

**COLORADO GENERAL ASSEMBLY
JOINT BUDGET COMMITTEE**



SUPPLEMENTAL REQUESTS FOR FY 2008-09

DEPARTMENT OF GOVERNOR

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

**Prepared By:
Michael Cain, JBC Staff
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For Further Information Contact:

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

**DEPARTMENT OF GOVERNOR
 FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
 JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

TABLE OF CONTENTS

	Narrative Page	Numbers Page
Prioritized Supplementals in Department-Assigned Order		
Supplemental #1 - Operating Expense Reduction	1	18
Supplemental #2 - Solar Incentive Program Reduction	2	18
Supplemental #3 - Refinance Colorado Welcome Centers	4	18
Supplemental #4 - OIT Common Policy - Management and Administration of OIT	5	19
Supplemental #5 - Hiring Freeze Reduction	8	19
 Non-prioritized Supplementals		
Statewide Common Policy Supplemental Requests	7	N.A.
Totals for All Supplementals	N.A.	21
 Cash Fund Transfers		
Department Requested - Transfer from Limited Gaming Fund	9	N.A.
JBC Staff Initiated - Transfer from New Jobs Incentive Cash Fund	14	N.A.
JBC Staff Initiated - Transfer from Film Incentives Cash Fund	14	N.A.
JBC Staff Initiated - Transfer from Clean Energy Fund	15	N.A.
JBC Staff Initiated - Transfer from Bioscience Discovery Evaluation Cash Fund	16	N.A.
 Other Balancing Options	 17	 N.A

**DEPARTMENT OF GOVERNOR
FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

Appendix A - Supplemental #4 Line Items Affected in Other Agencies	22	N.A
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**DEPARTMENT OF GOVERNOR
 FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
 JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

Prioritized Supplementals

**Supplemental Request, Department Priority #1
 Operating Expense Reduction**

	Request	Recommendation
Total	(\$74,178)	(\$74,178)
FTE	<u>0.0</u>	<u>0.0</u>
General Fund	(74,178)	(74,178)
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of an unforeseen contingency.	

Department Request: The Department proposes an ongoing reduction in operating expenses for the Governor's Office and Lieutenant Governor's Office totaling \$74,178 General Fund in FY 2008-09, annualized to \$75,023 General Fund in FY 2009-10 and beyond.

Staff Analysis: The Department proposes a reduction of operating expenses in several lines for the Governor's and Lieutenant Governor's Offices. The FY 2008-09 appropriation and the proposed reduction, expressed both in dollars and as a percentage, are shown in the following table. All reductions are from the General Fund portion of the appropriation. In most cases, the reduction is very close to 2.5 percent.

Line Item	FY 2008-09 Appropriation	Proposed Reduction	
		Dollars	Percentage
Administration of Governor's Office and Residence	2,624,646	(65,131)	-2.5%
Governor's Discretionary Fund	20,000	(500)	-2.5%
Administration of the Lieutenant Governor's Office	314,461	(5,923)	-1.9%

**DEPARTMENT OF GOVERNOR
 FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
 JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

Line Item	FY 2008-09 Appropriation	Proposed Reduction	
		Dollars	Percentage
Lieutenant Governor's Discretionary Fund	5,000	(125)	-2.5%
Commission of Indian Affairs	101,467	(2,499)	-2.5%
Total	3,067,582	(74,178)	-2.4%

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

**Supplemental Request, Department Priority #2
 Solar Incentive Program Reduction**

	Request	Recommendation
Total	(<u>\$1,000,000</u>)	(<u>\$1,000,000</u>)
General Fund	(1,000,000)	(1,000,000)
Cash Funds	0	0
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of an unforeseen contingency.	

Department Request: The Department proposes a reduction of \$1,000,000 General Fund in the Solar Incentives Program in the Governor's Energy Office. This is approximately one-half of the total appropriation.

Staff Analysis: The Governor's Energy Office is funded primarily with federal and cash funds. The one exception is the Solar Incentives Program line item. The Department proposes removing \$1.0 million General Fund from the program. These funds would have been used to pay rebates for the installation of photovoltaic (PV) systems that produce electricity from sunlight, and for the installation of solar hot water systems.

**DEPARTMENT OF GOVERNOR
 FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
 JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

Colorado has 55 electric utilities, of which 22 are rural electric associations (REAs) and 33 are municipal utilities, and two are investor owned. Investor owned utilities are mandated under state law (Section 40-2-124 (1) (e), C.R.S.) to offer incentives to home owners who install systems that comply with the State's renewable energy portfolio standard. The REAs and municipal utilities are not required to provide a rebate program. The PV portion of the residential solar program focuses on areas served by the REAs and municipal utilities. The program provides matching grants to assist local partners in these areas in establishing solar rebate programs. The solar hot water portion of the program works with partners in any part of the state.

The reduced level of funding will reduce the number of rebates that can be paid. The Department estimates that reducing the appropriation by \$1.0 million will result in a net loss of 1.125 megawatts of installed PV generating capacity. The following table compares that generating capacity to several other Colorado statistics. The total "lost" generating capacity is on a par with individual small commercial PV projects that are currently in progress, and is small compared to Xcel's request for bids for additional renewable (and nonrenewable) capacities.

Item	Megawatts
Capacity not installed due to this supplemental request	1.1
Selected SunEdison projects in Colorado* (approximately 18 MW in total projects)	
Arvada water treatment plant project	0.7
San Luis Valley Regional Medical Center	1.5
City of Rifle	2.3
Recent Xcel Energy bid requests for new capacity**	
Solar	600.0
Wind	700.0
Coal and natural gas	900.0
Current Colorado generating capacity, all sources***	11,156.0

* SunEdison online documentation..

** Rocky Mountain News, "Xcel seeks bids on world's biggest solar project", January 10, 2009.

*** Peak summer capacity, U.S. Energy Information Administration data.

Staff Recommendation: Staff recommends that the Committee approve the Department's request to reduce the appropriation by \$1.0 million General Fund.

**DEPARTMENT OF GOVERNOR
 FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
 JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

**Supplemental Request, Department Priority #3
 Refinance Colorado Welcome Centers**

	Request	Recommendation
Total	\$0	\$0
General Fund	(205,221)	(205,221)
Cash Funds	205,221	205,221
Reappropriated Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of an unforeseen contingency.	

Department Request: The Department proposes to refinance the remaining FY 2008-09 expenditures for the Colorado Welcome Centers and associated common policy items from General Fund to cash funds (Travel and Tourism Promotion Fund). This would result in a \$205,221 General Fund savings in FY 2008-09. The Department proposes refinancing FY 2009-10 as well, resulting in a \$425,978 General Fund savings in that fiscal year.

Staff Analysis: The Colorado Tourism Office operates the Colorado Welcome Centers. The centers themselves are largely staffed by volunteers; the 3.3 FTE associated with the line item administer the overall program. The appropriation for FY 2008-09 consists of \$409,083 General Fund and \$95,413 cash funds from the Travel and Tourism Promotion Fund. The Department proposes to refinance the unspent portion of the General Fund appropriation for FY 2008-09 with moneys from the Travel and Tourism Promotion Fund.

As of the end of FY 2007-08, the fund had a balance of \$8.3 million, anticipated revenues of \$20.1 million, anticipated expenses of \$24.4 million, and an anticipated closing balance at the end of FY 2008-09 of \$4.0 million. The closing balance for FY 2009-10 is forecast to decrease to \$2.0 million. Under the assumptions of that forecast, the fund has a balance sufficient to support the proposed refinancing. That forecast was made before the December state revenue forecast was published. The December forecast makes a dramatic change in the probable fund balances.

The main portion of the revenues for the Travel and Tourism fund is a transfer from the Limited Gaming Fund that occurs at the end of each fiscal year. The amount of the transfer is subject to a

**DEPARTMENT OF GOVERNOR
 FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
 JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

variety of statutory conditions. In particular, if General Fund revenue in a fiscal year is not sufficient to support General Fund appropriations up to the six percent limit, all or part of the transfer from the Limited Gaming Fund is made to the General Fund instead. The December Legislative Council Staff revenue forecast indicated that General Fund limits would fall well below the six percent limit. Under current statute, and given the size of the forecast shortfall, the Travel and Tourism fund would receive no limited gaming funds at the end of the current fiscal year.

The Department has proposed a statutory change which would make a limited transfer to the Travel and Tourism fund at the end of the year. That proposal is analyzed in greater detail later in this packet. The Department's proposal for a smaller transfer would be sufficient to fund the Colorado Welcome Centers if funds were properly allocated between the two programs that draw on the fund.

Staff Recommendation: Staff recommends that the Committee approve the Department's request to refinance the remaining portion of the General Fund in FY 2008-09. During figure setting, the Committee will need to reconsider funding for the Welcome Centers in FY 2009-10.

**Supplemental Request, Department Priority #4
 OIT Common Policy - Management and Administration of OIT**

	Request	Recommendation
Total	\$90,486	\$90,486
FTE	<u>0.0</u>	<u>0.0</u>
General Funds	(1,281,360)	(1,281,360)
Cash Funds	0	0
Reappropriated Funds	1,371,846	1,371,846
Federal funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of an unforeseen contingency. Staff believes that this request would not ordinarily meet supplemental criteria. However, in light of the current fiscal situation and because the change includes a net reduction in General Fund expenditures across the whole of state government, that it is appropriate to consider the request.	

Department Request: The Department's request would accomplish two things:

**DEPARTMENT OF GOVERNOR
FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

1. The request would create a new centralized appropriation item titled "Management and Administration of OIT". Agencies which fell under the IT consolidation of S.B. 08-155 are already assessed a charge for this purpose, but the agencies place the appropriation in a variety of places within their Long Bill structure. This change is expense-neutral for all agencies; the increase in the new line item is offset by a corresponding reduction in other line items.
2. The Department also proposes to refinance most of the General Fund appropriation for the Administration subdivision within the Governor's Office of IT. The Department proposes to include these expenses in the same "Management and Administration of OIT" line in each agency. This change would remove essentially all direct General Fund appropriations from the Office of IT, making it entirely a "fee for service" based organization in the future. This refinancing would result in a net reduction of General Fund appropriations across state government of \$398,814 in FY 2008-09, and \$481,112 in FY 2009-10. \$68,514 of the FY 2008-09 General Fund appropriation is not refinanced as a result of the pay-day shift.

Staff Analysis: The State operates a number of centralized services such as the General Government Computer Center (GGCC) and the Multi-use Network (MNT). For each of these services, agencies show a single line item, even though the usage of that service may be by multiple organizations within the agency. As an example, in the Department of Natural Resources, that Department's assessment for the Governor's Office of IT is spread over 13 line items, many identified only as Personal Services or Program Costs. Staff agrees with the Department's statements regarding transparency and the centralized services provided by the Governor's Office of IT. Staff believes that a single line item in each affected agency that identifies the expense provides greater clarity than the current arrangement.

Appropriations for other centralized services such as GGCC are handled by the Joint Budget Committee as matters of common policy, rather than being considered as part of the budget for the individual agencies. Under present statute (Section 24-37.5-112 (1) (b), C.R.S.) the administrative expenses for the Governor's Office of IT are to be billed to users once a billing methodology is in place. The billing methodology used by the Department is a fixed percentage allocation to the users, based on their usage, and is subject to adjustment from time to time. Staff believes that the Committee should handle the Management and Administration of OIT line item as a common policy, similar to other common policies.

Shifting the General Fund portion of the current appropriation for management of the Governor's Office of IT is consistent with the long-term goal of the statute, which is that the "full costs" of the Office should be billed to users. Note that the request does not refinance the small ongoing General Fund appropriation to the Office of the Chief Information Security Officer. One possible concern is that some individual agency may not be able to properly finance an increase in their appropriation.

**DEPARTMENT OF GOVERNOR
FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

The largest increase in the request is for \$368,000 for the Department of Human Services. However, the Office of State Planning and Budgeting and all of the affected agencies have signed off on this request. Staff is not aware of any complaints from individual agencies regarding this increase in their expenses. The increases on individual agencies for FY 2008-09 are summarized in the following table. Staff's calculation here includes a small amount for the Department of Health Care Policy and Financing which was omitted from the Department's calculation, and so shows a slightly smaller overall General Fund savings.

Department	Total	GF	CF	RF	FF
Agriculture	\$4,604	\$4,604	\$0	\$0	\$0
Corrections	58,916	58,916	0	0	0
Governor	90,486	(1,281,360)	0	1,371,846	0
Health Care Policy and Financing	474,722	237,361	0	0	237,361
Human Services	368,458	283,712	7,369	29,477	47,900
Labor	47,204	0	23,836	467	22,901
Local Affairs	5,671	(883)	(1,457)	8,011	0
Military Affairs	6,208	6,208	0	0	0
Natural Resources	93,852	19,828	68,479	3,489	2,056
Personnel and Administration	23,747	15,658	292	7,797	0
Public Health and Environment	46,385	0	0	111,907	(65,522)
Public Safety	88,206	88,206	0	0	0
Regulatory Agencies	27,815	633	22,676	4,255	251
Revenue	175,672	175,672	0	0	0
Transportation	212,942	0	106,471	0	106,471
Total	\$1,724,888	(\$391,445)	\$227,666	\$1,537,249	\$351,418

Refinancing the appropriation from General Fund to reappropriated funds requires that the pay date shift made by S.B. 03-197 be undone. This results in a 13th monthly payment for the personal services lines that are being refinanced. In this case, \$68,514 is needed to cover the expenses incurred at the beginning of July 2008. As this was a General Fund expense, the Department has proposed retaining this amount of their current General Fund expense in order to cover that cost. Despite this added expense, the refinancing will still result in a net General Fund savings to the State. Staff believes this is an appropriate action.

**DEPARTMENT OF GOVERNOR
 FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
 JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

As previously mentioned, in some agencies the assessment for the Governor's Office of IT is distributed across many different budget line items. A complete listing of those lines, and the changes that would occur as a result of approving this supplemental request, is provided in Appendix A of this document. That appendix includes staff's correction to the Department's calculations.

Staff Recommendation: Staff recommends that the Committee approve the creation of the new centrally-appropriated line item "Administration and Management of OIT", and approve the line item changes detailed in Appendix A.

**Supplemental Request, Department Priority #5
 Hiring Freeze Reduction**

	Request	Recommendation
Total	(\$239,046)	(\$239,046)
FTE	<u>0.0</u>	<u>(3.6)</u>
General Funds	0	0
Cash Funds	0	0
Reappropriated Funds	(239,046)	(239,046)
Federal funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	YES
JBC staff and the Department agree that this request is the result of an unforeseen contingency.	

Department Request: The Department proposes reducing the appropriation for several line items to reflect the results of the hiring freeze ordered by Governor Ritter. All of the savings are in the Governor's Office of Information Technology and save reappropriated funds received from other agencies. The Department did not identify the number of FTE associated with these savings.

Staff Analysis: The Department implemented the Governor's hiring freeze in October 2008. The Department has identified savings in six line items in the Governor's Office of Information Technology. The per-line-item details are shown in the numbers pages. All of the identified savings in that Office are reappropriated funds transferred from other agencies. An unknown portion of those reappropriated funds reflect original appropriations of General Fund in those other agencies. Staff has been instructed to reduce FTE in an amount corresponding to the spending reduction. Staff

**DEPARTMENT OF GOVERNOR
FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

has estimated that the savings stated by the Department correspond to 3.6 FTE, allocated between the six line items as shown in the numbers pages.

Staff Recommendation: Staff recommends that the Committee reduce the appropriations in which hiring freeze savings have occurred, using the dollar figures shown in the detailed numbers pages. Estimated FTE reductions corresponding to those reductions are shown for informational purposes.

Non-Prioritized Supplementals

Statewide Common Policy Supplemental Requests

Staff Recommendation: Neither the Department nor OSPB has submitted statewide supplemental requests, but these requests may be received in the near future. If requests are submitted, they will be presented to the Committee by the Common Policy analysts. **Staff requests permission to include the corresponding appropriations in the Department's supplemental bill if the Committee approves a common policy supplemental.** If the staff believes there is a reason to deviate from the common policy, staff will appear before the Committee at a later time to present the relevant analysis.

Cash Fund Transfers

**Department Requested Transfer
Transfer from Limited Gaming Fund
Statutory Change Required**

FY 2008-09	Request	Recommendation
Transfer from Limited Gaming Fund to General Fund	\$11,897,263	\$11,242,438

Staff Analysis: Limited gaming revenue is used to fund a number of programs. Allocation of the revenues is determined by Section 12-47.1-701, C.R.S. State revenues from limited gaming are deposited into the Limited Gaming Fund. The moneys in the fund are used first to pay the legitimate expenses of the Department of Revenue, Division of Gaming, and the Limited Gaming Control Commission occurred in executing their respective responsibilities under Article 12-47.1, C.R.S. At the end of each fiscal year, the State Treasurer distributes any balance remaining in the fund, less an amount for administrative expenses, to the following destinations according to a strict formula.

**DEPARTMENT OF GOVERNOR
 FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
 JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

- State Historical Fund
- Governing bodies of Gilpin and Teller counties
- Municipalities of Central City, Blackhawk, and Cripple Creek
- Bioscience Discovery Evaluation Cash Fund
- Travel and Tourism Promotion Fund
- Council on the Arts Cash Fund
- New Jobs Incentives Cash Fund
- Film Incentives Cash Fund
- Clean Energy Fund

The proportions specified in statute changes drastically in the event of certain revenue shortfalls. The Department's proposal focuses on four funds in particular: (1) the Travel and Tourism Promotion Fund, (2) the Council on the Arts Cash Fund, (3) the New Jobs Incentives Cash Fund, and (4) the Film Incentives Cash Fund. Under current statute, if the March revenue forecast prepared by Legislative Council Staff determines that the amount of General Fund revenue for that fiscal year will not support the maximum appropriation allowed under the six percent limit, the Joint Budget Committee *may* determine, by bill, the size of the transfer to each of those four funds. If the Joint Budget Committee does not act, and the June revenue forecast determines that the General Fund revenues will not support the six percent limit, the State Treasurer *must* transfer the moneys that would have gone to those funds to the General Fund instead.

The December Legislative Council Staff revenue forecast indicates that General Fund revenues will *not* support the full amount of the six percent limit. Under that forecast, and in the absence of action by the Joint Budget Committee, the Treasurer will divert all of the transfers that would have gone to the four funds listed in the preceding paragraph. The Department requests that the Committee act under their statutory authority and sponsor legislation that implements the transfers shown in the following table. As a component of the Governor's balancing plan, the portion of the limited gaming funds transferred to the General Fund will reduce the amount of the General Fund reserve that is used at the end of the year.

Department Proposal	
Fund	Amount Transferred
Travel and Tourism Promotion	\$10,432,860
New Jobs Incentives	1,647,294
Council on the Arts	823,647
Film Incentives	329,459
General Fund	11,897,263

**DEPARTMENT OF GOVERNOR
 FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
 JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

Department Proposal	
Fund	Amount Transferred
Total	\$25,130,523

Under the current statutory formula, the maximum transfers to those four funds at the end of FY 2008-09 would total about \$26.6 million. The Legislative Council Staff revenue forecast estimates that Limited Gaming Fund revenues will only support a total transfer of approximately \$22.4 million. Staff notes that although current statute says that the Joint Budget Committee may act in response to the March revenue forecast, it does not forbid action at other times. Staff believes that the Committee can act on this matter immediately, and will recommend that they do so. Nor is legislative action confined to the Committee; any member of the General Assembly could introduce legislation that changes the allocation of the end-of-year transfers.

Staff has considered possible alternatives to the Department's proposal. Note that the transfers of Limited Gaming Funding moneys that occur at the end of FY 2008-09 affect funding for these programs in FY 2009-10.

1. The Committee might choose to do nothing. Assuming no other legislation pertaining to the transfers is passed, this would result in the transfer of approximately \$22.4 million to the General Fund at the end of FY 2008-09, reducing the amount of General Fund reserve that would be needed to balance the FY 2008-09 budget. In at least some of the programs, this would result in significantly decreased spending in FY 2009-10.
2. The Committee might choose to allow the transfer of the estimated \$22.4 million to occur, reducing the amount of General Fund reserve needed to balance the FY 2008-09 budget, and propose full or partial funding (relative to the current appropriation) for these programs from the General Fund in FY 2009-10. Such an appropriation could be done during figure setting.
3. The Committee might choose to sponsor a bill that requires some portion of the transfers to the cash funds to occur, but allocate the moneys between the funds in different proportions than those proposed by the Department.

The Department's request for proportional reductions would seem to indicate that they consider all of the programs to be of equal importance. Staff asked the Department to estimate the benefit received by the State for an incremental dollar expended from each of the four cash funds. The benefit-to-expenditure ratios are shown in the table below. The Department did not provide information on the methodologies used to estimate the benefits. The Department also noted that the benefits might take very different forms. For example, in some cases the benefit might be in the

**DEPARTMENT OF GOVERNOR
 FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
 JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

form of increased state revenue, while in other cases it might be a matter of improved quality of life for Colorado citizens.

Fund	Benefit Ratio
Travel and Tourism Promotion	6:1
Council on the Arts	8:1
New Jobs Incentives	2:1
Film Incentives	2:1

Another factor to consider is that the December 2008 revenue forecast is that General Fund revenues in FY 2009-10 will be insufficient to support the six percent limit. Under current statute, that would result in a loss of revenue for these cash funds at the end of FY 2009-10; that is, some version of the current situation will repeat itself, and legislative action would be necessary to provide for any revenue transfer to these funds. Staff assumes that the Executive will make a request to provide funding levels similar to the ones requested above at the appropriate point in the future.

Not all of the four cash funds are in the similar situations with respect to their planned level of spending. According to schedules filed by the Department along with their November 1, 2008, budget request, all of the funds are anticipated to have a positive balance at the end of FY 2008-09, summarized in tabular form here.

Fund	FY 2008-09	
	Anticipated Closing Balance	Appropriations
Travel and Tourism Promotion*	\$3,590,917	\$20,567,727
Council on the Arts	\$331,833	\$1,600,034
New Jobs Incentives	\$8,107,864	\$3,200,069
Film Incentives	\$1,121,614	\$640,014

* The appropriation shown includes the refinancing of the Colorado Welcome Centers recommended as Supplemental Request #3.

Staff's recommendation below reflects the immediate actions necessary to implement the following funding levels for the programs funded from these four cash funds in each of FY 2009-10 and FY 2010-11. The two funds with the largest "bank for the buck" as identified previously would be funded at 60.0 percent of the current level; the two with the lower benefit per dollar spent would be funded at 40% of the current appropriation. When these spending levels are compared to the

**DEPARTMENT OF GOVERNOR
FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

estimated closing fund balances, no transfer to the New Jobs Incentives or Film Incentives funds are required to allow operation for the next two fiscal years. Further, by spending down the closing balances of the Travel and Tourism and Council on the Arts funds, and assuming the federal funding for the Council on the Arts remains constant, significantly smaller transfers are required. As will be discussed in subsequent sections, these funding levels also allow \$6.1 million dollars to be transferred to the General Fund.

Item	Amount
Travel and Tourism	
Proposed funding - 60% of FY 2008-09	\$12,462,959
Less Amount from reserves	(1,795,459)
Transfer required	10,667,500
Council on the Arts	
Proposed funding - 60% of FY 2008-09	1,416,082
Less federal funding	(760,103)
Less amount from reserves	(165,917)
Transfer required	490,062
New Jobs Incentives	
Proposed funding - 40% of FY 2008-09	1,920,041
Transfer required	0
Film Incentives	
Proposed funding - 40% of FY 2008-09	2,560,060
Transfer required	0
Total transfer required	\$11,157,562
Estimated transfer to General Fund	\$11,242,438

Staff Recommendation: Staff recommends that the Committee sponsor legislation that modifies the year-end transfer of funds from the Limited Gaming Fund at the end of FY 2008-09 to provide \$10,667,500 million to the Travel and Tourism Promotion Fund, \$490,062 to the Council on the Arts Fund, and allow the State Treasurer to transfer the remaining balance in the Limited Gaming Fund (approximately \$11.2 million) to the General Fund.

**DEPARTMENT OF GOVERNOR
 FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
 JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

**JBC Staff Initiated Transfer Recommendation
 Transfer from New Jobs Incentives Cash Fund
 Statutory Change Required**

FY 2008-09	Recommendation
Transfer from New Jobs Incentives Cash Fund to General Fund	\$5,500,000

Staff Analysis: The New Jobs Incentive Cash Fund is created in Section 24-46-105.7 (9) (a), C.R.S. The transfer from the Limited Gaming Fund, any appropriations made by the General Assembly, and retained interest and earnings, are the only revenue sources for the fund. The monies in the fund are subject to annual appropriation by the General Assembly. Use of these monies is limited to the payment of incentives to employers who create new jobs that comply with the requirements established by the Colorado Economic Development Commission. For example, an employer in an urban area which creates 10 new jobs in one month, and those jobs continue for at least one year, is eligible for an incentive payment. The expenditures shown for FY 2009-10 and FY 2010-11 are based on 40% of the FY 2008-09 appropriation. According to the State Controller's Office, the uncommitted fund balance as of January 12, 2009 was \$8,620,319. Staff recommends that \$5,500,000 be transferred from the fund to the General Fund in FY 2008-09.

	New Jobs Incentives Cash Fund Staff Recommendation			
	FY 2007-08 Actual	FY 2008-09 Estimate	FY 2009-10 Estimate	FY 2010-11 Estimate
Beginning FY Balance	\$3,075,577	\$5,848,867	\$2,607,864	\$1,327,855
Projected Revenues	3,347,790	3,427,997	0	0
Expenditures	<u>(574,500)</u>	<u>(1,169,000)</u>	<u>(1,280,009)</u>	<u>(1,280,009)</u>
Ending FY Balance without transfer	\$5,848,867	\$8,107,864	\$1,327,855	\$47,846
Recommended Transfer	<u>0</u>	<u>(5,500,000)</u>	<u>0</u>	<u>0</u>
Ending FY Balance after transfer	\$5,848,867	\$2,607,864	\$1,327,855	\$47,846

**JBC Staff Initiated Transfer Recommendation
 Transfer from Film Incentives Cash Fund
 Statutory Change Required**

**DEPARTMENT OF GOVERNOR
 FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
 JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

FY 2008-09	Recommendation
Transfer from Film Incentives Cash Fund to General Fund	\$600,000

Staff Analysis: The Film Incentives Cash Fund is created in Section 24-46-105.8 (6) (a), C.R.S. The transfer from the Limited Gaming Fund, any appropriations made by the General Assembly, and retained interest and earnings, are the only revenue sources for the fund. Use of these monies is limited to funding of eligible film productions within Colorado. The monies in the fund are subject to annual appropriation by the General Assembly. Under current statute, and under the Legislative Council Staff December 2008 revenue forecast, this fund will receive no revenue from the Limited Gaming Fund at the end of FY 2008-09 or at the end of FY 2009-10. The expenditures shown for FY 2009-10 and FY 2010-11 are based on 40% of the FY 2008-09 appropriation. According to the State Controller's Office, the uncommitted fund balance as of January 12, 2009 was \$681,060. Staff recommends a transfer of \$600,000 from the fund to the General Fund in FY 2008-09.

	Film Incentives Cash Fund Staff Recommendation			
	FY 2007-08 Actual	FY 2008-09 Estimate	FY 2009-10 Estimate	FY 2010-11 Estimate
Beginning FY Balance	\$520,614	\$1,121,613	\$521,613	\$265,607
Projected Revenues	665,679	690,014	0	0
Expenditures	<u>(64,680)</u>	<u>(690,014)</u>	<u>(256,006)</u>	<u>(256,006)</u>
Ending FY Balance without transfer	\$1,121,613	\$1,121,613	\$265,607	\$9,601
Recommended Transfer	<u>0</u>	<u>(600,000)</u>	<u>0</u>	<u>0</u>
Ending FY Balance after transfer	\$1,121,613	\$521,613	\$265,607	\$9,601

**JBC Staff Initiated Transfer Recommendation
 Transfer from Clean Energy Fund
 Statutory Change Required**

FY 2008-09	Recommendation
Transfer from Clean Energy Fund to General Fund	\$5,000,000

Staff Analysis: The Clean Energy Fund is created in Section 24-75-1201 (1) (a), C.R.S. Fund revenues are transfers from the Limited Gaming Fund (if funds remain after transfers to the Travel and Tourism fund, the Council on the Arts fund, the New Jobs Incentive fund and the Films

**DEPARTMENT OF GOVERNOR
 FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
 JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

Incentive fund). Additional funds may come from unexpended funds from the low-income energy assistance program in the Governor's Office. The monies in the fund are continuously appropriated to the Governor's Energy Office. The funds may be used for a variety of purposes that advance energy efficiency and renewable energy usage throughout the State. The Department did not provide estimates of expenditures for FY 2009-10 or FY 2010-11 in their November 1, 2008 budget request. In response to staff inquiry, the Department indicated that several projects were "in progress," but that final contracts had not yet been signed. According to the State Controller's Office, the uncommitted fund balance as of January 12, 2009 was \$10,051,999. Staff's recommendation is to transfer \$5,000,000 from the fund to the General Fund in FY 2008-09.

Clean Energy Fund Staff Recommendation				
	FY 2007-08 Actual	FY 2008-09 Estimate	FY 2009-10 Estimate	FY 2010-11 Estimate
Beginning FY Balance	\$0	\$0	\$2,653,149	\$2,653,149
Projected Revenues	0	7,653,149	0	0
Expenditures	<u>0</u>	<u>???</u>	<u>???</u>	<u>???</u>
Ending FY Balance without transfer	\$0	\$7,653,149	\$2,653,149	\$2,653,149
Recommended Transfer	<u>0</u>	<u>(5,000,000)</u>	<u>0</u>	<u>0</u>
Ending FY Balance after transfer	\$0	\$2,653,149	\$2,653,149	\$2,653,149

**JBC Staff Initiated Transfer Recommendation
 Transfer from Bioscience Discovery Evaluation Cash Fund
 Statutory Change Required**

FY 2008-09	Recommendation
Transfer from Bioscience Discovery Evaluation Fund to General Fund	\$3,000,000

Staff Analysis: The Bioscience Discovery Evaluation Cash Fund is created in Section 24-48.5-701 (5) (a), C.R.S. Ongoing fund revenues are transfers from the Limited Gaming Fund. Under current statute, the fund may expect to receive \$5.5 million in such transfers at the end of both FY 2008-09 and FY 2009-10 for potential use in the following fiscal year. The monies in the fund are subject to annual appropriation by the General Assembly. The total appropriation for FY 2008-09 was \$5.5 million. The funds may be used for a variety of purposes that advance the transfer of bioscience technologies from research institutions to industry. According to the State Controller's Office, the

**DEPARTMENT OF GOVERNOR
FY 2008-09 SUPPLEMENTAL RECOMMENDATIONS
JBC WORKING DOCUMENT - SUBJECT TO CHANGE**

uncommitted fund balance as of January 12, 2009 was \$7,242,201. Staff's recommendation is to transfer \$3,000,000 from the fund in FY 2008-09, and to transfer the same amount in FY 2009-10.

Bioscience Discovery Evaluation Cash Fund Staff Recommendation				
	FY 2007-08 Actual	FY 2008-09 Estimate	FY 2009-10 Estimate	FY 2010-11 Estimate
Beginning FY Balance	\$2,075,092	\$7,589,371	\$3,709,371	\$709,371
Projected Revenues	8,095,656	4,620,000	5,500,000	5,500,000
Expenditures	<u>(2,581,377)</u>	<u>(5,500,000)</u>	<u>(5,500,000)</u>	<u>(5,500,000)</u>
Ending FY Balance without transfer	\$7,589,371	\$6,709,371	\$3,709,371	\$709,371
Recommended Transfer	<u>0</u>	<u>(3,000,000)</u>	<u>(3,000,000)</u>	<u>0</u>
Ending FY Balance after transfer	\$7,589,371	\$3,709,371	\$709,371	\$709,371

Other Balancing Options

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

Numbering does not indicate priority.

Options with <i>Appropriation</i> Impacts	GF	CF	RF	FF	Total	FTE
1					0	
Broad-based General Fund Reduction						
<p>The federal Jobs and Growth Tax Relief Reconciliation Act of 2003 provided the state with what have become known as "flexible federal funds". These funds are custodial in nature, and are controlled by the Governor. The State Controller's Office indicates that \$14,857,683 of these funds remain unencumbered. The Joint Budget Committee could attempt to have these funds expended in place of General Fund during the current fiscal year. There are a number of possibilities: the JBC might open a dialog with the Governor to identify opportunities to make use of the funds; the JBC might unilaterally decrease the General Fund appropriation for some portion of the Governor's Office and anticipate that the flexible federal funds would be used to backfill the General Fund dollars.</p>						

	FY 2007-08	FY 2008-09	Fiscal Year 2008-09 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
DEPARTMENT OF GOVERNOR					
Governor Bill Ritter, Jr.					
Supplemental #1 - Operating Expense Reduction					
<i>(1) Office of the Governor</i>					
<i>(A) Governor's Office</i>					
Administration of Governor's Office and Residence	<u>2,602,194</u>	<u>2,633,676</u>	<u>(74,178)</u>	<u>(74,178)</u>	<u>2,559,498</u>
General Fund	2,413,858	2,614,256	(74,178)	(74,178)	2,540,078
Cash Funds	155,645	0	0	0	0
Reappropriated Funds	32,691	19,420	0	0	19,420
Federal Funds	0	0	0	0	0
<hr/>					
Supplemental #2 - Solar Incentive Program Reduction					
<i>(1) Office of the Governor</i>					
<i>(C) Governor's Energy Office</i>					
Solar Incentives	<u>0</u>	<u>2,013,750</u>	<u>(1,000,000)</u>	<u>(1,000,000)</u>	<u>1,013,750</u>
General Fund	0	2,013,750	(1,000,000)	(1,000,000)	1,013,750
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<hr/>					
Supplemental #3 - Refinance Colorado Welcome Centers					
<i>(4) Economic Development Programs</i>					
Colorado Welcome Centers	<u>494,960</u>	<u>504,496</u>	<u>0</u>	<u>0</u>	<u>504,496</u>
General Fund	399,547	409,083	(205,221)	(205,221)	203,862
Cash Funds	0	95,413	205,221	205,221	300,634

	FY 2007-08	FY 2008-09	Fiscal Year 2008-09 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
Reappropriated Funds	95,413	0	0	0	0
Federal Funds	0	0	0	0	0
<hr/>					
Supplemental #4 - OIT Common Policy - Management and Administration of OIT					
(see narrative for more detail)					
TOTAL - Various Line Items	<u>N.A.</u>	<u>N.A.</u>	90,486	90,486	<u>N.A.</u>
General Fund			(1,281,360)	(1,281,360)	
Cash Funds			0	0	
Reappropriated Funds			1,371,846	1,371,846	
Federal Funds			0	0	
<hr/>					
Supplemental #5 - Hiring Freeze Reduction					
<i>(5) Office of Information Technology</i>					
<i>(D) Statewide Information Technology Services</i>					
<i>(1) Administration</i>					
Personal Services					
FTE	N.A.	5.0	0.0	(0.2)	4.8
Reappropriated Funds		419,800	(14,199)	(14,199)	405,601
<i>(5) Office of Information Technology</i>					
<i>(D) Statewide Information Technology Services</i>					
<i>(3) Statewide Information Technology Management</i>					
Program Costs					
FTE	N.A.	26.0	0.0	(0.4)	25.6
Reappropriated Funds		1,812,053	(30,427)	(30,427)	1,781,626

	FY 2007-08	FY 2008-09	Fiscal Year 2008-09 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
<i>(5) Office of Information Technology</i>					
<i>(D) Statewide Information Technology Services</i>					
<i>(6) Order Billing</i>					
Personal Services					
FTE	N.A.	10.0	0.0	(0.4)	9.6
Reappropriated Funds		662,877	(27,180)	(27,180)	635,697
<i>(5) Office of Information Technology</i>					
<i>(D) Statewide Information Technology Services</i>					
<i>(7) Communication Services</i>					
Personal Services					
FTE	N.A.	10.0	0.0	(2.0)	8.0
Reappropriated Funds		662,877	(122,676)	(122,676)	540,201
<i>(5) Office of Information Technology</i>					
<i>(D) Statewide Information Technology Services</i>					
<i>(8) Network Services</i>					
Personal Services					
FTE	N.A.	17.0	0.0	(0.2)	16.8
Reappropriated Funds		1,525,435	(14,199)	(14,199)	1,511,236
<i>(5) Office of Information Technology</i>					
<i>(D) Statewide Information Technology Services</i>					
<i>(9) Computer Services</i>					
Personal Services					
FTE	N.A.	36.3	0.0	(0.4)	35.9
Reappropriated Funds		2,745,773	(30,365)	(30,365)	2,715,408

	FY 2007-08	FY 2008-09	Fiscal Year 2008-09 Supplemental		
	Actual	Appropriation	Requested Change	Recommended Change	New Total with Recommendation
Total for Supplemental #5					
FTE	N.A.	104.3	0.0	(3.6)	100.7
Reappropriated Funds		7,828,815	(239,046)	(239,046)	7,589,769
Totals Including Pending Items in Request					
DEPARTMENT OF GOVERNOR					
TOTALS for ALL Departmental line items	59,698,162	136,646,456	(1,222,738)	(1,222,738)	135,423,718
FTE	<u>106.6</u>	<u>376.7</u>	<u>0.0</u>	<u>(3.6)</u>	<u>373.1</u>
General Fund	12,066,327	16,004,195	(2,560,759)	(2,560,759)	13,443,436
Cash Funds	9,462,003	38,296,185	205,221	205,221	38,501,406
Reappropriated Funds	25,185,369	49,364,090	1,132,800	1,132,800	50,496,890
Federal Funds	12,984,463	32,981,986	0	0	32,981,986

Key:

"N.A." = Not Applicable or Not Available

Appendix A
Administration and Management of OIT
Changes to All Line Items, All Departments

Department and Line Item	GF	CF	RF	FF	Total
Agriculture					
(1) Commissioner's Office and Administrative Services					
Personal Services	(6,503)	0	0	0	(6,503)
Management and Administration of OIT	11,107	0	0	0	11,107
Total	4,604	0	0	0	4,604
Corrections					
(3) Support Services					
(G) Information Systems Subprogram					
Personal Services	(83,222)	0	0	0	(83,222)
Management and Administration of OIT	142,138	0	0	0	142,138
Total	58,916	0	0	0	58,916
Governor's Office					
(1) Office of the Governor					
(A) Administration of Governor's Office and Residence	(18,638)	0	0	0	(18,638)
(B) Special Purpose					
Salary Survey & Senior Executive Service	(33,694)	0	33,694	0	0
Performance-Based Pay Awards	(15,049)	0	15,049	0	0
SB 04-257 Amortization Equalization Disbursement	(8,814)	0	8,814	0	0
SB 06-235 Supplemental AED	(3,985)	0	3,985	0	0
Health, Life, and Dental	(75,504)	0	75,504	0	0
Short-term Disability	(731)	0	731	0	0
Management and Administration of OIT	45,366	2,115	2,490	3,038	53,009
(C) Governor's Energy Office					
Program Administration	0	0	0	(1,297)	(1,297)
Clean Energy	0	(2,115)	0	0	(2,115)
(2) Office of the Lieutenant Governor					
Administration	(824)	0	0	0	(824)
(3) Office of State Planning and Budgeting					
Operating Expenses	0	0	(685)	0	(685)
(4) Economic Development Programs					
Administration	(346)	0	0	0	(346)
Business Development	(1,196)	0	0	0	(1,196)
Minority Business Office	(1,195)	0	0	0	(1,195)
Small Business Development Centers	0	0	0	(1,195)	(1,195)
International Trade Office	(1,195)	0	0	0	(1,195)
Colorado Promotion Other Program Costs	0	0	(1,805)	0	(1,805)
Colorado Council on the Arts	0	0	0	(546)	(546)
(5) Office of Information Technology					
(A) Administration					
Personal Services	(1,013,334)	0	0	0	(1,013,334)
Operating Expenses	0	0	1,081,848	0	1,081,848
Legal Services	(150,268)	0	150,268	0	0
Legal Services	(1,953)	0	1,953	0	0
Total	(1,281,360)	0	1,371,846	0	90,486

Department and Line Item	GF	CF	RF	FF	Total
Health Care Policy and Financing					
(1) Executive Director's Office					
(A) General Administration					
Management and Administration of OIT	229,992	0	0	229,992	459,984
(6) Department of Human Services Medicaid-Funded Programs					
(B) Office of Information Technology					
Other Office of ITS Line Items	7,369	0	0	7,369	14,738
Total	237,361	0	0	237,361	474,722

Human Services					
(2) Office of Information Technology Services					
Personal Services	(401,343)	(12,522)	(40,452)	(66,153)	(520,470)
Management and Administration of OIT	685,055	19,891	69,929	114,053	888,928
Total	283,712	7,369	29,477	47,900	368,458

Labor and Employment					
(1) Executive Director's Office					
Personal Services		(33,670)	(660)	(31,690)	(66,020)
Management and Administration of OIT		57,039	1,127	54,591	112,757
(4) Division of Oil and Public Safety					
Indirect Cost Assessment		467	0	0	467
Total		23,836	467	22,901	47,204

Local Affairs					
(1) Executive Director's Office					
Personal Services	(728)	0	0	0	(728)
Management and Administration of OIT	5,671	0	8,011	0	13,682
(2) Property Taxation					
Division of Property Taxation	(1,457)	0	0	0	(1,457)
Board of Assessment Appeals	(1,092)	0	0	0	(1,092)
(3) Division of Housing					
Manufactured Buildings Program	0	(1,457)	0	0	(1,457)
(4) Division of Local Government					
(A) Local Government and Community Services					
(1) Administration					
Personal Services	(1,274)	0	0	0	(1,274)
(B) Field Services					
Program Costs	(1,274)	0	0	0	(1,274)
(5) Division of Emergency Management					
Administration	(729)	0	0	0	(729)
Total	(883)	(1,457)	8,011	0	5,671

Military and Veterans Affairs					
(1) Executive Director and Army National Guard					
Personal Services	(8,769)	0	0	0	(8,769)
Management and Administration of OIT	14,977	0	0	0	14,977
Total	6,208	0	0	0	6,208

Department and Line Item	GF	CF	RF	FF	Total
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Natural Resources					
(1) Executive Director's Office					
Personal Services	0	0	(4,928)	0	(4,928)
Management and Administration of OIT	47,835	165,212	8,417	4,960	226,424
(2) Division of Reclamation, Mining, and Safety					
(A) Coal Land Reclamation					
Program Costs	0	(425)	0	(1,601)	(2,026)
(B) Inactive Mines					
Program Costs	0	0	0	(1,303)	(1,303)
(C) Minerals					
Program Costs	0	(1,914)	0	0	(1,914)
(D) Mines Program					
Colorado and Federal Mine Safety Program	0	(385)	0	0	(385)
(3) Geologic Survey					
Environmental Geology and Geological Hazards Program	0	(1,654)	0	0	(1,654)
Mineral Resources and Mapping	0	(1,654)	0	0	(1,654)
(4) Oil and Gas Conservation Program					
Program Costs	0	(5,425)	0	0	(5,425)
(5) State Board of Land Commissioners					
Program Costs	0	(3,689)	0	0	(3,689)
(6) Parks and Outdoor Recreation					
(A) State Park Operators	(7,562)	(17,645)	0	0	(25,207)
(7) Colorado Water Conservation Board					
(A) Administration					
Personal Services	0	(8,730)	0	0	(8,730)
(8) Water Resources Division					
Personal Services	(20,445)	0	0	0	(20,445)
(9) Division of Wildlife					
(A) Division Operations					
(1) Director's Office	0	(55,212)	0	0	(55,212)
Total	19,828	68,479	3,489	2,056	93,852

Personnel and Administration					
(1) Executive Director's Office					
Leased Space	0	0	(33,544)	0	(33,544)
Management and Administration of OIT	15,658	292	41,341	0	57,291
Total	15,658	292	7,797	0	23,747

Public Health and Environment					
(2) Center for Health and Environmental Information					
(B) Information Technology Services					
Management and Administration of OIT	0	0	111,907	0	111,907
(9) Disease Control and Environmental Epidemiology					
(E) Federal Grants	0	0	0	(32,761)	(32,761)
(10) Prevention Services Division					

Department and Line Item	GF	CF	RF	FF	Total
(F) Nutrition Services					
Women, Infants, and Children Supplemental Food Grant	0	0	0	(32,761)	(32,761)
Total	0	0	111,907	(65,522)	46,385

Public Safety					
(1) Executive Director's Office					
(A) Administration					
Operating Expenses	0	0	(3,857)	0	(3,857)
Management and Administration of OIT	115,299	798	92,622	4,084	212,803
(2) Colorado State Patrol					
Civilians	0	(92,622)	0	0	(92,622)
Indirect Cost Assessment					
(3) Office of Preparedness, Security, and Fire Safety					
Personal Services	(113)	(285)	0	0	(398)
Operating Expenses	0	(513)	(227)	0	(740)
(4) Division of Criminal Justice					
(A) Administration					
Operating Expenses	(5,688)	0	0	0	(5,688)
(5) Colorado Bureau of Investigation					
(B) Colorado Crime Information Center (CCIC)					
(3) Information Technology					
Operating Expenses	(21,292)	0	0	0	(21,292)
Total	88,206	(92,622)	88,538	4,084	88,206

Regulatory Agencies					
(1) Executive Director's Office					
Personal Services	(22)	(36)	(3,852)	0	(3,910)
Management and Administration of OIT	1,525	54,708	10,267	606	67,106
(2) Division of Banking					
Personal Services	0	(2,776)	0	0	(2,776)
(3) Civil Rights Division					
Personal Services	(870)	0	(414)	(355)	(1,639)
(4) Office of Consumer Counsel					
Personal Services	0	(764)	0	0	(764)
(5) Division of Financial Services					
Personal Services	0	(945)	0	0	(945)
(6) Division of Insurance					
Personal Services	0	(5,733)	0	0	(5,733)
(7) Public Utilities Commission					
Personal Services	0	(8,038)	0	0	(8,038)
(8) Division of Real Estate					
Personal Services	0	(2,948)	0	0	(2,948)
(9) Division of Registrations					
Personal Services	0	(9,082)	(1,746)	0	(10,828)

Department and Line Item	GF	CF	RF	FF	Total
(10) Division of Securities					
Personal Services	0	(1,710)	0	0	(1,710)
Total	633	22,676	4,255	251	27,815
Revenue					
(1) Executive Director's Office					
Management and Administration of OIT	423,821	0	0	0	423,821
(3) Information Technology Division					
(A) Systems Support					
Personal Services	(248,149)	0	0	0	(248,149)
Total	175,672	0	0	0	175,672
Transportation					
Not Appropriated Expenses	0	106,471	0	106,471	212,942
Total	0	106,471	0	106,471	212,942
Grand Totals	(391,445)	135,044	1,625,787	355,502	1,724,888