COLORADO GENERAL ASSEMBLY JOINT BUDGET COMMITTEE



FY 2007-08 SUPPLEMENTAL: DEPARTMENT OF PUBLIC SAFETY (EXCEPT DIVISION OF CRIMINAL JUSTICE)

PRIORITIZED AND NON-PRIORITIZED REQUESTS

JBC Working Document - Subject to Change

Staff Recommendation Does Not Represent Committee Decision

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	FY 2006-07 FY 2007-08 Fiscal Year 2007-				007-08 Supplemental	
	Actual	Appropriation	Requested	Recommended	New Total with	
	Actual	Appropriation	Change	Change	Recommendation	
DEPARTMENT OF PUBLIC SAFETY						
Executive Director - Peter Weir						
Supplemental #1 - CSP, Capitol Complex Safet	y Improvemen	ts				
(1) Executive Director's Office						
(A) Administration						
Amortization Equalization Disbursement	497,998	918,026	<u>3,752</u>	<u>3,752</u>	<u>921,778</u>	
General Fund	109,531	198,657	3,752	3,752	202,409	
Cash Funds	25,047	53,967	0	0	53,967	
HUTF	340,250	588,877	0	0	588,877	
Cash Funds Exempt	23,170	44,144	0	0	44,144	
Federal Funds	0	32,381	0	0	32,381	
(1) Executive Director's Office						
(A) Administration						
Supplemental Amortization Equalization						
Disbursement	<u>0</u>	<u>185,187</u>	<u>1,563</u>	<u>1,563</u>	<u>186,750</u>	
General Fund	0	35,318	1,563	1,563	36,881	
Cash Funds	0	11,243	0	0	11,243	
HUTF	0	122,682	0	0	122,682	
Cash Funds Exempt	0	9,199	0	0	9,199	
Federal Funds	0	6,745	0	0	6,745	

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	FY 2006-07	FY 2007-08	Fiscal Year 2007-08 Supplemental			
	Actual	- Appropriation	Requested	Recommended	New Total with	
	Actual	Appropriation	Change	Change	Recommendation	
(2) Colorado State Patrol						
Vehicle Lease Payments	3,816,467	4,751,160	0	0	<u>4,751,160</u>	
General Fund	0	68,616	0	0	68,616	
Cash Funds	97,320	111,615	0	0	111,615	
HUTF	3,658,414	4,442,944	0	0	4,442,944	
Cash Funds Exempt	60,733	86,692	0	0	86,692	
Federal Funds	0	41,293	0	0	41,293	
State Patrol Training Academy	2,065,389	2,249,360	38,472	38,472	2,287,832	
FTE	17.0	<u>17.0</u>	0.0	0.0	17.0	
General Fund	0	0	38,472	38,472	38,472	
FTE	0.0	0.0	0.0	0.0	0.0	
Cash Funds	104,065	78,575	0	0	78,575	
FTE	1.0	1.0	0.0	0.0	1.0	
HUTF	1,636,977	1,680,470	0	0	1,680,470	
FTE	16.0	16.0	0.0	0.0	16.0	
Cash Funds Exempt	324,347	490,315	0	0	490,315	
FTE	0.0	0.0	0.0	0.0	0.0	
Executive and Capitol Complex Security	2,278,874	2,366,763	490,506	578,048	2,944,811	
FTE	<u>35.0</u>	<u>39.0</u>	<u>7.0</u>	<u>7.0</u>	<u>46.0</u>	
General Fund	1,396,598	1,458,703	490,506	490,506	1,949,209	
FTE	23.5	23.5	7.0	7.0	30.5	
Cash Funds Exempt	882,276	908,060	0	0	908,060	
FTE	11.5	15.5	0.0	0.0	15.5	
Federal Funds	0	0	0	87,542	87,542	
FTE	0.0	0.0	0.0	0.0	0.0	

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	FY 2006-07 FY 2007-08 Fiscal Year 200'			l Year 2007-08 Sup	plemental
	A atmal		Requested	Recommended	New Total with
	Actual	Appropriation	Change	Change	Recommendation
Total for Supplemental #1	8,658,728	10,470,496	534,293	621,835	11,092,331
FTE	<u>52.0</u>	<u>56.0</u>	<u>7.0</u>	<u>7.0</u>	<u>63.0</u>
General Fund	1,506,129	1,761,294	534,293	534,293	2,295,587
Cash Funds	226,432	255,400	0	0	255,400
HUTF	5,635,641	6,834,973	0	0	6,834,973
Cash Funds Exempt	1,290,526	1,538,410	0	0	1,538,410
Federal Funds	0	80,419	0	87,542	167,961
Supplemental #2 - Variable Fleet Costs for Y (2) Colorado State Patrol Operating Expenses General Fund Cash Funds HUTF Cash Funds Exempt	6,775,808 444,724 416,727 5,757,622 156,735	6,897,911 462,528 424,889 5,747,249 263,245	433,128 0 0 433,128 0	386,663 0 0 386,663 0	7,284,574 462,528 424,889 6,133,912 263,245 0
(5) Colorado Bureau of Investigation					
(C) Laboratory Services	1 005 (00	2 495 150	5 A11	0	2 405 150
Operating Expenses	1,805,600	2,485,150	<u>5,411</u>	$\frac{0}{0}$	<u>2,485,150</u>
General Fund	1,720,377	2,165,697	5,411		2,165,697
Cash Funds Exempt	85,223	319,453	0	0	319,453
Federal Funds	0	0	0	0	0

	FY 2006-07	FY 2007-08	Fiscal	l Year 2007-08 Supplemental		
	Actual	A nnyanyiatian	Requested	Recommended	New Total with	
	Actual	Appropriation	Change	Change	Recommendation	
(5) Colorado Bureau of Investigation						
(D) Investigative Services						
Operating Expenses	230,789	230,295	14,176	14,176	244,471	
General Fund	178,627	178,133	9,364	9,364	187,497	
Cash Funds Exempt	52,162	52,162	4,812	4,812	56,974	
Federal Funds	0	0	0	0	0	
Total for Supplemental #2	8,812,197	9,613,356	452,715	400,839	10,014,195	
General Fund	2,343,728	2,806,358	14,775	9,364	2,815,722	
Cash Funds	416,727	424,889	0	0	424,889	
HUTF	5,757,622	5,747,249	433,128	386,663	6,133,912	
Cash Funds Exempt	294,120	634,860	4,812	4,812	639,672	
Federal Funds	0	0	0	0	0	
Previously Approved 1331 Supplemental -	· ·	Schools Inspection	n Program			
(3) Office of Preparedness, Security, and Fir	0 0					
Personal Services	377,171	526,131	78,312	78,312	604,443	
FTE	<u>5.3</u>	<u>7.0</u>	<u>0.0</u>	<u>0.0</u>	<u>7.0</u>	
General Fund	86,112	89,121	0	0	89,121	
FTE	0.7	1.0	0.0	0.0	1.0	
Cash Funds	58,615	316,346	0	0	316,346	
FTE	1.1	4.0	0.0	0.0	4.0	
Cash Funds Exempt	232,444	120,664	78,312	78,312	198,976	
FTE	3.5	2.0	0.0	0.0	2.0	

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	FY 2006-07	FY 2007-08	Fiscal Year 2007-08 Supplemental		
	Actual	Appropriation	Requested	Recommended	New Total with
	Actual	rippropriation	Change	Change	Recommendation
Totals Excluding Pending Items					
DEPARTMENT OF PUBLIC SAFETY					
TOTALS for ALL Departmental line items	206,034,160	224,180,588	1,065,320	1,100,986	225,281,574
FTE	<u>1,250.2</u>	<u>1,312.6</u>	<u>7.0</u>	<u>7.0</u>	<u>1,319.6</u>
General Fund	66,948,673	72,830,763	549,068	543,657	73,374,420
Cash Funds	10,879,364	13,890,793	0	0	13,890,793
HUTF	81,139,592	87,743,593	433,128	386,663	88,130,256
Cash Funds Exempt	18,462,919	26,222,956	83,124	83,124	26,306,080
Federal Funds	28,603,612	23,492,483	0	87,542	23,580,025
					-
Statewide Supplementals					
(see narrative for more detail)	<u>N.A.</u>	<u>N.A.</u>	<u>(987,547)</u>	<u>Pending</u>	<u>N.A.</u>
General Fund			362,929		
Cash Funds			(28,643)		
HUTF			(900,359)		
Cash Funds Exempt			(404,515)		
Federal Funds			(16,959)		

	FY 2006-07	FY 2007-08	Fiscal Year 2007-08 Supplemental		
	Actual	Appropriation	Requested	Recommended	New Total with
	Actual	Appropriation	Change	Change	Recommendation
Totals <i>Including</i> Pending Items in Request					
DEPARTMENT OF PUBLIC SAFETY					
TOTALS for ALL Departmental line items	206,034,160	224,180,588	77,773	1,100,986	225,281,574
FTE	<u>1,250.2</u>	<u>1,312.6</u>	<u>7.0</u>	<u>7.0</u>	<u>1,319.6</u>
General Fund	66,948,673	72,830,763	911,997	543,657	73,374,420
Cash Funds	10,879,364	13,890,793	(28,643)	0	13,890,793
HUTF	81,139,592	87,743,593	(467,231)	386,663	88,130,256
Cash Funds Exempt	18,462,919	26,222,956	(321,391)	83,124	26,306,080
Federal Funds	28,603,612	23,492,483	(16,959)	87,542	23,580,025

Key:

"N.A." = Not Applicable

Supplemental #1 - CSP, Emergency Capitol Complex Safety Improvements

	Original Request	Committee Action	Revised Request	Revised Staff Recommendation
Total	\$1,615,040	\$621,835	\$534,293	\$621,835
FTE	<u>23.0</u>	<u>7.0</u>	<u>7.0</u>	<u>7.0</u>
General Fund	1,615,040	621,835	534,293	534,293
Cash Funds	0	0	0	0
Cash Funds Exempt	0	0	0	0
Federal Funds	0	0	0	87,542

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?

YES

[An emergency or act of God / a technical error in the appropriation / new data / an unforseen contingency]

The request was originally submitted as an emergency based on the shooting that occurred at the Capitol on July 16, 2007, and the Committee took action on that request. The request continues to meet supplemental criteria.

Department Request: The Department requests \$534,293 General Fund and 7.0 FTE for the last six months of FY 2007-08, annualizing to \$855,319 General Fund and 14.0 FTE as a budget amendment request for FY 2008-09. The request is designed to improve public safety at the Capitol Complex based on the first two recommendations included in the full scope of recommendations from the All Hazards Vulnerability Assessment carried out by the Colorado State Patrol (CSP) and the Office of Preparedness and Security (OPS) in July 2007. The request is a reduction of \$87,542 General Fund from an Emergency Supplemental approved by the JBC in October 2007. The Department has received the \$87,542 in federal grants for the purchase of equipment, reducing the necessary General Fund appropriation by that amount.

Analysis: Following the shooting at the Capitol building in July 2007, the Department requested \$1,615,040 in a 1331 emergency supplemental to improve capitol complex security. The Committee approved \$621,833 of the request, funding magnetometers, X-ray equipment, and additional CSP personnel to secure the two public entrances to the Capitol building, in addition to Quick Card access equipment for members and staff. Requests for additional radios, additional troopers, and new security measures for the Legislative Services Building were denied in the 1331 process to allow for consideration by the entire General Assembly.

During approval of the 1331 request, the Committee instructed the Department to seek additional federal funding to defray the General Fund cost of the security measures. The Department has received \$87,542 in U.S. Department of Homeland Security funding for the purchase of equipment. The Department has used the funds to purchase the magnetometer, X-ray equipment, and the Quick Card access equipment. As a result,

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the federal grant has reduced the General Fund cost of the approved security measures by \$87,542 to a total of \$534,293 for FY 2007-08.

The Department is requesting the amount of funding approved by the Committee in October, minus the \$87,542 in new federal grant funding. The request does not include items that the Committee elected not to fund in the 1331 process.

Staff Recommendation: Staff recommends that the Committee approve the Department's request for \$534,293 General Fund. Staff also recommends showing the \$87,542 in federal funds to accurately reflect the grant received by the Department. The Committee previously approved the request, and the Department has reduced the General Fund cost as the Committee requested.

Supplemental #2 - CSP/CBI, Variable Fleet Costs for Patrol Vehicles

	Request	Recommendation
Total	<u>\$452,715</u>	<u>\$400,839</u>
General Fund	14,775	9,364
Cash Funds	0	0
HUTF	433,128	386,663
Cash Funds Exempt	4,812	4,812
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 the appropriation / new data / an unforseen contingency]

The Department of Personnel's increased variable vehicle charges were not known when the FY 2007-08 appropriation was made.

YES

Department Request: The Department requests a supplemental appropriation increase of \$433,128 HUTF "off-the-top" for the Colorado State Patrol (CSP) and \$19,587 (\$14,775 General Fund and \$4,812 cash funds exempt) for the Colorado Bureau of Investigation (CBI) to offset increases in variable vehicle fleet cost charges. In addition, please note that the Department is also requesting a corresponding FY 2008-09 budget amendment for increases of \$433,128 HUTF "off-the-top" for CSP and \$24,115 (\$19,303 General Fund and \$4,812 cash funds exempt) for CBI.

Analysis: The Department of Personnel charges state agencies a fee per mile driven in fleet vehicles. The fee covers fuel, maintenance, and insurance costs for fleet vehicles.

The Department of Public Safety has experienced significant increases in variable fleet costs, both in dollar terms and as a share of the divisions' operating lines in recent years. In June 2007, after the General Assembly had completed appropriations for FY 2007-08, the Department of Personnel and Administration notified the Department of Public Safety of an 11.1 percent increase in the variable vehicle rate for the Colorado State Patrol and a 7.8 percent increase in the rate for the Colorado Bureau of Investigation. The Department was not aware of the specific increases in the charge until after the appropriation was made. Thus, the request appears to satisfy supplemental criteria.

Colorado State Patrol

As shown in the table below, the total rate charged to CSP increased from \$0.167 per mile in FY 2003-04 to \$0.261 per mile in FY 2007-08, an increase of 56 percent. While the fee varies depending on vehicle type, the numbers shown are the weighted averages for the Patrol's fleet as a whole for a given year. The Patrol's annual mileage has increased by 373,441 miles from FY 2003-04 to FY 2006-07 (the patrol is assuming the same total mileage for FY 2007-08 as in FY 2006-07), amounting to a 2.6 percent rise in miles driven since FY 2003-04.

Colorado State Patrol Vehicle Miles Driven							
Fiscal Year	Total Charge per mile	Annual Percentage Increase	Miles Driven	Annual Percentage Increase (Decrease)			
FY 2003-04	0.167	N.A.	14,498,213	2.6%			
FY 2004-05	0.177	6.0%	14,722,673	1.5%			
FY 2005-06	0.195	10.2%	14,597,372	-0.9%			
FY 2006-07	0.235	20.5%	14,871,654	1.9%			
FY 2007-08 (Projected)	0.261	11.1%	14,871,654	0.0%			

In contrast to a relatively modest increase in miles driven over the past five years, the Patrol's variable vehicle charges have increased from \$2.5 million in FY 2003-04 to \$3.4 million in FY 2006-07 and an estimated \$3.9 million in FY 2007-08, an increase of \$1.4 million or 53 percent (see table on following page). Variable vehicle charges made up 39.7 percent of CSP operating expenses in FY 2003-04 but are projected to account for 56.3 percent of the Patrol's operating expenses in FY 2007-08.

	Total CSP Operating Expenses	Variable Fleet Costs	Variable Fleet as Percentage of Total
FY 2003-04 (Actual)	\$6,374,152	\$2,531,097	39.7%
FY 2004-05 (Actual)	6,638,155	2,659,420	40.1%
FY 2005-06 (Actual)	6,631,353	3,115,858	47.0%
FY 2006-07 (Actual)	6,775,807	3,448,374	50.9%
FY 2007-08 (Approp./Projected)	6,897,911	3,881,502*	56.3%

^{*}FY 2007-08 payments are based on the 11.1 percent increase in the vehicle cost per mile for FY 2007-08 multiplied by the projected total miles to be driven in FY 2007-08.

While the Patrol's variable vehicle costs have increased by approximately \$1.4 million since FY 2003-04, the total CSP operating expenses appropriation has only increased by \$0.5 million and only \$127,520 of that increase was for variable fleet costs (in a FY 2005-06 supplemental). The other increases in operating expenses have been associated with specific decision items. The Patrol absorbed \$789,757 in annual variable vehicle charges from FY 2003-04 to FY 2006-07. The supplemental request would fund the increase from FY 2006-07 to FY 2007-08 but would not make up for increases absorbed prior to the FY 2007-08 appropriation. The requested increase constitutes roughly 6 percent of the CSP operating line item, and staff believes absorbing that additional cost would be problematic for the Patrol.

Staff notes that given a fixed fee per mile based on vehicle type, agencies have only two ways to reduce the annual cost of the variable vehicle charge: 1) reduce the miles driven or 2) change vehicle types. The Patrol's mission and the effectiveness of the agency's saturation patrols over the past several years suggest that reducing miles driven is not an advisable option. Similarly, CSP vehicles must meet criteria for law enforcement use; reducing costs by changing vehicle types also does not appear to be a viable option.

Staff's analysis indicates that an increase for CSP variable vehicle charges is warranted. However, staff was unable to reproduce the requested increase using the data provided by the Department. The Department's request assumes the same total mileage for the Patrol in FY 2007-08 as in FY 2006-07 and estimates the total cost for FY 2007-08 by multiplying the total mileage by the "Total Charge" per mile.

Performing the same calculation using the mileage and charge information for FY 2006-07 yields a significantly larger total cost for FY 2006-07 than the cost provided by the Department. The Department has indicated that the difference is attributable to non-HUTF miles included in the total mileage data. To correct for the discrepancy, staff has recalculated the FY 2006-07 cost and taken the difference between the two staff-calculated results, yielding an increase of \$386,663 from FY 2006-07 to FY 2007-08.

Year	CSP Miles Driven	Total Charge per Mile	Total Cost (JBC Staff Calculated)	Increase (JBC Staff Calculated)	Cost Provided by DPS	Increase (DPS Request)
FY 2006-07	14,871,654	0.235	\$3,494,839	N.A.	\$3,448,374	N.A.
FY 2007-08	14,871,654	0.261	3,881,502	\$386,663	3,881,502	\$433,128

Impact on the HUTF Six Percent Limit: If approved, the common policy supplementals before the Committee would reduce the Department of Public Safety's HUTF off-the-top appropriation by \$900,359. That reduction would create more than enough space under the six percent limit on off-the-top growth to allow the Committee to fund the CSP request. In addition, funding all or part of the CSP request would restore some of the "off-the-top" base funding that will dictate the limit on HUTF appropriations for the Patrol for FY 2008-09.

Colorado Bureau of Investigation

The CBI has also experienced growth in variable vehicle charges and has absorbed much of the increased cost. As shown in the table below, the Bureau's annual mileage has fluctuated considerably but total variable vehicle costs have increased each year

Colorado Bureau of Investigation Vehicle Miles Driven								
Fiscal Year	Miles Driven	Percent Increase (Decrease)	Total CBI Variable Vehicle Costs	Percent Increase (Decrease)				
FY 2003-04	754,453	Not Available	\$107,973	Not Available				
FY 2004-05	789,310	4.6%	127,720	18.3%				
FY 2005-06	767,725	-2.7%	142,154	11.3%				
FY 2006-07	844,569	10.0%	182,448	28.3%				
FY 2007-08 (Projected)	844,569	0.0%	195,912	7.4%				

The Bureau's annual variable vehicle costs increased by \$74,475 (69 percent) from FY 2003-04 through FY 2006-07. A FY 2005-06 supplemental appropriation of \$16,292 constitutes the only increase specifically for variable vehicle costs since FY 2003-04, indicating that the Bureau absorbed an increase of \$58,183 in annual costs between FY 2003-04 and FY 2006-07.

The Department's supplemental request is restricted to the operating expenses line items for 1) Laboratory Services and 2) Investigative Services.

Laboratory Services

Variable vehicle charges made up only about 3 percent of the Laboratory Services operating expenses line item in FY 2006-07. The requested \$5,411 General Fund increase represents only 0.2 percent of the \$2.5 million FY 2007-08 Laboratory Services operating line.

Staff believes that the Bureau should be able to absorb the \$5,411 increase in FY 2007-08.

Investigative Services

Variable vehicle charges made up approximately 38 percent of the Investigative Services operating line in FY 2006-07. The requested General Fund increase of \$14,775 represents 7.9 percent of the \$187,338 General Fund appropriation for FY 2007-08. The requested increase of \$4,812 cash funds exempt spending authority from the Limited Gaming Fund represents 8.6 percent of the line item's \$52,162 FY 2007-08 appropriation from the Limited Gaming Fund.

The requested increases for Investigative Services do constitute significant percentages of a line that has absorbed variable vehicle costs for the past several years. Staff notes that if the General Assembly approves the increase in cash funds exempt spending authority the Department will have to request a supplemental increase from the Limited Gaming Commission. Thus, even if the General Assembly funds the Limited Gaming portion of the request, there is some uncertainty as to whether the Department will actually receive the funds.

Staff Recommendation: Staff recommends that the Committee approve a supplemental appropriation of \$386,663 in HUTF funding for the Colorado State Patrol, \$46,465 below the Department's request. Staff recommends that the Committee deny the Department's request for \$5,411 General Fund for the CBI Laboratory Services line item because of the minimal nature of the increase in relation to the size of the line item. Staff recommends that the Committee approve the requested increases for the CBI Investigative Services line (\$14,775 General Fund and \$4,812 cash funds exempt).

Previously Approved 1331 Supplemental - OPSFS, Public Schools Inspection program

	Request	Recommendation
Total	<u>\$78,312</u>	<u>\$78,312</u>
Cash Funds Exempt	78,312	78,312

[Brief description omitted]...Staff recommends that this amount be included in the supplemental bill for the Department of Public Safety, as previously approved by the JBC.

Statewide Common Policy Supplemental Requests

These requests are not prioritized and are not analyzed in this packet. These items will be acted on separately by the JBC when it makes a decision regarding common policies.

Public Safety Department's Portion of Statewide Supplemental Request	General Fund	Cash Funds	HUTF	Cash Funds Exempt	Federal Funds	Total	FTE
1. Risk Management	\$134,245	\$0	(\$403)	\$0	\$0	\$133,842	0.0
2. Workers' Compensation	0	0	0	(270,311)	0	(270,311)	0.0
3. Computer Service (GGCC)	0	0	0	(108,160)	0	(108,160)	0.0
4. Vehicle Reconciliation	36,861	(24,814)	(733,463)	(23,411)	(15,548)	(760,375)	0.0
5. Capitol Complex Leased Space	8,686	59	8,673	1,258	0	18,676	0.0
6. Communication Services	(5,668)	(3,888)	(175,166)	(3,891)	(1,411)	(190,024)	0.0
7. Multiuse Network	188,805	0	0	0	0	188,805	0.0
Total Statewide Supplemental Requests for Public Safety Department	\$362,929	(\$28,643)	(\$900,359)	(\$404,515)	(\$16,959)	(\$987,547)	0.0

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

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