

CHAPTER 408

APPROPRIATIONS

HOUSE BILL 00-1412

BY REPRESENTATIVES Tool, Berry, Saliman, and Lawrence;
also SENATORS Lacy, Owen, and Tanner.

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 364, Session Laws of Colorado 1999, 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) EXECUTIVE DIRECTOR'S OFFICE

Personal Services and Operating Expenses	5,568,728
	5,326,875
	(83.3 FTE)
	(79.8 FTE)
Health, Life, and Dental	2,714,636
Short-term Disability	125,534
Salary Survey, Anniversary Increases, and Shift Differential	2,947,907
Workers' Compensation	644,646
Legal Services for 9,523 hours	503,481
Payment to Risk Management and Property Funds	192,862
Vehicle Lease Payments	453,687

ADP Capital Outlay	1,828,949				
Leased Space	1,717,215				
Capitol Complex Leased Space	757,265				
Lease Purchase -- 1881 Pierce Street	795,943				
Utilities	322,093				
	319,610				
Information Technology Asset Maintenance	<u>509,139</u>				
		19,082,085	12,628,828	955,429 ^a	5,497,828^b
		18,837,749	12,409,074		5,473,246 ^b

^a Of this amount, \$235,335(T) shall be from the State Lottery Fund for indirect cost recoveries, \$155,452 shall be from the Auto Dealers License Fund, of which \$65,639 is for indirect cost recoveries, \$91,519 shall be from the Liquor Enforcement Cash Fund, of which \$54,038 is for indirect cost recoveries, and \$473,123 shall be from various sources of cash.

^b Of this amount, ~~\$953,957~~ \$951,474 shall be from the Highway Users Tax Fund for the Ports of Entry in the Motor Carrier Services Division, \$555,820 shall be from the Distributive Data Processing Account, of which \$218,136 is for indirect cost recoveries, ~~\$436,850(T)~~ \$414,751(T) shall be from the Limited Gaming Fund, of which ~~\$230,704~~ \$208,605 is for indirect cost recoveries, \$418,358 shall be from the Drivers License Revocation Account for indirect cost recoveries, \$96,186 shall be from the Automotive Inspection and Readjustment Account, of which \$46,683 is for indirect costs recoveries, and \$3,036,657 shall be from various sources of exempt cash funds.

(2) CASH AND DOCUMENT PROCESSING DIVISION²⁴²

Program Costs	10,325,112
	10,369,055
	(146.4 FTE)
Lease Purchase--Phone System	<u>77,714</u>

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	10,402,826	9,242,793		320,255 ^a	839,778 ^b	
	10,446,769	9,253,681			872,833 ^b	

^a Of this amount, \$159,135 shall be from the Trade Name Registration Fund for indirect cost recoveries, \$112,087 shall be from the Auto Dealers License Fund for indirect cost recoveries, \$26,622 shall be from the Aviation Fund for indirect cost recoveries, \$21,236 shall be from the Liquor Enforcement Cash Fund for indirect cost recoveries, and \$1,175 shall be from the Tax Lien Certification Fund for indirect cost recoveries.

^b Of this amount, ~~\$650,108~~ \$694,051 shall be from the Distributive Data Processing Account for indirect cost recoveries, ~~\$94,363(T)~~ \$83,475(T) shall be from the Limited Gaming Fund for indirect cost recoveries, \$36,016 shall be from the Automotive Inspection and Readjustment Account for indirect cost recoveries, \$30,562 shall be from the Drivers License Revocation Account for indirect cost recoveries, and \$28,729 shall be from the Highway Users Tax Fund for indirect cost recoveries.

(3) INFORMATION TECHNOLOGY DIVISION^{243, 244}

Program Costs	7,878,368				
	7,847,891				
	(91.7 FTE)				
	(91.1 FTE)				
Year 2000 Projects	<u>463,207</u>				
	8,341,575	7,941,012		36,570 ^a	363,993 ^b
	8,311,098	7,910,535			

^a Of this amount, \$18,089 shall be from the Auto Dealers License Fund for indirect cost recoveries, \$14,375 shall be from the ~~Liquor Enforcement Cash Fund~~ LOTTERY FUND for indirect cost recoveries, \$2,792 shall be from the Aviation Fund for indirect cost recoveries, and \$1,314 shall be from the Colorado Municipal League.

^b Of this amount, \$299,223(T) shall be from the Limited Gaming Fund for indirect cost recoveries, and \$64,770 shall be from the Distributive Data Processing Account for indirect cost recoveries.

(4) MOTOR VEHICLE DIVISION^{19, 245}

Program Costs	17,636,762				
	17,180,812				
	(402.6 FTE)				
	(389.8 FTE)				
ENFORCEMENT PROGRAM	323,068				
	(5.0 FTE)				
Drivers License Documents	2,466,277				
	1,735,054				
DRIVERS LICENSE					
DOCUMENTS - LINE CHARGES	237,333				
License Plate Ordering	<u>5,216,960</u>				
		25,319,999	21,859,668	8,533 ^a	3,451,798 ^b
		24,693,227	21,232,896		

^a Of this amount, \$6,126 shall be from the Auto Dealers License Fund for indirect cost recoveries, and \$2,407 shall be from the Ignition Interlock Fund.

^b Of this amount, \$3,092,399 shall be from the Motorist Insurance Identification Account, \$174,195 shall be from the Distributive Data Processing Account for indirect cost recoveries, \$119,267 shall be from the Outstanding Judgements and Warrants Account for indirect cost recoveries, \$50,593 shall be from the Penalty Assessment Account for indirect cost recoveries, and \$15,344 shall be from the Automotive Inspection and Readjustment Account for indirect cost recoveries.

(5) MOTOR CARRIER SERVICES DIVISION

Program Costs ~~7,522,669~~

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
7,534,641						
(146.5 FTE)						
(143.5 FTE)						
Controlled Maintenance - Fixed and Mobile Ports						
84,019						
<u>83,823</u>						
	7,606,688	739,376			6,867,312 ^a	
	7,618,464	881,181			6,737,283 ^a	

^a This amount shall be from the Highway Users Tax Fund. Of this amount, \$566,699 is exempt from the statutory limit on Highway Users Tax Fund appropriations pursuant to Section 43-4-201(3) (a) (V), C.R.S.

(6) SPECIAL PURPOSE

(A) Vehicle Emissions

Program Costs	998,247				998,247 ^a	
					(16.5 FTE)	

^a This amount shall be from the Automobile Inspection and Readjustment Account.

(B) Motor Vehicle Dealer Licensing Board

Program Costs	1,236,435	1,236,435 ^a
		(23.2 FTE)

^a This amount shall be from the Auto Dealers License Fund.

(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, Department of Transportation.

(D) Data Processing Services

Distributive Data Processing	7,752,112			
	(31.5 FTE)			
Titles	1,421,490			
	1,352,586			
	(42.4 FTE)			
	(38.9 FTE)			
	<u>9,173,602</u>	116,504	22,572 ^a	9,034,526^b
	9,104,698			8,965,622 ^b

^a This amount is from the Auto Dealers License Fund.

^b Of this amount, ~~\$8,111,019~~ \$8,042,115 shall be from the Distributive Data Processing Account, \$533,468(T) shall be from the Department of State, \$324,804 shall be from the Central Indexing Fund, and \$65,235 shall be from the Automobile Inspection and Readjustment Account.

(E) Motor Carrier Safety

Assistance Program	292,123	292,123
		(5.5 FTE)

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(F) Hazardous Materials Permitting Program	154,724				154,724(T) ^a (4.0 FTE)	
(G) Mineral Audit Program	563,834 585,656 (10.0 FTE)				20,692(T)^a 42,514(T) ^a	543,142 ^b
(H) Cigarette Tax Rebate	17,000,000	17,000,000 ^a				

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

~~This amount shall be from the State Land Board Administration Fund.~~ ^a OF THIS AMOUNT, \$41,314 SHALL BE FROM THE STATE LAND BOARD ADMINISTRATION FUND AND \$1,200 SHALL BE FROM THE OIL AND GAS CONSERVATION FUND.

^b Included in this amount is \$70,106 in indirect cost recoveries.

^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 (1)(a)(III)(C), C.R.S.

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

Assistance Grant	19,233,989	19,233,989 ^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, (II), (C)~~; 24-75-201.1 (1)(a)(III)(C), C.R.S.

(J) Alternative Fuels

Rebate	620,595	620,595 ^a
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^a This amount shall be from the Alternative Fuels Rebate Fund.

~~49,373,549~~

49,326,467

(7) TAXATION AND COMPLIANCE DIVISION

Program Costs	12,247,636	12,177,530	70,106(T) ^a
	(207.7 FTE)		

^a This amount shall be from the Mineral Audit Program for indirect cost recoveries.

(8) TAXPAYER SERVICE DIVISION²⁴²

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Program Costs	4,318,080	3,971,755		330,826 ^a	15,499(T) ^b	
	4,227,804	3,881,479				
	(78.4 FTE)					
	(77.4 FTE)					

^a Of this amount, \$324,625 shall be from the Trade Name Registration Fund for indirect cost recoveries, and \$6,201 shall be from the Tax Lien Certification Fund for indirect cost recoveries.

^b This amount shall be from the Debt Collection Fund for indirect cost recoveries.

(9) LIQUOR ENFORCEMENT DIVISION

Personal Services and Operating Expenses	1,427,484 (23.0 FTE)	440,180		987,304 ^a		
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^a This amount shall be from the Liquor Enforcement Cash Fund.

(10) STATE LOTTERY DIVISION²⁴⁶

Fixed Costs	10,329,608 10,039,608					
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	(128.0 FTE)		
Travel	137,720		
Capital Outlay	102,000		
Leased Space	662,390		
Capitol Complex Leased Space	7,156		
Indirect Cost Assessment	249,710		
Marketing and Communications	9,160,352		
Vendor Fees	8,135,861		
	8,970,956		
Prizes	241,354,411		
Retailer Compensation ²⁴⁷	28,852,632		
	35,118,120		
Ticket Costs	4,327,577		
	<u>4,742,400</u>		
		303,319,417	303,319,417 ^a
		310,544,823	310,544,823 ^a

^a This amount shall be from the State Lottery Fund.

(11) LIMITED GAMING DIVISION

Program Costs	24,429,288	24,333,238^a	96,050(L) ^b
	24,591,129	24,495,079 ^a	
		(73.5 FTE)	

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Program Costs	2,146,786					
	(32.0 FTE)					
Racetrack Applications	1,000					
Purses and Breeders	725,000 ^a					
	<u>1,137,142</u> ^a					
		2,872,786	2,146,786		726,000 ^b	
		3,284,928		1,138,142 ^b		

^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.

^b This amount shall be from local governments.

(12) DIVISION OF RACING EVENTS²⁴⁸

^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, pursuant to Section 12-60-704, C.R.S.

^b Of this amount, \$1,000 shall be from racetrack applications and ~~\$725,000~~ \$1,137,142 shall be from racing tax revenues for the Supplemental Purses and Breeders Awards program.

TOTALS PART XIX

(REVENUE) ^{5, 6, 249}	\$468,741,413	\$107,498,421 ^a	\$28,957,162	\$331,450,565 ^b	\$835,265
	<u>\$475,557,578</u>	<u>\$106,683,835^a</u>	<u>\$29,531,145</u>	<u>\$338,507,333^b</u>	

^a Of this amount, \$36,223,989 is included as information for the purpose 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.

^b Of this amount, ~~\$1,960,260~~ \$1,949,095 contains a (T) notation, \$96,050 contains an (L) notation, and ~~\$7,849,998~~ \$7,717,486 is from the Highway Users Tax Fund. Of this amount, \$566,699 is exempt from the statutory limit on Highway Users Tax Fund appropriations pursuant to Section 43-4-201(3) (a) (V), C.R.S.

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

- 5 (Governor lined through this provision. See L. 99, p. 2245.)
- 6 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. Each principal department of the state shall produce its rules and regulations in an electronic format that is suitable for public access through electronic means. Such rules and regulations in such format shall be submitted to the Office of Legislative Legal Services for publishing on the Internet. It is the intent of the General Assembly that this be done within existing resources.
- 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. The Department of Revenue should seek approval from the Information Management Commission before proceeding with implementation of an automated inventory system.

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<u>242</u>						
Department of Revenue, Cash and Document Processing Division; and Taxpayer Service Division -- The Department of Revenue is requested to provide a report to the Joint Budget Committee by November 1, 1999, that summarizes telephone service provided by the Department's call center. The report should summarize the Taxpayer Service Division's income tax telephone service and should indicate if the Department is meeting its performance standards. The report should include a summary of call volumes, blockage rates, and average wait times. If performance standards were not met during the 1999 tax season, the report should include a strategic plan to mitigate the problem.						
<u>243</u>						
Department of Revenue, Information Technology Division -- The Department of Revenue is requested to provide a progress report on each project identified in the Department's November 1, 1998, zero based budget. The report should indicate whether each project is finished. For projects that are partially completed, the report should include the amount of time needed to complete each project and the amount of FTE programmers dedicated to each project. The report should be submitted to the Joint Budget Committee by December 31, 1999.						
244						
Department of Revenue, Information Technology 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.						
<u>245</u>						
(Governor lined through this provision. See L. 99, p. 2254.)						
246						
Department of Revenue, State Lottery Division -- It is the intent of the General Assembly that the State Lottery Division						

deposit all liquidated damages into the Lottery Fund. It is also the intent of the General Assembly that the Department should not receive any goods or services in lieu of an assessment of liquidated damages nor should the Department require a vendor to purchase goods or services in lieu of an assessment of liquidated damages.

247 Department of Revenue, State Lottery Division, Retailer Compensation -- The Joint Budget Committee requests that the State Lottery Division and the State Lottery Commission notify the Joint Budget Committee of any increases in the retailer compensation fee, including any changes in the current bonus or commission compensation schedules, prior to any future contractual agreements made with retailers.

248 (Governor lined through this provision. See L. 99, p. 2254.)

249 Department of Revenue, Totals -- 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.

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 6, 2000