

CHAPTER 320

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**APPROPRIATIONS**

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**HOUSE BILL 96-1336**

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

**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 XX of section 2 of chapter 283, Session Laws of Colorado 1995, is amended is amended to read:

Section 2. **Appropriation.**

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*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 XX  
DEPARTMENT OF REVENUE

(1) EXECUTIVE DIRECTOR'S OFFICE<sup>112,131,132,132a</sup>

Personal Services and Operating Expenses	5,213,386
	5,146,919
	(87.7 FTE)
Interactive Voice Response <sup>133,133a</sup>	507,786
System Design <sup>134</sup>	782,000
Health, Life, and Dental	<del>2,890,947</del>
	2,724,947
Short-term Disability	96,901
Salary Survey, Anniversary Increases and Shift Differential	<del>2,114,155</del>
	2,104,884
Workers' Compensation	586,624
Legal Services	408,392
Payment to Risk Management	

Land Property Funds	190,131				
Vehicle Lease Payments	<del>408,500</del>				
	345,267				
ADP Capital Outlay	<del>564,164</del>				
	744,164				
Leased Space	<del>1,640,014</del>				
	1,458,532				
Capitol Complex Leased					
Space	676,193				
Utilities	<del>205,492</del>				
	247,678				
	<u>16,284,685</u>	<del>4,978,717</del>		<del>447,139</del> <sup>a</sup>	<del>10,858,829</del> <sup>b</sup>
	16,020,418	4,880,121		477,180 <sup>a</sup>	10,663,117 <sup>b</sup>

<sup>a</sup> Of this amount, \$20,626 shall be from the Trade Name Registration Fund, ~~\$27,518~~ \$47,518 shall be from the Auto Dealers License Fund and ~~\$398,995~~ \$409,036 shall be from various sources of cash.

<sup>b</sup> Of this amount \$8,000,437 shall be from the Highway Users Tax Fund, of which \$1,699,953 shall be for indirect cost recoveries, \$869,631 shall be from the Distributive Data Processing Account, of which \$215,063(T) shall be for indirect cost recoveries, \$347,246 shall be from the Drivers License Revocation Account, \$267,429(T) shall be from the State Lottery Fund for indirect cost recoveries, \$160,606(T) shall be from the Limited Gaming Fund, of which \$148,824 shall be for indirect cost recoveries, ~~\$86,961(T)~~ \$78,148 (T) shall be from the Automotive Inspection and Readjustment Account for indirect cost recoveries, ~~\$71,380(T)~~ \$71,826 (T) shall be from the Auto Dealers License Fund for indirect cost recoveries, \$33,844(T) shall be from the Liquor Enforcement Cash Fund for indirect cost recoveries, \$13,076(T) shall be from fees collected pursuant to Section 42-2-116(3)(c), C.R.S., for indirect cost recoveries, \$2,124(T) shall be from fees collected pursuant to Section 42-2-115(2), C.R.S., for indirect cost recoveries, and ~~\$1,006,095~~ \$818,750 shall be from various sources of exempt cash funds.

**(2) INFORMATION AND SUPPORT SERVICES DIVISION<sup>132,135</sup>**

Program Costs	<del>15,816,712</del>	<del>10,440,079</del>	383,742 <sup>a</sup>	<del>4,992,891</del> <sup>b</sup>
	15,902,630	10,513,828		5,005,060 <sup>b</sup>

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

(245.5 FTE)

<sup>a</sup> Of this amount, \$266,588 shall be from the Trade Name Registration Fund, \$107,123 shall be from the Auto Dealers License Fund, and \$10,031 shall be from the Aviation Fund.

<sup>b</sup> Of this amount, \$4,056,570 shall be from the Highway Users Tax Fund, \$409,913 shall be from the Distributive Data Processing Account, \$29,636 shall be from fees collected pursuant to Section 42-1-215(2), C.R.S., \$35,201(T) shall be from the Debt Collection Fund, and \$63,995(T) shall be from the Liquor Enforcement Fund for indirect cost recoveries, \$115,044 shall be from the Automotive Inspection and Readjustment Account, \$63,295 shall be from the Drivers License Revocation Account, \$5,569(T) shall be from the Lottery Fund, ~~\$127,793(T)~~ \$139,962(T) shall be from the Limited Gaming Fund, and \$85,875 shall be from the Outstanding Judgements and Warrants Account.

**(3) MOTOR VEHICLE DIVISION<sup>19,132</sup>**

Program Costs	<del>14,075,761</del>	<del>1,000,749</del>	<del>71,867<sup>a</sup></del>	<del>13,003,145<sup>b</sup></del>
	14,223,009	4,569,463	76,458 <sup>a</sup>	9,577,088 <sup>b</sup>
	(407.2 FTE)			

<sup>a</sup> This amount shall be from the Auto Dealers License Fund.

<sup>b</sup> Of this amount, ~~\$12,155,806~~ \$8,729,749 shall be from the Highway Users Tax Fund, \$301,974 shall be from the Distributive Data Processing Account, \$241,459 shall be from the Drivers License Revocation Account, \$218,634 shall be from fees collected pursuant to Section 42-2-116(3)(c), C.R.S., \$65,515 shall be from the Automotive Inspection and Readjustment Account, and \$19,757 shall be from the Penalty Assessment Account.

**(4) PORTS OF ENTRY DIVISION<sup>132</sup>**

Program Costs	5,596,957
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	(131.3 FTE)			
Controlled Maintenance -				
Fixed and Mobile Ports	<u>55,335</u>			
		5,652,292	5,406,562 <sup>a</sup>	245,730

<sup>a</sup> This amount shall be from the Highway Users Tax Fund.

**(5) SPECIAL PURPOSE<sup>1,32</sup>**

**(A) Vehicle Emissions**

Program Costs	976,653		976,653 <sup>a</sup>	
			(16.5 FTE)	

<sup>a</sup> This amount shall be from the Automobile Inspection and Readjustment Account.

**(B) Motor Vehicle Dealer Licensing Board**

Program Costs	1,145,953		1,145,953 <sup>a</sup>	
			(23.2 FTE)	

<sup>a</sup> This amount shall be from the Auto Dealers License Fund.

**(C) Traffic Safety**

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

**(D) Data Processing Services**

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Distributive Data							
Processing	3,538,072						
	3,569,072						
	(27.5 FTE)						
Titles	1,267,899						
	(42.4 FTE)						
	<u>4,805,971</u>				17,018 <sup>a</sup>	4,788,953 <sup>b</sup>	
	4,836,971					4,819,953 <sup>b</sup>	

<sup>a</sup> This amount shall be from the Auto Dealers License Fund.

<sup>b</sup> ~~This amount~~ OF THIS AMOUNT, \$4,667,841 shall be from the Distributive Data Processing Account. ACCOUNT AND \$152,112 (T) SHALL BE FROM FEES, TAXES AND ALL OTHER SOURCES OF REVENUE COLLECTED BY THE DEPARTMENT OF STATE.

**(E) Motor Carrier Safety**

<b>Assistance Program</b>	292,123					292,123	
						(12.0 FTE)	

**(F) Hazardous Materials**

<b>Permitting Program</b>	150,507					150,507(T) <sup>a</sup>	
						(4.0 FTE)	

<sup>a</sup> This amount shall be from the Hazardous Materials Safety Fund.

**(G) Mineral Audit**

<b>Program</b>	563,834	43,322(T) <sup>a</sup>	520,512 <sup>b</sup>
	(10.0 FTE)		

<sup>a</sup> Of this amount, \$2,008 shall be from the Oil and Gas Conservation Fund and \$41,314 shall be from the State Land Board Administration Fund.

<sup>b</sup> Included in this amount is \$77,021 in indirect cost recoveries.

<b>(H) Cigarette Tax Rebate</b>	16,700,000	16,700,000 <sup>a</sup>
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<sup>a</sup> 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**

<b>Grant</b>	12,300,000	12,300,000 <sup>a</sup>
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<sup>a</sup> 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) Indirect Cost**

<b>Assessment</b>	364,591	71,380 <sup>a</sup>	293,211 <sup>b</sup>
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<sup>a</sup> This amount shall be from the Auto Dealers License Fund.

<sup>b</sup> Of this amount, \$215,063 shall be from the Distributive Data Processing Account and \$78,148 shall be from the Automotive Inspection and Readjustment Account.

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>(K) Reinvestment Reserve<sup>136</sup></b>	250,000					250,000(T) <sup>a</sup>	
<b>(L) Colorado Municipal League Computer List</b>	1,314				1,314 <sup>a</sup>		
		<del>37,650,946</del>					
		37,681,946					
<b>(6) TAXATION AND COMPLIANCE DIVISION<sup>132</sup></b>							
Program Costs		<del>10,834,740</del>	<del>10,191,652</del>			643,088 <sup>a</sup>	
		10,756,105	10,113,017				
		<del>(214.2 FTE)</del>					
		(212.2 FTE)					

<sup>a</sup> Of this amount, \$566,067 shall be from the Highway Users Tax Fund and \$77,021(T) shall be from the Mineral Audit Program for indirect cost recoveries.

**(7) TAXPAYER SERVICE DIVISION<sup>132,132b,136a</sup>**

Program Costs	3,762,568	3,121,818	224,300 <sup>a</sup>	368,287 <sup>b</sup>	48,163
	3,841,203	3,200,453			
	(86.0 FTE)				
	(88.0 FTE)				

<sup>a</sup> Of this amount, \$194,489 shall be from the Trade Name Registration Fund, and \$29,811 shall be from the Aviation Fund.

<sup>b</sup> Of this amount, \$359,259 shall be from the Highway Users Tax Fund, and \$9,028(T) shall be from the Debt Collection Fund.

**(8) LIQUOR ENFORCEMENT DIVISION<sup>132</sup>**

Personal Services and Operating Expenses	1,099,263	452,531 (9.5 FTE)	646,732 <sup>a</sup> (11.0 FTE)
Indirect Cost Assessment	<u>97,839</u>		97,839 <sup>a</sup>
	1,197,102		

<sup>a</sup> These amounts shall be from the Liquor Enforcement Cash Fund.

**(9) STATE LOTTERY DIVISION<sup>132</sup>**

Fixed Costs	<del>8,490,318</del> 8,380,318 (120.0 FTE)
Travel	121,361
Leased Space	370,078

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
Grand Junction Office							
Building Leased Space	5,022						
Indirect Cost							
Assessment	272,998						
Marketing and							
Communications	8,647,032						
Vendor Fees	8,632,560 <sup>a</sup>						
Prizes	148,014,000 <sup>a</sup>						
Retailer Compensation	15,293,940 <sup>a</sup>						
Ticket Costs	<u>3,351,720</u>						
		<del>193,199,029</del>				<del>193,199,029<sup>b</sup></del>	
		193,089,029				193,089,029 <sup>b</sup>	

<sup>a</sup> 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.

<sup>b</sup> This amounts shall be from the State Lottery Fund.

**(10) LIMITED GAMING DIVISION<sup>132</sup>**

Program Costs	<del>15,541,428</del>	<del>15,541,428<sup>a</sup></del>
	17,084,932	17,084,932 <sup>a</sup>
		(67.5 FTE)

<sup>a</sup> 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<sup>132</sup>**

Program Costs	2,010,536			
	(37.2 FTE)			
Racetrack				
Applications	25,000			
Purses and Breeders	810,000 <sup>a</sup>			
Fair Circuit Race Days <sup>137</sup>	94,359			
	<u>(1.3 FTE)</u>			
		2,939,895	2,104,895	835,000 <sup>b</sup>

<sup>a</sup> 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.

<sup>b</sup> 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 XX**

<b>(REVENUE)<sup>10, 11, 11a</sup></b>	\$316,955,158	\$61,290,441 <sup>a</sup>	\$19,483,712	\$235,074,477 <sup>b</sup>	\$1,106,528
	<u>\$318,388,561</u>	<u>\$64,834,308<sup>a</sup></u>	<u>\$21,061,848</u>	<u>\$231,385,877<sup>b</sup></u>	

<sup>a</sup> Of this amount, \$29,000,000, 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
\$	\$	\$	\$	\$	\$	\$

<sup>b</sup> Of this amount, ~~\$1,725,088~~ \$1,868,833 contains a (T) notation, and ~~\$30,544,701~~ \$27,118,644 is from the Highway Users Tax Fund subject to Section 43-4-201(3)(a), C.R.S.

**FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

- 10 (Governor lined through this provision. See L. 95, p. 2066.)
- 11 All Departments, Totals -- The General Assembly requests that copies of all reports requested in other footnotes contained in this act be delivered to the Joint Budget Committee and the majority and minority leadership in each house of the General Assembly.
- 11a (Governor lined through this provision. See L. 95, p. 2066.)
- 12 (Governor lined through this provision. See L. 95, p. 2066.)
- 19 Department of Corrections, Correctional Industries; and Department of Revenue, Motor Vehicle Division -- The Department of Corrections is requested to submit to the Joint Budget Committee quarterly reports which outline the license plate production level, by type, for the preceding quarter, as well as an estimate of the next quarter's anticipated production level as compared to actual orders received. The Department of Revenue is requested to submit to the Joint Budget Committee quarterly reports which outline the license plate inventory on hand, by county, as of the end of each quarter, as well as the estimated license plate demand of each county for the next quarter. It is the intent of the General Assembly that the current manual format is acceptable for these reports and that no further computer enhancements are necessary.
- 131 Department of Revenue, Executive Director's Office -- It is the intent of the General Assembly that the Department of Revenue submit a report to the Joint Budget Committee by November 1, 1995, detailing vacancy savings and POTS being utilized to provide funding in the Reinvestment Reserve.
- 132 Department of Revenue, All Sections -- The Department's line item appropriations have been based upon and are subject to the Memorandum of Understanding between the Department of Revenue and the Joint Budget Committee of the General Assembly, which memorandum was signed by the Executive Director of the Department and the Chairman of the Joint Budget Committee. The Memorandum of Understanding is on file at the office of the Joint Budget Committee. The intent of the Memorandum is to make the Department more cost-effective through new and continued line item consolidation in order to maximize productivity by using existing and reduced staff and funding levels to prioritize assignments and responsibly perform statutorily required functions. The Department will maintain accounting records which will delineate actual expenditures for the consolidated line items based on the FY 1988-89 appropriation line items.

- 132a Department of Revenue, Executive Director's Office --It is the intent of the General Assembly that the Department of Revenue shall meet with the Legislative Council fiscal note staff and the Joint Budget Committee staff in order to resolve issues related to consistently reflecting the additional costs pertaining to computer programming associated with new legislation. Legislative Council is to make available to members of the General Assembly a memorandum explaining the resolution of the problem.
- 132b Department of Revenue, Taxpayer Service Division -- It is the intent of the General Assembly that the Department of Revenue send a postcard with a label to taxpayers who use a certified public accountant or other income tax service for preparation of their income tax returns in order to determine if the taxpayer wants an individual tax booklet mailed to them.
- 133 Department of Revenue, Executive Director's Office, Interactive Voice Response--It is the intent of the General Assembly that the Department utilize contract labor for this project and that no new FTE be hired for this project.
- 133a (Governor lined through this provision. See L. 95, p. 2068.)
- 134 Department of Revenue, Executive Director's Office, System Design--It is the intent of the General Assembly that the Department utilize contract labor and that no new FTE be hired for this project. It is also the intent of the General Assembly that these funds not be used to acquire any new software or hardware resources related to implementation features of the new system, except for personal computers for design activities pertaining to Phase I System Design.
- 135 Department of Revenue, Information and Support Services Division -- It is the intent of the General Assembly that the Department submit a decision item to the Joint Budget Committee when an appropriation request reflects a 5% increase from the prior year's base appropriation for purchases of services from Computer Center-Pueblo and purchases of services from Computer Center-GGCC.
- 136 Department of Revenue, Special Purpose, Reinvestment Reserve -- It is the intent of the General Assembly that the Department be allowed to reduce other line item appropriations in order to fund the Reinvestment Reserve line item. To this end, and in accordance with the Memorandum of Understanding between the Department and the Joint Budget Committee, the Department shall submit a Reinvestment Reserve plan to the Committee, in conjunction with its report as required under paragraph 6(b)(1) of the Memorandum of Understanding. The plan shall identify the sources of funds proposed for transfer to the Reinvestment Reserve. It is the intent of the General Assembly that the Joint Budget Committee be briefed by the Department on past, current, and future uses of the Reinvestment Reserve and lump sum flexibility on a quarterly basis. Based on its agreement with the plan submitted by the Department, the Joint Budget Committee shall support a supplemental appropriation to implement the proposal. Any funds thus appropriated to the Reinvestment Reserve in FY 1995-96 shall remain available for expenditure through the fiscal year ending June 30, 1998.
- 136a (Governor lined through this provision. See L. 95, p. 2069.)
- 137 Department of Revenue, Division of Racing Events, Fair Circuit Race Days -- These funds are appropriated to support the Fair Circuit Race program. The Division may transfer these funds and FTE to the Division's Program Cost line. The Division should report the expenditures on the Fair Circuit Program to the Joint Budget Committee by November 1, 1995.

**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation

Appropriations

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

of the public peace, health, and safety.

Approved: March 7, 1996