

CHAPTER 43

APPROPRIATIONS

HOUSE BILL 94-1331

BY REPRESENTATIVES Grampas, Owen, Romero, and Hernandez;
also SENATORS Traylor, Lacy, and Rizzuto.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF REVENUE.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Part XIX of section 2 of chapter 353, Session Laws of Colorado 1993, is amended to read:

SECTION 2. Appropriation.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

Appropriations

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART XIX
DEPARTMENT OF REVENUE**

(1) OFFICE OF EXECUTIVE DIRECTOR^{93,94}

Personal Services and Operating Expenses	4,641,213
	4,602,791
	(88.9 FTE)
	(88.4 FTE)
Travel Expenses	28,485
Group Health and Life	2,343,227
Short-term Disability	91,159
Anniversary and Shift Differential	544,970
	451,070
Workers' Compensation	604,295
Legal Services	322,101
	286,188
Payment to Risk Management and Property Funds	105,420
	118,301

Vehicle Lease Payments	331,405				
	262,465				
ADP Capital Outlay	1,538,500				
	1,658,250				
Leased Space ⁹⁵	1,110,306				
	1,066,932				
Capitol Complex Leased Space	612,448				
	626,947				
Grand Junction Office Building Leased Space	25,294				
Utilities	<u>249,644</u>				
		12,548,467	2,823,931	8,771,970 ^a	952,566 ^b
		12,415,048	2,553,084	320,863 ^a	9,541,101 ^b

^a Of this amount, ~~\$5,825,800 shall be from the Highway Users Tax Fund of which \$947,975 shall be for indirect cost recoveries, \$300,000 shall be from the Drivers License Revocation Account; \$20,973 shall be from the Trade Name Registration Fund for indirect cost recoveries, \$1,084(T) shall be from the Debt Collection Fund for indirect cost recoveries, \$268,615(T) shall be from the State Lottery Fund for indirect cost recoveries, \$96,544(T) shall be from the AIR Account for indirect cost recoveries, \$77,952(T) shall be from the Auto Dealers License Fund for indirect cost recoveries, \$821,814 shall be from the Distributive Data Processing Account, of which \$216,897(T) shall be for indirect cost recoveries; \$5,930 shall be from the Aviation Fund for indirect cost recoveries, \$35,878 shall be from the Liquor Enforcement Cash Fund for indirect cost recoveries, \$301,781 shall be from the Limited Gaming Fund of which \$41,171 shall be for indirect cost recoveries, \$5,025 shall be from fees collected pursuant to Section 42-2-116(3)(c);~~

Appropriations

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C.R.S., for indirect cost recoveries, \$1,934 shall be from fees collected pursuant to Section 42-1-215(2), C.R.S., for indirect cost recoveries; and \$1,008,640 \$293,960 shall be from various sources of cash funds.

^b Of this amount, \$933,583 shall be from reserves in the Distributive Data Processing Account, and \$18,983(T) shall be from reserves in the Tourism Promotion Fund for indirect

cost recoveries. \$5,699,795 SHALL BE FROM THE HIGHWAY USERS TAX FUND OF WHICH \$947,975 SHALL BE FOR INDIRECT COST RECOVERIES, \$300,000 SHALL

BE FROM THE DRIVERS LICENSE REVOCATION ACCOUNT, \$1,084(T) SHALL BE FROM THE DEBT COLLECTION FUND FOR INDIRECT COST RECOVERIES,

\$270,567(T) SHALL BE FROM THE STATE LOTTERY FUND FOR INDIRECT COST RECOVERIES, \$131,702(T) SHALL BE FROM THE AIR ACCOUNT FOR INDIRECT

COST RECOVERIES, \$96,810(T) SHALL BE FROM THE AUTO DEALERS LICENSE FUND FOR INDIRECT COST RECOVERIES, \$1,929,151 SHALL BE FROM THE

DISTRIBUTIVE DATA PROCESSING ACCOUNT OF WHICH \$270,901(T) SHALL BE FOR INDIRECT COST RECOVERIES, \$35,878(T) SHALL BE FROM THE LIQUOR ENFORCEMENT CASH FUND FOR INDIRET COST RECOVERIES, \$301,781(T) SHALL BE FROM THE LIMITED GAMING FUND OF WHICH \$41,171 SHALL BE FOR INDIRECT COST RECOVERIES, \$5,025 SHALL BE FROM FEES COLLECTED PURSUANT TO SECTION 42-2-116(3)(c), C.R.S., FOR INDIRECT COST RECOVERIES, \$1,934 SHALL BE FROM FEES COLLECTED PURSUANT TO SECTION 42-1-215(2), C.R.S., FOR INDIRECT COST RECOVERIES, \$18,983(T) SHALL BE FROM RESERVES IN THE TOURISM PROMOTION FUND FOR INDIRECT COST RECOVERIES, AND \$748,391 SHALL BE FROM VARIOUS SOURCES OR CASH FUNDS.

(2) INFORMATION AND SUPPORT SERVICES DIVISION ⁹³

Program Costs	14,719,260	10,211,657	4,497,382 ^a	10,221 (T) ^b
	14,717,426	10,241,893	172,666 ^a	4,302,867 ^b
	(239.1 FTE)			
	(241.6 FTE)			
Travel Expenses	44,142	34,537	9,605 ^a	9,605 ^b
	<hr/>			
	14,763,402			
	14,761,568			

^a ~~Of these amounts, \$3,700,648 shall be from the Highway Users Tax Fund; OF THIS AMOUNT, \$93,180 shall be from the Trade Name Registration Fund, \$1,479 shall be from fees collected pursuant to Section 42-2-116(3)(c), C.R.S., \$16,242 shall be from the Drivers License Revocation Account, \$28,417(T) shall be from the Debt Collection Fund, \$22,844 shall be from the AIR Account, \$39,752 shall be from the Auto Dealers License Fund, \$379,224 shall be from the Distributive Data Processing Account, \$25,204 shall be from the Aviation Fund, \$116,955 shall be from the Limited Gaming Fund, \$63,087 shall be from fees collected pursuant to 42-1-215(2) C.R.S., \$5,385 shall be from the State Lottery Fund; \$12,517 shall be from the Liquor Enforcement Cash Fund, \$1,088 from the Ozone Protection Fund, and \$925 shall be from the Wood Smoke Reduction Fund.~~

^b ~~This amount shall be from reserves in the Tourism Promotion Fund. OF THESE AMOUNTS, \$3,668,578 SHALL BE FROM THE HIGHWAY USERS TAX FUND, \$1,479 SHALL BE FROM FEES COLLECTED PURSUANT TO SECTION 42-2-116(3)(c) C.R.S., \$16,242 SHALL BE FROM THE DRIVERS LICENSE REVOCATION ACCOUNT, \$28,417(T) SHALL BE FROM THE DEBT COLLECTION FUND, \$22,884 SHALL BE FROM THE AIR ACCOUNT, \$379,224 SHALL BE FROM THE DISTRIBUTIVE DATA~~

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

PROCESSING ACCOUNT, \$116,955(T) SHALL BE FROM THE LIMITED GAMING FUND, \$63,087 SHALL BE FROM FEES COLLECTED PURSUANT TO SECTION 42-1-215(2) C.R.S., \$5,385 SHALL BE FROM THE STATE LOTTERY FUND, AND \$10,221 (T) SHALL BE FROM RESERVES IN THE TOURISM PROMOTION FUND.

(3) MOTOR VEHICLE DIVISION ⁹³

Program Costs	12,904,984	761,973		12,143,011^a	
	12,894,408	557,517		211,093 ^a	12,125,798 ^b
	(418.8 FTE)				
	(418.2 FTE)				
Travel Expenses	77,222	5,689		71,533^a	71,533 ^b
	<u>12,982,206</u>				
	12,971,630				

^a Of these amounts, ~~\$11,309,008~~ shall be from the Highway Users Tax Fund, ~~\$226,421~~ shall be from the Drivers License Revocation Account, ~~\$158,948~~ shall be from fees collected pursuant to Section 42-2-116(3)(c), C.R.S., ~~\$259,066~~ shall be from the Distributive Data Processing Account, ~~\$40,378~~ OF THIS AMOUNT, ~~\$40,378~~ shall be from the Auto Dealers License Fund, ~~\$50,008~~ shall be from the AIR Account, and \$170,715 shall be from fees, taxes and all other sources of revenue collected by the Department of State.

^b OF THESE AMOUNTS, \$11,502,888 SHALL BE FROM THE HIGHWAY USERS TAX FUND, \$226,421 SHALL BE FROM THE DRIVERS LICENSE REVOCATION ACCOUNT, \$158,948 SHALL BE FROM FEES COLLECTED PURSUANT TO SECTION 42-2-116(3)(c), C.R.S., \$259,066 SHALL BE FROM THE DISTRIBUTIVE DATA PROCESSING ACCOUNT, AND \$50,008 SHALL BE FROM THE AIR ACCOUNT.

(4) PORTS OF ENTRY DIVISION ⁹³

Program Costs	4,975,439			
	(131.3 FTE)			
Travel Expenses	57,505			
Controlled Maintenance -				
Fixed and Mobile Ports	<u>55,335</u>			
		5,088,279	5,088,279 ^a	5,088,279 ^a

^a This amount shall be from the Highway Users Tax Fund.

(5) SPECIAL PURPOSE ⁹³

(A) Vehicle Emissions

Program Costs	1,324,352			
	(25.4 FTE)			
Travel Expenses	<u>4,020</u>			
	1,328,372		1,328,372 ^a	
			37,309 ^a	1,291,063 ^b

^a Of this amount, \$1,291,063 shall be from the AIR Account, and \$37,309 THIS AMOUNT shall be from the Auto Dealers License Fund.

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
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^b THIS AMOUNT SHALL BE FROM THE AIR ACCOUNT.

(B) Motor Vehicle Dealer Licensing Board

Program Costs	1,155,242					
	(24.2 FTE)					
Travel Expenses	<u>12,138</u>					
	1,167,380			1,167,380 ^a		
				1,160,473 ^a	6,907 ^b	

^a ~~Of this amount, \$1,160,473 THIS AMOUNT shall be from the Auto Dealers License Fund, \$2,601 shall be from the Distributed Data Processing Account, and \$4,306 shall be from the AIR Account.~~
FUND.

^b OF THIS AMOUNT, \$2,601 SHALL BE FROM THE DISTRIBUTED DATA PROCESSING ACCOUNT, AND \$4,306 SHALL BE FROM THE AIR ACCOUNT.

(C) Traffic Safety

Program	100,000				100,000 (T) ^a	
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^a This amount shall be from federal funds appropriated in the Office of Transportation Safety, Colorado Department of Transportation.

(D) Data Processing Services

Distributive Data

Processing 3,112,262
3,133,680
(25.5 FTE)

Distributive Data

Processing

Travel Expenses 32,229

VOTER

REGISTRATION

CONSOLIDATION 19,801

Titles 1,116,662

(42.4 FTE)

Titles

Travel Expenses 3,842

4,264,995

4,306,214

4,264,995^a

6,393^a

4,299,821^b

^a ~~Of this amount, \$4,239,556 shall be from the Distributive Data Processing Account, \$19,046 shall be from the AIR Account, and \$6,393~~ THIS AMOUNT shall be from the Auto

Dealers License Fund.

^b OF THIS AMOUNT, \$4,260,974 SHALL BE FROM THE DISTRIBUTIVE DATA PROCESSING ACCOUNT, \$19,801(T) SHALL BE FROM FEES, TAXES, AND ALL OTHER

SOURCES OF REVENUE COLLECTED BY THE DEPARTMENT OF STATE, AND \$19,406 SHALL BE FROM THE AIR ACCOUNT.

(E) Motor Carrier Safety

Assistance Program 325,710

325,710

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
						(12.0 FTE)
(F) Hazardous Materials Permitting Program	136,881			136,881 ^a	136,881 ^a	
				(4.0 FTE)	(4.0 FTE)	
(G) Mineral Audit Program	563,834			18,534 (T) "	24,788 (T) ^b 43,322 (T) ^a	520,512 ^c
	(10.0 FTE)					

^a This amount shall be from the Hazardous Materials Safety Fund.

^a Of this amount, ~~\$16,526~~ \$41,314 shall be from the State Land Board Administrative Fund, and \$2,008 shall be from the Oil and Gas Conservation Fund.

^b This amount shall be from the State Land Board Administrative Fund and is derived from property sales.

^c Included in this amount is \$62,856 in indirect cost recoveries.

(H) Cigarette Tax

Rebate	16,100,000	16,100,000 ^a
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^a For purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution these moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision and, therefore, are not subject to the limitation of General Fund appropriations as set forth in Section 24-75-201.1, C.R.S.

**(I) Old Age Heat and Fuel and
Property Tax Assistance**

Grant	14,000,000	14,000,000 ^a
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^a For purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution these moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision and, therefore, are not subject to the limitation of General Fund appropriations as set forth in Section 24-75-201.1, C.R.S.

~~(J) Tourism Fund~~

Administration	57,024	57,024 (FTE) (1.3 FTE)
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~~^a This amount shall be from reserves in the Tourism Promotion Fund.~~

(K) Indirect Cost

Assessment	391,393	391,393 ^a	
		77,952 ^a	313,441 ^b

~~^a Of this amount, THIS AMOUNT \$216,897 shall be from the Distributive Data Processing Account, \$77,952 shall be from the Auto Dealers License Fund, and \$96,544 shall be~~

Appropriations

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

from the AIR Account:
FUND.

^b OF THIS AMOUNT, \$216,897 SHALL BE FROM THE DISTRIBUTIVE DATA PROCESSING ACCOUNT, AND \$96,544 SHALL BE FROM THE AIR ACCOUNT.

(L) Reinvestment

Reserve ⁹⁶	250,000			250,000 (T) ⁷		
	217,076	90,989		6,000 ^a	120,087 ^b	

⁷ This amount shall be from savings identified within the Department.

^a THIS AMOUNT SHALL BE FROM THE LIQUOR ENFORCEMENT CASH FUND.

^b OF THIS AMOUNT, \$94,187 SHALL BE FROM THE HIGHWAY USERS TAX FUND, AND \$25,900 SHALL BE FROM THE DISTRIBUTIVE DATA PROCESSING ACCOUNT.

(M) DESERT STORM

TAX CHECKOFF	100,000				100,000 ^a	
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^a THIS AMOUNT SHALL BE FROM DONATIONS TO THE DESERT STORM ACTIVE DUTY MILITARY FUND.

**(N) COLORADO
MUNICIPAL**

LEAGUE COMPUTER LIST 10,378 10,378 ^a

^a THIS AMOUNT SHALL BE FROM THE COLORADO MUNICIPAL LEAGUE.

38,685,589
38,747,238

(6) TAXATION AND COMPLIANCE DIVISION ⁹³

Program Costs	10,077,742	9,414,109	539,296^a	124,337(T)^b
	10,060,568	9,410,646		649,922 ^a
	(213.2 FTE)			
	(212.2 FTE)			
Travel Expenses	177,716	164,299	13,417^a	13,417 ^a
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	10,255,458			
	10,238,284			

^a Of these amounts, ~~\$481,017~~ \$476,146 shall be from the Highway Users Tax Fund, \$62,856(T) shall be from Mineral Audit Program indirect cost recoveries, and \$8,840 shall

~~be from the State Lottery Fund.~~ \$124,337(T) SHALL BE FROM RESERVES IN THE TOURISM PROMOTION FUND.

^b ~~This amount shall be from reserves in the Tourism Promotion Fund.~~

(7) TAXPAYER SERVICE DIVISION ⁹³

Program Costs	3,418,025	2,850,135	542,043^a	25,847(T)^b
	3,410,728	2,844,907	223,268 ^a	342,553 ^b
	(90.6 FTE)			

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Travel Expenses	(90.2 FTE) <u>18,464</u>		17,333		1,131 ^a		
		3,436,489					
		3,429,192					

^a Of these amounts, ~~\$295,992 shall be from the Highway Users Tax Fund~~; \$174,090 shall be from the Trade Name Registration Fund, AND ~~\$20,161(T) shall be from the Debt~~

~~Collection Fund~~; \$50,309 shall be from the Aviation Fund, and ~~\$2,622 shall be from the Limited Gaming Fund~~. FUND.

~~^b This amount shall be from reserves in the Tourism Promotion Fund.~~

^b OF THIS AMOUNT, \$293,923 SHALL BE FROM THE HIGHWAY USERS TAX FUND, \$20,161(T) SHALL BE FROM THE DEBT COLLECTION FUND, \$25,847(T) SHALL BE FROM RESERVES IN THE TOURISM PROMOTION FUND, AND \$2,622(T) SHALL BE FROM THE LIMITED GAMING FUND.

(8) LIQUOR ENFORCEMENT DIVISION⁹³

Personal Services and							
Operating Expenses	1,008,339		412,321		596,018^a 589,181 ^a	6,837 (T) ^b	
			(9.5 FTE)		(11.0 FTE)		
Travel Expenses	21,136		8,147		12,989 ^a		
Indirect Cost							
Assessment	<u>35,878</u>				35,878 ^a		

1,065,353

^a Of these amounts, \$638,048 THESE AMOUNTS shall be from the Liquor Enforcement Cash Fund, and \$6,837 shall be from the Limited Gaming Fund.

^b THIS AMOUNT SHALL BE FROM THE LIMITED GAMING FUND.

(9) STATE LOTTERY DIVISION ⁹³

Fixed Costs	7,163,154
	(115.0 FTE)
Instant Ticket	104,384
Dispensers ⁹⁷	
Travel Expenses	119,291
Leased Space	357,387
Grand Junction Office	
Building Leased Space	4,933
Indirect Cost	
Assessment	268,615
	274,000
Marketing and	
Communications	8,647,032
Vendor Fees	9,036,160 ^a
Prizes	139,743,680 ^a
Retailer Compensation	15,350,400 ^a
Ticket Costs	2,133,160
	<u>3,269,570</u>

~~182,928,196~~

184,069,991

~~182,928,196^b~~

184,069,991 ^b

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\$	\$	\$	\$	\$	\$	\$

^a For purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution these moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision, or pursuant to written agreement.

^b Of this amount, ~~\$182,922,307~~ \$184,064,102 shall be from the State Lottery Fund, and \$5,889(T) shall be from the Limited Gaming Fund.

(10) LIMITED GAMING DIVISION ^{93, 98, 98a}

Program Costs	11,724,957	11,724,957 ^a
	12,496,167	12,496,167 ^a
		(63.0 FTE)

^a This amount shall be from the Limited Gaming Fund. For purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of

the State Constitution these moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

(11) DIVISION OF RACING EVENTS ⁹³

Personal Services	344,380
	(8.0 FTE)
Operating Expenses	132,866
Travel Expenses	4,703
Laboratory Services	360,631
Commission Meeting	

Costs	7,315			
Commission Travel	2,850			
Racetrack				
Applications	25,000			
Horse Racing Days	223,922			
Greyhound Race				
Programs	1,069,226			
Simulcasting	245,818			
Purses and Breeders	^a			
Awards	810,000			
FAIR CIRCUIT RACE	11,943			
DAYS				
	<u> </u>	3,226,711	2,391,711	835,000 ^b
		3,238,654	2,403,654	

^a For purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution these moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

^b Of this amount, \$25,000 shall be from racetrack applications and \$810,000 shall be from racing tax revenues for the Supplemental Purses and Breeders Awards program.

TOTALS PART XIX

(REVENUE)	\$296,705,107	\$59,195,842^a	<u> </u>	\$235,368,260^b	\$1,294,783^b	\$846,222
	<u>\$298,521,404</u>	<u>\$58,845,016^a</u>	<u> </u>	<u>\$16,196,741^b</u>	<u>\$222,633,425^b</u>	<u> </u>

^a Of this amount, \$30,100,000, is included as information for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. As this amount is continuously appropriated by a permanent statute or constitutional provision it is not subject to the limitation of General Fund Appropriations as set forth in Section 24-75-201.1, C.R.S.

Appropriations

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^b Of these amounts, ~~\$1,402,260~~ \$1,694,971 contains a (T) notation, and ~~\$26,700,744~~ \$26,823,796 is from the Highway Users Tax Fund subject to Section 43-4-201(3)(a), C.R.S.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 22, 1994