a multitude of various strategies to reduce waiting time in the queue. The Unit trains new hires in a 30 day academy before the employee is eligible to conduct background checks. The Department states that improvements in new hire training, coupled with numerous internal changes to background check procedures, have drastically reduced queue times.

Calculation of Funding Need-Department

The Department used the table below to calculate the need for 24.0 additional temporary employees.

Department Assumptions for Additional Temporary FTE Need	
Average Checks Completed per Technician per Month	970
Average Background Checks January - June 2013	45,000
Average Number of Technicians Needed per Month	46.0
Current Number of FTE (Full-time and Temporary)	22.0
Additional Temporary FTE Need	24.0

The Department states that the new positions it requests to hire are equivalent to the Technician II job classification currently used for InstaCheck. The Department states that it currently pays an average of \$3,204/month base salary for temporary employees classified at the Technician II work classification [$(\$18.49 \times 40 \text{ hours} \times 52 \text{ weeks}) / 12 \text{ months} = \$3,204 \text{ per month}$]. The Department contracts with Express Personnel for temporary employees at \$18.49 per hour (temporary employees are actually paid \$14.50 per hour by the temporary agency). The table below shows the Department of Personnel (DPA) salary ranges for the Technician II classification.

Technician II Salary Range			
	Minimum	Mid	Maximum
Technician II	\$2,708	\$3,309	\$3,910

*DPA FY 2012-13 Compensation Plan By Class
(Effective January 1, 2013)

The table below shows the Department calculation for the request. The Department states that if it continues to attempt to eliminate backlog with existing resources, the Unit's FY 2012-13 General Fund appropriation would be exhausted by March 1, 2013.

The Department states that if the actual number of firearm transfers falls below the projections during the latter half of FY 2012-13 and the backlog of background checks is eliminated, then the Department assumes that it will release temporary workers, revert any unused supplemental funding, and manage the queue with existing full-time staff.

*JBC Staff Supplemental Recommendations: FY 2012-13
Staff Working Document – Does Not Represent Committee Decision*

Calculation of Department Request	
Appropriations (A)	Department Request
FY 2012-13 Personal Services Appropriation in HB 12-1335	\$1,086,212
POTS Consolidated (Schedule 8)	<u>154,483</u>
FY 2012-13 Appropriation	\$1,240,695
Expenditures (E) (Actual and Projected)	
Personal Services Actual Expenditures	\$728,962
Projected FTE Expenditures	498,723
Projected Expenses for Existing Temporary Workers	110,792
Projected Expenses for New Temporary Workers	346,134
Projected Expenses for Overtime	<u>11,868</u>
Total Projected Expenditures	\$1,696,479
Net General Fund Need (E-A)	\$455,784

Calculation of Funding Need-JBC Staff

The table below shows actual monthly InstaCheck statistics for calendar year 2012.

InstaChecks by Month, CY 2012	
January	21,792
February	26,988
March	28,541
April	22,753
May	21,384
June	21,100
July	22,546
August	27,601
September	25,939
October	28,002
November	38,781
December	<u>57,883</u>
Total	343,310

JBC Staff Supplemental Recommendations: FY 2012-13
Staff Working Document – Does Not Represent Committee Decision

The table below shows actual and projected weapons transfer background checks.

InstaCheck Comparative Statistics						
					1-Nov-12	10-Jan-13
	FY09	FY 10	FY11	FY12	FY13	FY13
	Actual	Actual	Actual	Actual	Projected	Projected
					Department	JBC Staff
Approvals	221,041	193,042	228,219	268,535	308,771	
Denials	<u>6,136</u>	<u>5,408</u>	<u>5,613</u>	<u>6,203</u>	<u>7,919</u>	
Total	227,177	198,450	233,832	274,738	316,690	470,752
Avg. Per/month	18,931	16,538	19,486	22,895	26,391	39,229
Percent Increase		-12.65%	17.83%	17.49%	15.27%	48.65%

*The table shows the number of checks performed, not the number of firearms sold.

JBC staff projects the FY 2012-13 total background checks based on the following assumptions:

July – October 2012:	26,022/month (Department provided figure)
November 2012:	38,781/month (Department provided figure)
December 2012:	57,883/month (Department provided figure)
January – June 2013:	<u>45,000/month (Department Estimate)</u>
Total	470,752

The Department states that with 22.0 current employees (10.0 full-time employees and up to 12 temporaries), it can process 1,000 background checks per day and that it projects 1,500 requests coming in every day January through June 2013 for an average of 45,000 checks per month. The Department states that it currently has 3.0 vacant FTE positions.

The table below is an attempt by JBC staff to portray the need for temporary employees that the Department has assuming that it can continue to handle 1,000 checks per day with existing employees. If temporary employees can handle 970 checks per month, then, on average, the Department will need an additional 17.5 temporary employees if their workload was split evenly between January – June 2013. The additional cost columns are calculated using the Department monthly salary assumption of \$3,204 per employee. The table below shows that using the specific assumptions below, an additional \$335,571 would be needed to address the extra workload going forward. The table below does not attempt to reconcile the additional funds that the Department has utilized attempting to deal with the backlog in November and December of 2012.

JBC Staff Supplemental Recommendations: FY 2012-13
Staff Working Document – Does Not Represent Committee Decision

JBC Staff Calculation of Additional Temporary Employees Needed to Reduce Backlog in InstaCheck Unit							
	Total Checks	Checks @ 1000/day	Outstanding Checks	Additional Temps.	Additional Cost	Additional Temps.	Additional Cost
Backlog on Dec. 31, 12	12,593		12,593				
January 2013 Checks	45,000	31,000	14,000	27	\$87,839		
February 2013 Checks	45,000	28,000	17,000	18	\$56,153		
March 2013 Checks	45,000	31,000	14,000	14	\$46,243	59	\$190,235
April 2013 Checks	45,000	30,000	15,000	15	\$49,546	15	\$49,546
May 2013 Checks	45,000	31,000	14,000	14	\$46,243	14	\$46,243
June 2013 Checks	<u>45,000</u>	<u>30,000</u>	<u>15,000</u>	15	<u>\$49,546</u>	15	<u>\$49,546</u>
	282,593	181,000	101,593		\$335,571		\$335,571

Another way to calculate the additional need is to assume that the Department will use temporary employees that can process an average of 56 background checks per 10 hour shift to process any additional background checks over the November 1, 2012 estimate. Using these alternate assumptions, the Department could need up to \$509,000 to process the additional workload.

Alternate Calculation	
January 2013 Projected	
InstaChecks	470,752
November 2012 Projected	
InstaChecks	<u>316,690</u>
Additional Checks	154,062
Additional Temporary	
Hours at 5.6 Checks/Hour	27,511
Cost at \$18.49 / hour	\$508,678

Statewide Common Policy Supplemental Requests

The request below is not prioritized.

Department's Portion of Statewide Supplemental Request	Total	General Fund	Cash Funds	Reapprop. Funds	Federal Funds	FTE
Liability Premiums Technical True-up	\$354,385	\$88,956	\$265,789	\$0	\$0	0.0
Department's Total Statewide Supplemental Requests	\$354,385	\$354,385	\$0	\$0	\$0	0.0

Staff Recommendation: This amount represents the Department's share of the Liability Premiums Technical True-up interim 1331 supplemental that was approved by the Committee on Friday, Jan. 4, 2013. The Department requested its share of funding through General Fund dollars exclusively. **Staff recommends that this adjustment be included in the Department's supplemental bill, however,** based on FY 2012 incurred liability calculations provided by the Department of Personnel (DPA), **staff does not believe that the entire adjustment should be from the General Fund.** The table below shows that the liability burden for FY 2012 was carried evenly by the Colorado State Patrol and the Division of Fire Safety. Staff believes that the additional funding for the 1331 should be paid by HUTF "Off-the-Top" for the State Patrol Portion, and a General Fund and Cash Funds split for the Fire Safety.

Incurred Liability, Department of Public Safety				
	FY 2011	%	FY 2012	%
Colorado State Patrol	1,911,301	99.3%	694,178	49.7%
Colorado Bureau of Investigation	5,599		1,502	
Fire prevention and Control	0		702,091	50.2%
Public Safety Inactive Divisions	<u>8,293</u>		<u>0</u>	
Total Liability	1,925,193		1,397,771	

For the reasons stated above, staff recommends a funding of \$354,385 total funds (including \$88,596 General Fund, \$177,193 HUTF "Off-the-Top", and \$88,596 various cash funds).

JBC Staff Supplemental Recommendations - FY 2012-13
Staff Working Document - Does Not Represent Committee Decision

Appendix A: Number Pages

	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
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DEPARTMENT OF PUBLIC SAFETY

S-1 DHSEM, Backfill and Clean-up for General Fund Shortages

EXECUTIVE DIRECTOR'S OFFICE

Administration

Vehicle Lease Payments	<u>52,030</u>	<u>92,597</u>	<u>2,700</u>	<u>2,700</u>	<u>95,297</u>
General Fund	29,136	22,698	2,700	2,700	25,398
Cash Funds	19,464	29,437	0	0	29,437
Reappropriated Funds	3,430	27,941	0	0	27,941
Federal Funds	0	12,521	0	0	12,521
Communication Services Payments	<u>651,868</u>	<u>661,902</u>	<u>7,032</u>	<u>7,032</u>	<u>668,934</u>
General Fund	0	0	7,032	7,032	7,032
Cash Funds	592,436	593,137	0	0	593,137
Reappropriated Funds	59,432	59,022	0	0	59,022
Federal Funds	0	9,743	0	0	9,743

DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Office of Emergency Management

Program Administration	<u>0</u>	<u>2,644,298</u>	<u>374,262</u>	<u>373,494</u>	<u>3,017,792</u>
FTE	0.0	28.9	0.0	0.0	28.9
General Fund	0	622,565	374,262	373,494	996,059
Reappropriated Funds	0	65,841	0	0	65,841
Federal Funds	0	1,955,892	0	0	1,955,892

DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

***JBC Staff Supplemental Recommendations - FY 2012-13
Staff Working Document - Does Not Represent Committee Decision***

	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
Office of Preparedness					
Program Administration	<u>0</u>	<u>728,669</u>	<u>96,131</u>	<u>96,131</u>	<u>824,800</u>
FTE	0.0	8.0	0.0	0.0	8.0
General Fund	0	128,669	96,131	96,131	224,800
Federal Funds	0	600,000	0	0	600,000
Total for S-1 DHSEM, Backfill and Clean-up for					
General Fund Shortages	703,898	4,127,466	480,125	479,357	4,606,823
<i>FTE</i>	<u>0</u>	<u>36.9</u>	<u>0</u>	<u>0</u>	<u>36.9</u>
General Fund	29,136	773,932	480,125	479,357	1,253,289
Cash Funds	611,900	622,574	0	0	622,574
Reappropriated Funds	62,862	152,804	0	0	152,804
Federal Funds	0	2,578,156	0	0	2,578,156

JBC Staff Supplemental Recommendations - FY 2012-13
Staff Working Document - Does Not Represent Committee Decision

	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
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S-2 EDO, Request for Additional Legal Services Spending Authority

EXECUTIVE DIRECTOR'S OFFICE

Administration

Legal Services	<u>160,725</u>	<u>173,401</u>	<u>188,645</u>	<u>182,349</u>	<u>355,750</u>
General Fund	0	0	188,645	12,647	12,647
Cash Funds	750	0	0	169,702	169,702
Reappropriated Funds	159,975	173,401	0	0	173,401

Total for S-2 EDO, Request for Additional Legal Services Spending Authority	160,725	173,401	188,645	182,349	355,750
<i>FTE</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	188,645	12,647	12,647
Cash Funds	750	0	0	169,702	169,702
Reappropriated Funds	159,975	173,401	0	0	173,401

JBC Staff Supplemental Recommendations - FY 2012-13
Staff Working Document - Does Not Represent Committee Decision

	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
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S-3 CSP, Colorado Automobile Theft Prevention Authority (CATPA) Spending Authority Increase

COLORADO STATE PATROL

Automobile Theft Prevention Authority	<u>4,792,430</u>	<u>5,213,420</u>	<u>120,000</u>	<u>120,000</u>	<u>5,333,420</u>
FTE	2.8	3.0	0.0	0.0	3.0
Cash Funds	4,792,430	5,213,420	120,000	120,000	5,333,420

Total for S-3 CSP, Colorado Automobile Theft Prevention Authority (CATPA) Spending Authority Increase	4,792,430	5,213,420	120,000	120,000	5,333,420
<i>FTE</i>	<u>2.8</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>3</u>
Cash Funds	4,792,430	5,213,420	120,000	120,000	5,333,420

JBC Staff Supplemental Recommendations - FY 2012-13
Staff Working Document - Does Not Represent Committee Decision

	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
S-5 CSP, Additional Security for Ralph L Carr Judicial Center					
EXECUTIVE DIRECTOR'S OFFICE					
Administration					
Health, Life, and Dental	8,171,169	10,850,659	0	1,289	10,851,948
General Fund	1,554,945	1,663,987	0	0	1,663,987
Cash Funds	6,175,492	7,940,566	0	0	7,940,566
Reappropriated Funds	440,732	680,105	0	1,289	681,394
Federal Funds	0	566,001	0	0	566,001
Short-term Disability	141,585	163,207	0	24	163,231
General Fund	28,071	29,120	0	0	29,120
Cash Funds	104,813	114,129	0	0	114,129
Reappropriated Funds	8,701	12,314	0	24	12,338
Federal Funds	0	7,644	0	0	7,644
S.B. 04-257 Amortization Equalization Disbursement	2,240,101	2,959,206	0	434	2,959,640
General Fund	438,768	520,968	0	0	520,968
Cash Funds	1,658,057	2,064,578	0	0	2,064,578
Reappropriated Funds	143,276	223,591	0	434	224,025
Federal Funds	0	150,069	0	0	150,069
S.B. 06-235 Supplemental Amortization Equalization Disbursement	1,799,322	2,544,567	0	373	2,544,940
General Fund	350,221	446,480	0	0	446,480
Cash Funds	1,332,801	1,778,442	0	0	1,778,442
Reappropriated Funds	116,300	188,201	0	373	188,574
Federal Funds	0	131,444	0	0	131,444

JBC Staff Supplemental Recommendations - FY 2012-13
Staff Working Document - Does Not Represent Committee Decision

	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
COLORADO STATE PATROL					
Executive and Capitol Complex Security Program	<u>3,505,928</u>	<u>3,927,750</u>	<u>18,951</u>	<u>16,863</u>	<u>3,944,613</u>
FTE	49.5	61.0	0.0	0.0	61.0
General Fund	2,384,701	2,697,904	0	0	2,697,904
Reappropriated Funds	1,121,227	1,229,846	18,951	16,863	1,246,709
Total for S-5 CSP, Additional Security for Ralph					
L Carr Judicial Center	15,858,105	20,445,389	18,951	18,983	20,464,372
FTE	<u>49.5</u>	<u>61</u>	<u>0</u>	<u>0</u>	<u>61</u>
General Fund	4,756,706	5,358,459	0	0	5,358,459
Cash Funds	9,271,163	11,897,715	0	0	11,897,715
Reappropriated Funds	1,830,236	2,334,057	18,951	18,983	2,353,040
Federal Funds	0	855,158	0	0	855,158

JBC Staff Supplemental Recommendations - FY 2012-13
Staff Working Document - Does Not Represent Committee Decision

	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
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S-6 CSP, Increase Spending Authority for "Special Events" Road and Lane Closures

COLORADO STATE PATROL

Safety and Law Enforcement Support	<u>2,805,668</u>	<u>2,925,417</u>	<u>548,262</u>	<u>548,262</u>	<u>3,473,679</u>
FTE	2.9	4.0	0.0	0.0	4.0
Cash Funds	463,540	464,250	548,262	548,262	1,012,512
Reappropriated Funds	2,342,128	2,461,167	0	0	2,461,167

Total for S-6 CSP, Increase Spending Authority for "Special Events" Road and Lane Closures	2,805,668	2,925,417	548,262	548,262	3,473,679
FTE	<u>2.9</u>	<u>4</u>	<u>0</u>	<u>0</u>	<u>4</u>
Cash Funds	463,540	464,250	548,262	548,262	1,012,512
Reappropriated Funds	2,342,128	2,461,167	0	0	2,461,167

JBC Staff Supplemental Recommendations - FY 2012-13
Staff Working Document - Does Not Represent Committee Decision

	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
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S-7 CSP, Moffat County Public Safety Center Operating Agreement

COLORADO STATE PATROL

Operating Expenses	10,929,561	12,874,642	63,525	0	12,874,642
General Fund	439,401	462,528	0	0	462,528
Cash Funds	10,293,849	12,158,213	63,525	0	12,158,213
Reappropriated Funds	196,311	253,901	0	0	253,901

Total for S-7 CSP, Moffat County Public Safety Center Operating Agreement	10,929,561	12,874,642	63,525	0	12,874,642
<i>FTE</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	439,401	462,528	0	0	462,528
Cash Funds	10,293,849	12,158,213	63,525	0	12,158,213
Reappropriated Funds	196,311	253,901	0	0	253,901

JBC Staff Supplemental Recommendations - FY 2012-13
Staff Working Document - Does Not Represent Committee Decision

	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
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S-8 EDO, Spending Authority for School Safety Resource Center

EXECUTIVE DIRECTOR'S OFFICE

Special Programs

(3) School Safety Resource Center

Program Costs	<u>341,410</u>	<u>394,169</u>	<u>100,000</u>	<u>100,000</u>	<u>494,169</u>
FTE	2.6	4.0	0.0	0.0	4.0
General Fund	341,410	350,169	0	0	350,169
Cash Funds	0	44,000	100,000	100,000	144,000

Total for S-8 EDO, Spending Authority for School Safety Resource Center	341,410	394,169	100,000	100,000	494,169
<i>FTE</i>	<u>2.6</u>	<u>4</u>	<u>0</u>	<u>0</u>	<u>4</u>
General Fund	341,410	350,169	0	0	350,169
Cash Funds	0	44,000	100,000	100,000	144,000

JBC Staff Supplemental Recommendations - FY 2012-13
Staff Working Document - Does Not Represent Committee Decision

	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
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S-9 CBI, CCIC System Changes for Department of Revenue and H.B. 10-1284

COLORADO BUREAU OF INVESTIGATION

Colorado Crime Information Center

(3) Information Technology

Information Technology	1,216,569	1,709,060	(46,800)	0	1,709,060
General Fund	591,163	840,873	0	0	840,873
Cash Funds	625,406	758,587	0	0	758,587
Reappropriated Funds	0	109,600	(46,800)	0	109,600

Total for S-9 CBI, CCIC System Changes for Department of Revenue and H.B. 10-1284	1,216,569	1,709,060	(46,800)	0	1,709,060
<i>FTE</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	591,163	840,873	0	0	840,873
Cash Funds	625,406	758,587	0	0	758,587
Reappropriated Funds	0	109,600	(46,800)	0	109,600

JBC Staff Supplemental Recommendations - FY 2012-13
Staff Working Document - Does Not Represent Committee Decision

	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
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S-10 DFPC, Wildfire Emergency Response Fund Reimbursement Funding

(3) DIVISION OF FIRE PREVENTION AND CONTROL

Wildland Fire Preparedness Services	<u>0</u>	<u>5,849,000</u>	<u>608,200</u>	<u>608,200</u>	<u>6,457,200</u>
FTE	0.0	35.4	0.0	0.0	35.4
General Fund	0	267,000	608,200	608,200	875,200
Cash Funds	0	5,350,000	0	0	5,350,000
Federal Funds	0	232,000	0	0	232,000

Total for S-10 DFPC, Wildfire Emergency Response Fund Reimbursement Funding	0	5,849,000	608,200	608,200	6,457,200
<i>FTE</i>	<u>0</u>	<u>35.4</u>	<u>0</u>	<u>0</u>	<u>35.4</u>
General Fund	0	267,000	608,200	608,200	875,200
Cash Funds	0	5,350,000	0	0	5,350,000
Federal Funds	0	232,000	0	0	232,000

JBC Staff Supplemental Recommendations - FY 2012-13
Staff Working Document - Does Not Represent Committee Decision

	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
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S-11 CBI, Funding for InstaCheck

COLORADO BUREAU OF INVESTIGATION

State Point of Contact - National Instant Criminal Background Check Program

Personal Services	<u>1,196,342</u>	<u>1,312,023</u>	<u>455,784</u>	<u>455,784</u>	<u>1,767,807</u>
FTE	20.4	26.4	0.0	0.0	26.4
General Fund	1,067,459	1,086,212	455,784	455,784	1,541,996
Cash Funds	128,883	225,811	0	0	225,811

Total for S-11 CBI, Funding for InstaCheck	1,196,342	1,312,023	455,784	455,784	1,767,807
<i>FTE</i>	<u>20.4</u>	<u>26.4</u>	<u>0</u>	<u>0</u>	<u>26.4</u>
General Fund	1,067,459	1,086,212	455,784	455,784	1,541,996
Cash Funds	128,883	225,811	0	0	225,811

Totals Excluding Pending Items					
PUBLIC SAFETY					
TOTALS for ALL Departmental line items	268,079,092	320,196,864	2,536,692	2,512,935	322,709,799
<i>FTE</i>	<u>1,329.1</u>	<u>1,558.3</u>	<u>0</u>	<u>0</u>	<u>1,558.3</u>
General Fund	80,192,975	84,624,139	1,732,754	1,555,988	86,180,127
Cash Funds	121,131,202	155,103,072	831,787	937,964	156,041,036
Reappropriated Funds	20,486,501	27,113,894	(27,849)	18,983	27,132,877
Federal Funds	46,268,414	53,355,759	0	0	53,355,759