

**DEPARTMENT OF STATE
FY 2006-07 BUDGET HEARING**

**Tuesday, January 9, 2007
10:30 a.m. to 12:00 noon**

10:30 – 10:40

Introductions and General Overview

10:40 – 10:50

Performance Measures Questions

1. How do your performance measures influence department activities and budgeting?
2. To what extent do the performance outcomes reflect appropriation levels?
3. To what extent do you believe that appropriation levels in your budget could or should be tied to specific performance measure outcomes?
4. As a department director, how do you judge your department's performance? What key measures and targets do you use?
5. Please explain the numbering scheme used for objectives in the Department of State strategic plan, including the missing numbers in some sections.
6. Please describe how the Department of State generated its performance measures.

10:50 – 11:05

**Implementing Legislation Concerning Illegal Immigration: H.B. 06S-1023 and
H.B. 06S-1009**

7. Provide a list of programs in your department that are subject to the provisions of the two bills.
8. How has your department implemented the provisions of the two bills? What problems have been encountered in implementing them?
9. Provide an estimate of the costs your department will incur in FY 2006-07 to implement the bills. Are any additional costs anticipated in FY 2007-08? If so, please elaborate.

10. Provide a summary of anticipated savings in FY 2006-07 in your department as a result of not providing services to individuals who are in the country illegally. Are any additional savings anticipated in FY 2007-08? If so, please elaborate.

11:05 – 11:25

HAVA-Related Questions

11. Has the federal government indicated they will cut money for HAVA?
12. How much is left in the Federal Elections Assistance Fund (HAVA)?
13. Can a private vendor meet the requirements of HAVA for the state-wide voter registration database to the level required by the State?
14. In addition to Legal Services and MNT, are there other line items which already include substantial expenses specific to delivering the HAVA mandates that are not being paid with HAVA funds? If not, how likely is it that there will be such expenses in the future?
15. The cash funds for these HAVA-related expenses come from various fees, most charged to the business community. Are these fees an appropriate source of funding for Colorado's election-related expenses?
16. Would the statewide voter registration system being developed by the Secretary of State have alleviated the problems seen by Denver regarding checking if voters are valid in the recent election?

11:25 – 11:45

Legal Services Line Item Question

17. How much did the Department of State spend for litigation costs for cases involving the Secretary of State's election-related decisions?
18. How is the amount for such litigation expenses going to be controlled in the future?
19. How does the Secretary of State insure that decisions are less likely to result in litigation?
20. In light of recent history, why is the \$60,000 increase considered adequate to cover the likely future expenditures in the Legal Services line? In years when this increase is not adequate, does the Department intend to absorb the remainder through its operating budget, or to submit supplemental requests?

11:45 – 12:00

Miscellaneous Questions

21. Joint Budget Committee staff has proposed eliminating the current "Cash Funds Exempt" column in the Long Bill and replacing it with a new column entitled "Transfers" effective with the **FY 2008-09 Long Bill**. The Joint Budget Committee has not formally voted on this issue. For details of the proposed change, please read the Joint Budget Committee staff memo from November 15, 2006, entitled "Proposed Long Bill Format Change." To help departments understand the new format, our staff has prepared an example of the Department of Revenue FY 2006-07 Long Bill in the proposed new format. This memo, and the example from the Department of Revenue, can be downloaded from the JBC web page at the following Internet address:

http://www.state.co.us/gov_dir/leg_dir/jbc/PLBFC11-15-06.pdf

Please provide the Joint Budget Committee with a summary of any potential concerns that your department may have regarding the proposed change to the Long Bill format. Please highlight potential issues such as: implementation challenges, workload issues, and other related concerns.

22. Will the Department of State be responsible for implementing Amendment 41? If so, what will the responsibilities be?
23. What is the status of the Department of State's cash funds and the process of spending them down to get within statutory requirements?
24. How does the Secretary of State go about making rules? Under what statutory authority does the Secretary of State make rules? Does the Secretary of State have to consult the Legislature, or any other group, prior to implementing new rules?
25. Who uses the MNT other than state agencies?
26. Is there a firm schedule for making the Code of Colorado Regulations and the Colorado Register available online? If there is not a firm schedule, what additional resources would be required to establish a firm schedule for putting these resources online?
27. At the present time, expenses for operating the disaster recovery facility (e-FOR³T) are scattered over several existing line items in the Long Bill. Would it be more appropriate to separate out funding for this program into its own line item?