

CHAPTER 438

APPROPRIATIONS

SENATE BILL 03-210

BY SENATOR(S) Owen, Teck, and Reeves;
also REPRESENTATIVE(S) Young, Witwer, and Plant.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF LOCAL AFFAIRS.

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

SECTION 1. Part XII of section 2 of chapter 399, Session Laws of Colorado 2002, 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.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
PART XII						
DEPARTMENT OF LOCAL AFFAIRS						
(1) EXECUTIVE DIRECTOR'S OFFICE						
Personal Services	1,020,777 948,917	742,172 670,312			278,605(T) ^b	
		(8.0 FTE)			(6.0 FTE)	
Health, Life, and Dental	422,739 369,439	310,140 266,573		15,507^b 15,275 ^b	20,247^c 19,014 ^c	76,845 68,577
Short-term Disability	13,066 11,575	9,873 8,672		398^b 358 ^b	628^c 575 ^c	2,167 1,970
Salary Survey and Senior Executive Service	512,888	387,806		15,708 ^b	32,883 ^c	76,491
Performance-based Pay Awards	97,711	78,965		8,278 ^b	4,976 ^c	5,492
Workers' Compensation	22,730	21,048		797 ^b	885 ^c	
Operating Expenses	155,126 133,203	140,632 124,803		2,332^b	2,165(T)^b	9,997 8,400
Legal Services for 1,823 1,790 hours	109,015 107,015	101,779 99,779		2,093 ^b	1,196 ^c	3,947

Purchase of Services from Computer Center	5,124 10,400	5,124 10,400			
MULTIUSE NETWORK PAYMENTS	73,465	37,841	3,066 ^b	5,215 ^c	27,343
Payment to Risk Management and Property Funds	59,182	56,445	853 ^b	1,884 ^c	
Vehicle Lease Payments	144,187 126,772	144,187 126,772			
Information Technology Asset Maintenance	41,384	29,913	1,537 ^b	1,698 ^c	8,236
Leased Space	41,175 39,275	22,221 20,321		5,812(T) ^c	13,142
Capitol Complex Leased Space	373,700	304,026	7,043 ^f	16,562(T) ^g	46,069
Moffat Tunnel Improvement District ¹⁷⁰	83,542		23,542 ^h	60,000 ⁱ	
Workforce Development Council	316,250			316,250(T) ^j (4.0 FTE)	
	<hr/>	3,418,596 3,327,448			

^a This amount shall be from indirect cost recoveries.

^b These amounts shall be from various sources of cash funds.

^c These amounts shall be from various sources of cash funds exempt.

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

* ~~Of this amount, \$1,100 shall be from state agency user charges for the sale of information and \$1,065 shall be from the Local Government Severance Tax Fund, which is transferred from the Local Government Mineral and Energy Impact Grants and Disbursements line item.~~

° Of this amount, \$3,874 shall be from the Local Government Severance Tax Fund created in Section 39-29-110, C.R.S., and \$1,938 shall be from the Local Government Mineral Impact Fund created in Section 34-63-102, C.R.S. These amounts are transferred from the Local Government Mineral and Energy Impact Grants and Disbursements line item.

† Of this amount, \$2,811 shall be from the Search and Rescue Fund pursuant to Section 33-1-112.5, C.R.S., \$2,604 shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6, C.R.S., and \$1,628 shall be from the Nonresidential Structure Regulation Fund pursuant to Section 24-32-1905, C.R.S.

§ Of this amount, \$10,092 shall be from the Local Government Severance Tax Fund, \$5,038 shall be from the Local Government Mineral Impact Fund, and \$1,432 shall be from Limited Gaming Funds appropriated to the Department of Revenue. The Severance Tax and Mineral Impact amounts are transferred from the Local Government Mineral and Energy Impact Grants and Disbursements line item.

^h This amount shall be from the Moffat Tunnel Cash Fund pursuant to Section 32-8-126, C.R.S.

ⁱ This amount shall be from reserves in the Moffat Tunnel Cash Fund pursuant to Section 32-8-126, C.R.S.

^j This amount shall be from federal funds transferred to the Department of Local Affairs from other state agencies.

(2) PROPERTY TAXATION

Board of Assessment		
Appeals	640,795	640,795
	580,575	580,575
		(16.0 FTE)
		(15.0 FTE)
Property Taxation	2,648,725	2,648,725

	2,459,112	2,459,112		
		(40.0 FTE)		
		(38.5 FTE)		
Property Tax Advisory Committee	2,423	2,423		
State Board of Equalization	<u>12,856</u>	12,856		
		3,304,799		
		3,054,966		

(3) DIVISION OF HOUSING

(A) Administration

Personal Services	1,648,601	1,001,706	16,203 ^a	96,795(T) ^b	533,897
	1,556,382	779,545		226,737(T) ^c	
		(15.0 FTE)	(0.5 FTE)	(2.6 FTE)	(8.8 FTE)
		(13.7 FTE)			
Operating Expenses	166,233	33,022		11,993(T) ^b	121,218
	160,233	27,022			
Housing Seminars	14,795		14,795 ^c		
Indirect Cost Assessment	<u>221,080</u>		20,336 ^d		200,744
	2,050,709				
	1,952,490				

^a This amount shall be from the Manufactured Home Fund pursuant to Section 6-1-603, C.R.S.

^b ~~These amounts~~ THIS AMOUNT shall be from indirect cost recoveries.

^c This amount shall be from fees paid by seminar participants.

^d This amount shall be from the Nonresidential Structure Regulation Fund pursuant to Section 24-32-1905, C.R.S.

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

° OF THIS AMOUNT, \$96,795 SHALL BE FROM INDIRECT COST RECOVERIES, \$86,628 SHALL BE FROM THE LOCAL GOVERNMENT SEVERANCE TAX FUND CREATED IN SECTION 39-29-110(1), C.R.S., AND \$43,314 SHALL BE FROM THE LOCAL GOVERNMENT MINERAL IMPACT FUND CREATED IN SECTION 34-63-102(5), C.R.S. THE SEVERANCE TAX AND MINERAL IMPACT AMOUNTS ARE TRANSFERRED FROM THE LOCAL GOVERNMENT MINERAL AND ENERGY IMPACT GRANTS AND DISBURSEMENTS LINE ITEM.

(B) Manufactured Buildings Inspection

Factory Built Commercial

Buildings Inspection	101,133			101,133 ^a		
				(1.0 FTE)		

Manufactured Home

Installation Inspection	91,043			91,043 ^b		
				(1.0 FTE)		

192,176

^aThis amount shall be from the Nonresidential Structure Regulation Fund pursuant to Section 24-32-1905, C.R.S.

^bThis amount shall be from fees collected pursuant to Sections 24-32-3103 (7) and 24-32-3105, C.R.S.

(C) Affordable Housing Development

~~Colorado Affordable~~

~~Housing Construction~~

Grants and Loans ^{171, 172}	2,904,376	2,904,376
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(Governor lined through this provision. See L. 2002, p. 3070. The affected subtotals, totals, and grand totals have been adjusted to reflect the Governor's action.)

Federal Affordable Housing Construction Grants and Loans	11,453,112			11,453,112
Emergency Shelter Program	904,000			904,000
Private Activity Bond Allocation Committee	2,850	2,850		
	<u>2,500</u>	2,500		
	12,359,962			
	12,359,612			

(D) Rental Assistance Low Income Rental Subsidies	13,001,035			13,001,035
		27,603,882		
		27,505,313		

(4) DIVISION OF LOCAL GOVERNMENT

(A) Local Government and Community Services

(1) Administration

Personal Services	1,660,927	1,404,837	11,768 ^a	51,967(T)^b	192,355
	1,586,977	760,372		622,482(T) ^b	
		(19.8 FTE)	(0.3 FTE)	(1.1 FTE)	(2.6 FTE)
		(19.3 FTE)			
Operating Expenses	122,896	74,157		4,239(T) ^b	44,500
	<u>112,832</u>	64,093			

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
1,783,823						
1,699,809						

^a This amount shall be from charges to non-state agencies for use of the Automated Mapping System.

^b ~~This amount~~ OF THESE AMOUNTS, \$56,206 shall be from indirect cost ~~recoveries~~. RECOVERIES, \$380,343 SHALL BE FROM THE LOCAL GOVERNMENT SEVERANCE TAX FUND CREATED IN SECTION 39-29-110(1), C.R.S. AND \$190,172 SHALL BE FROM THE LOCAL GOVERNMENT MINERAL IMPACT FUND CREATED IN SECTION 34-63-102(5), C.R.S. THE SEVERANCE TAX AND MINERAL IMPACT AMOUNTS ARE TRANSFERRED FROM THE LOCAL GOVERNMENT MINERAL AND ENERGY IMPACT GRANTS AND DISBURSEMENTS LINE ITEM.

(2) Local Government Services

Local Utility Management						
Assistance	132,654			132,654 ^a		
				(2.0 FTE)		
Conservation Trust Fund						
Disbursements	48,000,000				48,000,000 ^b	
Local Government						
Training Seminars	35,540			35,540 ^c		
Bureau of Land Management						
Demographics	19,000					19,000
	<u>48,187,194</u>					

^aThis amount shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6, C.R.S.

^b This amount shall be from the State Lottery Fund pursuant to Section 33-60-104 (1) (a), C.R.S.

^c This amount shall be from fees paid by seminar participants.

(3) Community Services

Community Services

Block Grant	5,519,133			5,519,133
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(4) Waste Tire Fund

Waste Tire Recycling,

Reuse and Removal Grants	2,300,000	1,800,000 ^a	500,000 ^b	
		(0.5 FTE)		

Allocations to the
Commission on Higher
Education, Advanced

Technology Fund	<u>900,000</u>	900,000 ^a		
	3,200,000			

^a These amounts shall be from the Waste Tire Recycling Development Cash Fund pursuant to Section 25-17-202 (3), C.R.S.

^b This amount shall be from reserves in the Waste Tire Recycling Development Cash Fund pursuant to Section 25-17-202 (3), C.R.S.

(B) Field Services

Program Costs	2,045,383	994,340	727,736(T) ^a	323,307
	1,998,936	544,175	1,131,454(T) ^a	
		(11.0 FTE)	(10.1 FTE)	(4.9 FTE)
		(10.7 FTE)		

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT		
\$	\$	\$	\$	\$	\$	\$	\$
Community Development Block Grant (Business and Infrastructure Development)	8,237,787						8,237,787
Local Government Mineral and Energy Impact Grants and Disbursements	62,544,000			20,034,000 ^e		42,510,000 ^d	
Local Government Limited Gaming Impact Grants	5,695,000 ^f					5,695,000 ^e	
Search and Rescue Program	574,631			464,631 ^f (1.3 FTE)		110,000 ^g	
Colorado Heritage Communities Fund	251,051		251,051				
Colorado Heritage Communities Grants	555,000					555,000 ^h	
	<u>264,020</u>					264,020 ^h	
	79,902,852						
	79,314,374						

^a Of this amount, ~~\$326,435~~ \$595,580 shall be from the Local Government Severance Tax Fund, ~~\$162,973~~ \$297,546 shall be from the Local Government Mineral Impact Fund, \$140,292 shall be from indirect cost recoveries, \$65,031 shall be from Limited Gaming Funds appropriated to the Department of Revenue, and \$33,005 shall be from funds transferred from the Economic Development Commission in the Governor's Office. The Severance Tax and Mineral Impact amounts are transferred from the Local Government Mineral and Energy Impact Grants and Disbursements line item.

^c This amount shall be from the Local Government Severance Tax Fund pursuant to Section 39-29-110, C.R.S.

^d Of this amount, \$23,010,000 shall be from reserves in the Local Government Severance Tax Fund and \$19,500,000 shall be from the Local Government Mineral Impact Fund, pursuant to Section 34-63-102, C.R.S., which is comprised of federal mineral leasing revenues and the existing fund balance. OF THESE AMOUNTS, AT LEAST \$165,980 SHALL BE USED FOR COLORADO HERITAGE COMMUNITIES GRANTS.

^e This amount shall be from the fund balance in the Local Government Limited Gaming Impact Fund, which consists of funds transferred from the Limited Gaming Fund in the Department of Revenue during the prior fiscal year, pursuant to Sections 12-47.1-701 and 12-47.1-1601, C.R.S.

^f This amount shall be from the Search and Rescue Fund pursuant to Section 33-1-112.5, C.R.S.

^g This amount shall be from reserves in the Search and Rescue Fund pursuant to Section 33-1-112.5, C.R.S.

^h ~~Of this amount, \$303,949~~ THIS AMOUNT shall be from the existing fund balance in the Colorado Heritage Communities Fund and ~~\$251,051(T)~~ shall be from General Fund moneys appropriated to the Colorado Heritage Communities Fund pursuant to Section ~~24-32-3207~~, C.R.S. FUND.

(C) Office of Emergency Management

Program Costs	7,874,075	318,735	6,000 ^a	940,749^b	6,608,591
	7,851,954	257,133		990,351 ^b	6,598,470
		(3.5 FTE)		(4.7 FTE)	(16.8 FTE)

^a This amount shall be from fees paid for local government emergency training programs.

^b Of this amount, \$700,000 shall be from the Disaster Emergency Fund created pursuant to Section 24-32-2106, \$33,068(T) SHALL BE FROM THE LOCAL GOVERNMENT SEVERANCE TAX FUND CREATED IN SECTION 39-29-110(1), C.R.S., \$16,534(T) SHALL BE FROM THE LOCAL GOVERNMENT MINERAL IMPACT FUND CREATED IN SECTION 34-63-102(5), C.R.S., \$235,749(T) shall be from indirect cost recoveries and \$5,000 shall be from fees paid for state college and state agency emergency training programs. THE SEVERANCE TAX AND MINERAL IMPACT AMOUNTS ARE TRANSFERRED FROM THE LOCAL GOVERNMENT MINERAL AND ENERGY IMPACT GRANTS AND DISBURSEMENTS LINE ITEM.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(D) Division of Local Government Indirect Cost Assessments	598,561			63,877 ^a	98,460(T) ^b	436,224 ^c
	147,065,638					
	146,371,025					
TOTALS PART XII						
(LOCAL AFFAIRS)^{5,6}	\$181,392,915	\$9,739,828		\$23,770,068	\$100,045,730^a	\$47,837,289
	<u>\$180,258,752</u>	<u>\$7,733,482</u>		<u>\$23,770,530</u>	<u>\$100,910,291^a</u>	<u>\$47,844,449</u>

^a Of this amount, ~~\$2,097,384~~ \$2,997,945 contains a (T) notation.

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

- 5 (Governor lined through this provision. See L. 2002, p. 3034.)
- 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 in an electronic format that is suitable for public access through electronic means. Such rules 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.
- 170 Department of Local Affairs, Executive Director's Office, Moffat Tunnel Improvement District -- The Department of Local Affairs is requested to provide a report to the Joint Budget Committee, by November 1, 2002, detailing the Department's activities, expenses and revenues in FY 2000-01, FY 2001-02, FY 2002-03, and FY 2003-04 related to the administration of the Moffat Tunnel Improvement District. The report should identify work undertaken or contracted by the Department, including legal, title search, and surveying services, and the reasons for the work, including, but not limited to, the sale of assets.
- 171 Department of Local Affairs, Division of Housing, Affordable Housing Development, Colorado Affordable Housing Construction Grants and Loans -- The Division of Housing is requested to provide a report to the Joint Budget Committee, by November 1, 2002, on its efforts to eliminate regulatory barriers to the construction of affordable housing. The report should include a review of the types and prevalence of local regulatory barriers to affordable housing, a review of the steps the Division of Housing is taking to reduce these barriers, and a report on the effectiveness of the Division's efforts.
- 172 Department of Local Affairs, Division of Housing, Affordable Housing Development, Colorado Affordable Housing Construction Grants and Loans -- The Division of Housing is requested to provide a report to the Joint Budget Committee by November 1, 2002, on the impact of its programs to address the lack of affordable housing for renters and home buyers. This report should include a review of housing needs in the state, a review of state, federal, and local programs for addressing affordable housing needs, data on the impact of these programs, and an analysis of the impact of current state affordable housing policies, including proposed policy changes.

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

SECTION 2. Part XII (3) (B) (2) and the affected totals of section 2 of chapter 363, Session Laws of Colorado 2001, as amended by section 1 of chapter 365 and as further amended by section 1 of chapter 385, as Part XII (3) (B) (2) and the affected totals are further amended by section 8 of chapter 399, Session Laws of Colorado 2002, are amended to read:

Section 2. **Appropriation.**

**PART XII
DEPARTMENT OF LOCAL AFFAIRS**

(3) COMMUNITY DEVELOPMENT

(B) Division of Local Government

(2) Field Services

Program Costs	1,990,686	453,816 (11.0 FTE)		1,210,103(T) ^a (10.1 FTE)	326,767 (4.8 FTE)
Community Development Block Grant (Business and Infrastructure Development)	8,091,499				8,091,499
Local Government Mineral and Energy Impact Grants and Disbursements	59,269,242 ^h		21,000,000 ^b	38,269,242 ^c	

Local Government Limited			
Gaming Impact Grants	5,050,000		5,050,000 ^d
Search and Rescue Program	480,000		90,000 ^f
		390,000 ^e	
		(0.3 FTE)	
Colorado Heritage Communities Fund			
	337,724	337,724	
	297,795	297,795	
Colorado Heritage Communities Grants			
	88,775		88,775 ^g
Rural Telecommunications Grants			
	<u>100,000</u>	100,000	
		75,407,926	
		75,367,997	

^a Of this amount, \$817,524 shall be from the Local Government Severance Tax Fund, \$158,762 shall be from the Local Government Mineral Impact Fund, \$59,339 shall be from Limited Gaming Funds appropriated to the Department of Revenue, \$143,045 are from indirect cost recoveries, and \$31,433 shall be from funds transferred from the Economic Development Commission in the Governor's Office. The Severance Tax and Mineral Impact amounts are transferred from the Local Government Mineral and Energy Impact Grants and Disbursements line item.

^b This amount shall be from the Local Government Severance Tax Fund pursuant to Section 39-29-110, C.R.S.

^c Of this amount, \$18,769,242 shall be from reserves in the Local Government Severance Tax Fund and \$19,500,000 shall be from the Local Government Mineral Impact Fund, pursuant to Section 34-63-102, C.R.S., which is comprised of federal mineral leasing revenues and the existing fund balance.

^d This amount shall be from the fund balance in the Local Government Limited Gaming Impact Fund, which consists of funds transferred from the Limited Gaming Fund in the Department of Revenue in the prior fiscal year, pursuant to Sections 12-47.1-701 and 12-47.1-1601, C.R.S.

^e This amount shall be from the Search and Rescue Fund pursuant to Section 33-1-112.5, C.R.S.

^f This amount shall be from reserves in the Search and Rescue Fund pursuant to Section 33-1-112.5, C.R.S.

^g This amount shall be from the Colorado Heritage Communities Fund pursuant to Section 24-32-3207, C.R.S.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
TOTALS PART XII (LOCAL AFFAIRS)^{4,5}	\$164,520,715 <u>\$164,480,786</u>	\$10,517,242 <u>\$10,477,313</u>		\$24,311,696	\$87,745,238 ^a	\$41,946,539

^h Of this amount, at least \$1,970,000 shall be awarded as grants for affordable housing purposes and at least \$530,000 shall be awarded as grants to local governments to address planning/growth issues and to develop master plans.

^a Of this amount, \$3,192,602 contains a (T) notation.

SECTION 3. 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 5, 2003