

## CHAPTER 427

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**APPROPRIATIONS**


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**HOUSE BILL 04-1422**

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

**AN ACT**

**CONCERNING THE PROVISION FOR PAYMENT OF THE EXPENSES OF THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL DEPARTMENTS OF THE STATE OF COLORADO, AND OF ITS AGENCIES AND INSTITUTIONS, FOR AND DURING THE FISCAL YEAR BEGINNING JULY 1, 2004, EXCEPT AS OTHERWISE NOTED.**

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

**SECTION 1. Definitions - general provisions.** As used in this act, the following definitions and general provisions shall apply:

(1) (a) ~~"Capital outlay" means:~~

~~(I) Equipment, furniture, motor vehicles, software, and other items that have a useful life of one year or more and that cost less than fifty thousand dollars;~~

~~(II) Alterations and replacements, meaning major and extensive repair, remodeling, or alteration of buildings, the replacement thereof, or the replacement and renewal of the plumbing, wiring, electrical, fiber optic, heating, and air conditioning systems therein, costing less than fifteen thousand dollars;~~

~~(III) New structures, meaning the construction of entirely new buildings where the cost will be less than fifteen thousand dollars, including the value of materials and labor, either state-supplied or supplied by contract;~~

~~(IV) Nonstructural improvements to land, meaning the grading, leveling, drainage, irrigation, and landscaping thereof and the construction of roadways, fences, ditches, and sanitary and storm sewers, where the cost will be less than five thousand dollars.~~

~~(b) "Capital outlay" does not include those things defined as capital construction by section 24-75-301, Colorado Revised Statutes.~~

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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.*

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

(2) "Centralized appropriation" means the appropriation of funds to a department's executive director's office or central administrative program intended for subsequent allocation and expenditure at and among a department's divisions, programs, agencies, or long bill groups in order to reflect the amount of such resources actually used in each program or division. Such centralized appropriations may include salary survey, performance-based pay or anniversary increases, senior executive service, shift differential, group health and life insurance, capital outlay, ADP capital outlay, information technology asset maintenance, legal services, purchase of services from computer center, vehicle lease payments, leased space, lease purchase, payment to risk management and property funds, short-term disability insurance, utilities, administrative law judge services, and centralized ADP. As provided in subsection (10) of this section, capital outlay is included within the appropriation for "operating expenses". Capital outlay may be reallocated to divisions or programs within the department solely for capital outlay expenditure.

~~(3) (a) (i) Except as otherwise provided in paragraph (b) of this subsection, "full time equivalent" or "FTE" means the budgetary equivalent of one permanent position continuously filled full time for an entire fiscal year by elected state officials or by state employees who are paid for at least two thousand eighty hours per fiscal year, with adjustments made to:~~

~~(A) Include in such time computation any sick, annual, administrative, or other paid leave; and~~

~~(B) Exclude from such time computation any overtime or shift differential payments made in excess of regular or normal hours worked and any leave payouts upon termination of employment.~~

~~(H) "Full time equivalent" or "FTE" does not include contractual, temporary, or permanent seasonal positions.~~

~~(HH) As used in this paragraph (a), "state employee" means a person employed by the state, whether or not such person is a classified employee in the state personnel system.~~

~~(b) For purposes of higher education professional personnel and assistants in resident instruction and professional personnel in organized research and activities relating to instruction, "full time equivalent" or "FTE" means the equivalent of one permanent position continuously filled for a nine-month or ten-month academic year.~~

~~(c) The maximum limitation on the number of FTE that are allowed for the fiscal year to which this act pertains may comprise any combination of part-time positions or full-time positions so long as the maximum FTE limitation is not exceeded.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

(4) "Health, life, and dental" means the state contribution for group benefits plans

~~pursuant to section 24-50-609, Colorado Revised Statutes. Pursuant to section 24-50-609 (2) (b) (H), Colorado Revised Statutes, the state of Colorado shall contribute an amount necessary to pay one hundred seventy-three dollars and ninety-two cents per month per single employee, two hundred fifty dollars and thirty-nine cents per month per employee with one covered dependent, and three hundred forty-four dollars and thirty-three cents per employee with two or more covered dependents for each employee enrolled in a group benefit plan that includes enrollment in medical benefits. In accordance with section 24-50-104 (4) (d) (H); Colorado Revised Statutes, these contribution amounts shall be effective until December 31, 2004. In accordance with section 24-50-104 (4) (d) (H) and section 24-50-609 (2) (b), Colorado Revised Statutes, commencing on January 1, 2005 the state of Colorado shall contribute an amount necessary to pay one hundred ninety-nine dollars per month per single employee, three hundred twenty-four dollars and forty-four cents per month per employee with one covered dependent, and four hundred forty dollars and ninety-seven cents per employee with two or more covered dependents for each employee enrolled in a group benefit plan that includes enrollment in medical benefits. Funds appropriated for health, life, and dental shall not be expended for any other purpose.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

(5) "Indirect cost recoveries" means reimbursements made to an agency of the state from federal funds, other nonstate funds, cash funds, or cash funds exempt for the indirect expenses which have been incurred by the state in operating such programs. These recoveries are made by the departments using the approved indirect cost rate, as required by the state fiscal rules.

~~(6) "Lease purchase" means the use and acquisition of equipment under an agreement to purchase, pursuant to which payments are made for a period of longer than one year and are subject to annual appropriation. "Lease purchase" may also include payments made under the agreement for the maintenance of the equipment. No funds shall be expended for lease purchases except those specifically appropriated for such purpose. The provisions of this subsection (6) shall not apply to the board of regents of the university of Colorado; the state board of agriculture; the board of trustees of the Colorado school of mines; the board of trustees of the university of northern Colorado; the trustees of the state colleges in Colorado; the state board for community colleges and occupational education (except for administration and the division of occupational education); the board for the Auraria higher education center; the state historical society; the Colorado council on the arts; the division of wildlife; the water conservation board; the county departments of social services; and the low-income energy assistance block grant.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~(7) "Leased space" means the use and acquisition of office facilities and office and parking space pursuant to a rental agreement. No funds shall be expended for leased space except pursuant to a specific appropriation for such purpose. The provisions of this subsection (7) shall not apply to the board of regents of the university of Colorado; the state board of agriculture; the board of trustees of the Colorado school~~

~~of mines; the board of trustees of the university of northern Colorado; the trustees of the state colleges in Colorado; the state board for community colleges and occupational education (except for administration and the division of occupational education); the board for the Auraria higher education center; the state historical society; the Colorado council on the arts; the division of wildlife; the water conservation board; the county departments of social services; and the low-income energy assistance block grant.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~(8) "Legal services" means the purchase of legal services from the department of law; however, up to ten percent of the amount appropriated for legal services may instead be expended for operating expenses, contractual services, and tuition for employee training. No funds shall be expended for legal services except those specifically appropriated for such purpose. The provision of this subsection (8) shall not apply to the departments of education, higher education, transportation, and the risk management fund in the department of personnel.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

(9) "Motor vehicle" means a motor truck designated three-quarters of one ton or less, automobile, or other self-propelled vehicle costing less than fifty thousand dollars.

(10) "Operating expenses" means:

~~(a) Supplies and materials, meaning items that by their nature are consumable and that have a useful life of less than one year or that, after usage, undergo an impairment of, or a material change in, physical condition, including, but not limited to, books, periodicals, and educational, laboratory, medical, data processing, custodial, postal, office, photographic, and road maintenance supplies and materials;~~

~~(b) Current charges, meaning charges for items or services not otherwise defined in this section for which a separate appropriation is not made, including, but not limited to, charges for utilities, trash removal, custodial services, telecommunications, data processing, advertising, freight, rentals of equipment and property, storage, parking, minor repair or maintenance, and printing and reproduction, and insurance premiums, dues, subscriptions, casualty losses, commissions, royalties, interest, fees, fines, reimbursements, and payments of prizes, awards, and judgments other than to state employees as compensation; except that no funds appropriated for operating expenses may be expended for vehicle lease payments, leased space, or lease purchase unless otherwise authorized by law;~~

~~(c) Capital outlay, as defined in subsection (1) of this section.~~

~~(d) The cost of travel by common carrier or by state-owned or privately owned conveyance and the costs of meals and lodging incident to such travel.~~

(Governor lined through this provision. See the editor's note and the Governor's letter

following this act.)

~~(11) "Personal services" means:~~

~~(a) All salaries and wages, whether to full-time, part-time, or temporary employees of the state, and also includes the state's contribution to the public employees' retirement fund and the state's share of federal Medicare tax paid for state employees. Payments for overtime shall be in compliance with rules and procedures adopted by the state personnel director.~~

~~(b) Professional services, meaning services requiring advanced study in a specialized discipline that are rendered or performed by firms or individuals for the state other than for employment compensation as an employee of the state, including but not limited to accounting, consulting, architectural, engineering, physician, nurse, specialized computer, and construction management services. Payments for professional services shall be in compliance with section 24-30-202 (2) and (3), Colorado Revised Statutes.~~

~~(c) Temporary services, meaning clerical, administrative, and casual labor rendered or performed by firms or individuals for the state other than for employment compensation as an employee of the state. Payments for temporary services shall be in compliance with section 24-30-202 (2) and (3), Colorado Revised Statutes.~~

~~(d) Tuition, meaning payments for graduate or undergraduate courses taken by state employees at institutions of higher education.~~

~~(e) Payments for unemployment insurance as required by the department of labor and employment.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~(12) "Purchase of services from computer center" means the purchase of automated data processing services from the general government computer center.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~(13) "Short-term disability" means the state contribution for employee short-term disability pursuant to section 24-50-603, Colorado Revised Statutes. No funds appropriated for short-term disability shall be expended for any other purpose.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~(14) "Utilities" means water, sewer service, electricity, payments to energy service companies, purchase of energy conservation equipment, and all heating fuels.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~(15) "Vehicle lease payments" means the annual payments to the department of personnel for the cost of administration, repayment of a loan from the state treasury, and lease-purchase payments for new and replacement vehicles. No funds shall be expended for vehicle lease payments except those specifically appropriated for such purposes. The provisions of this subsection (15) shall not apply to the departments of education, higher education, and transportation.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~(16) "Multiuse Network Payments" means payments to the Department of Personnel and Administration for the cost of administration and the use of the state's telecommunications network. No funds appropriated for multiuse network payments shall be expended for any other purpose.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

(17) "Pueblo Data Entry Center Payments" means payments to the Department of Personnel and Administration for the cost of data entry services from the data entry center.

(18) "Communications Services Payments" means payments to the Department of Personnel and Administration for the cost of services from the state's public safety communications infrastructure.

~~(19) Where no purpose is specified or where a special program is specified, the appropriation shall be for contractual services, tuition, and operating expenses and, only if the appropriation includes a specified FTE limitation, for personal services other than contractual services.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

(20) Expenditures of funds appropriated for the purchase of goods and services shall be in accord with section 17-24-111, Colorado Revised Statutes, which requires institutions, agencies, and departments to purchase such goods and services as are produced by the division of correctional industries from said division.

~~(21) When it is not feasible, due to the format of this act, to set forth fully in the line item description the purpose of an item of appropriation or a condition or limitation on the item of appropriation, the footnotes at the end of each section of this act refer to provisions which set forth such purposes, conditions, or limitations, and such provisions are therefore intended to be binding portions of the items of appropriation to which they relate. In other cases, where clearly expressed, footnotes refer to statements which are not intended by the general assembly to be binding portions of appropriations but which are related to the indicated item or items of appropriation. Such nonbinding statements include explanations of the assumptions used in making appropriations, the general assembly's intent with respect to future appropriations, and requests on the part of the general assembly for particular administrative action in connection with items of appropriation.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

(22) (a) For purposes of complying with the provisions of subsection (5) of section 20 of article X in the state constitution, and in accordance with the provisions of this subsection (22), the balance of funds in the funds specified in paragraph (b) of this subsection (22), or such portions thereof as is necessary to be in compliance with said constitutional provision, are hereby designated to constitute the state emergency reserve for the 2004-2005 fiscal year. The designation of the balance of funds in said funds shall be in the same order of priority as said funds are set forth in paragraph (b) of this subsection (22) and shall be made in the manner such that all of the balance of funds in one fund, to the extent permitted in accordance with paragraph (b) of this subsection (22), shall constitute all or a portion of said state emergency reserve before any balance of funds in any other fund lower in the order of priority of said funds set forth in paragraph (b) of this subsection (22) shall constitute all or part of said state emergency reserve. To the extent that the balance of funds, or any portion thereof, in one or more of the funds set forth in paragraph (b) of this subsection (22) are not necessary to be in compliance with said constitutional provision, said balance of funds, or portion thereof, shall not be designated to constitute any portion of said emergency reserve.

(b) The funds designated to constitute the state emergency reserve for the 2004-2005 fiscal year are:

(I) The major medical insurance fund, created in section 8-46-202 (1) (a), Colorado Revised Statutes, up to a maximum of \$24,000,000;

(II) The subsequent injury fund, created in section 8-46-101 (1) (b) (I), Colorado Revised Statutes, up to a maximum of \$20,000,000;

(III) The workers' compensation cash fund, created in section 8-44-112 (7) (a), Colorado Revised Statutes, up to a maximum of \$12,000,000;

(IV) The operational account of the severance tax trust fund, created in section 39-29-109 (1) (a) (II), Colorado Revised Statutes, up to a maximum of \$6,000,000;

(V) The Colorado river recovery program loan fund, created in section 37-60-122.9 (1), Colorado Revised Statutes, up to a maximum of \$6,000,000;

(VI) The fish and wildlife resources fund, created in section 37-60-121 (6), Colorado Revised Statutes, up to a maximum of \$3,000,000;

(VII) The wildlife cash fund and fund equity, created in section 33-1-112 (1), Colorado Revised Statutes, up to a maximum of \$98,695,000;

(VIII) Up to \$89,005,000 of state properties as designated by the Governor.

**SECTION 2. Appropriation.** (1) The sums in this section hereinafter specified, or so much thereof as may be necessary for the purpose, are hereby appropriated out of any moneys in the general fund, the indicated cash funds, and federal funds, for the payment of the ordinary operating costs of the executive, legislative, and judicial

departments of the state, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2004, and:

(a) The figures in the column headed "item & subtotal" are the amounts made available by appropriation for expenditure within each line item, except for the figure beneath the line, which is the subtotal of the figures preceding. The figures in the "total" column are the amounts made available by appropriation for expenditure by the department, division, institution, or program to which the totals relate.

(b) The figures in the "general fund", "general fund exempt", "cash funds", "cash funds exempt", and "federal funds" columns indicate the source of funds for the amounts authorized in the expenditure columns. The figures in the "general fund exempt" and "cash funds exempt" columns are amounts not included in the term "fiscal year spending" as such term is defined in section 20 (2) (e) of article X of the state constitution.

(c) The figures in the "general fund" and "general fund exempt" columns indicate the maximum amount that may be expended from the general fund for the purposes shown.

(d) Where the letter "(M)" appears directly to the right of the general fund or general fund exempt figure, that general fund or general fund exempt appropriation, when combined with the related general fund or general fund exempt transfers from the centralized appropriations to the office of the executive director, is used to support a federally supported program and is the maximum amount of general fund or general fund exempt moneys that may be expended in that program, except where otherwise provided. In the event that additional federal funds are available for the program, the combined general fund or general fund exempt amount noted as "(M)" shall be reduced by the amount of federal funds earned or received in excess of the figure shown in the "federal funds" column for that program. In the event that the federal funds earned or received are less than the amount shown in the "federal funds" column, the combined general fund or general fund exempt amount noted as "(M)" shall be reduced proportionately. Where general fund or general fund exempt support is required as a condition for the acceptance of federal funds and the state matching requirements are reduced, the combined general fund or general fund exempt amount noted as "(M)" shall be reduced proportionately. These provisions shall apply only to the general fund or general fund exempt amount which remains unexpended at the time of the change in federal requirements or funding. It is intended that the general fund or general fund exempt amount and the federal funds amount shall be expended in equally proportioned amounts throughout the year.

(e) (I) The figures in the "cash funds" or "cash funds exempt" columns, including the figures in any related lettered notes, indicate all non-general fund and non-general fund exempt sources and all nondirect federal fund sources and may be cash funds established by statute, nonstatutory cash accounts, tuitions, overhead reimbursements, certain fees, governmental and nongovernmental "third-party" payments, payments for services, and interagency transfers. Such figures indicate the maximum amount that may be expended from cash funds or the specified cash fund sources for the purposes shown. The amount of each cash funds or cash funds exempt appropriation is expressly declared to be nonseverable from the agency, source, and purpose of such appropriation, and such amount shall not be used for any other agency, source, or

purpose.

(II) The provisions of this paragraph (e) shall not apply where this act specifically provides otherwise or where a cash funds or cash funds exempt amount is marked with an "(L)". The "(L)" designation refers to the funds of local governments or to the funds of service organizations from which the state purchases services, the amounts of which are not appropriated in this act and the inclusion of which is informational only.

(III) Whenever a state agency receives cash funds or exempt cash funds from a centralized appropriation made to the office of the executive director of such agency's department and this act does not set forth such funds as a duplicate appropriation to said receiving agency, the provisions of this paragraph (e) shall not apply to the receipt of such funds.

(IV) Whenever the controller creates an account solely for the purpose of establishing the obligation of a state agency to generate cash funds or exempt cash funds for distribution to another state agency to which such funds are appropriated by this act, the provisions of this paragraph (e) shall not apply to the account created or to such distribution.

(f) Where the letter "(H)" appears directly to the right of a cash funds or cash funds exempt figure, that appropriation, when combined with the related cash funds or cash funds exempt transfers from the centralized appropriations to the office of the executive director, is used to support a federally supported program and is the maximum amount of cash funds or cash funds exempt moneys that may be expended in that program, except where otherwise provided. In the event that additional federal funds are available for the program, the combined cash funds or cash funds exempt amount noted as "(H)" shall be reduced by the amount of federal funds earned or received in excess of the figure shown in the "federal funds" column for that program. In the event that the federal funds earned or received are less than the amount shown in the "federal funds" column, the combined cash funds or cash funds exempt amount noted as "(H)" shall be reduced proportionately. Where cash funds or cash funds exempt support is required as a condition for the acceptance of federal funds and the state matching requirements are reduced, the combined cash funds or cash funds exempt amount noted as "(H)" shall be reduced proportionately. These provisions shall apply only to the cash funds or cash funds exempt amount which remains unexpended at the time of the change in federal requirements or funding. It is intended that the cash funds or cash funds exempt amount and the federal funds amount shall be expended in equally proportioned amounts throughout the year.

(g) Where a "(T)" appears directly to the right of a cash funds or cash funds exempt figure, that figure is a transfer of funds or purchase of services anticipated to be made from one state agency to another and may be a combination of various funding sources. A "(T)" notation indicates the appropriation is a duplicated appropriation, appearing both in the distributing agency's appropriation where the funding details are indicated and in the receiving agency's appropriation where the amount transferred is categorized as a cash funds or cash funds exempt receipt. The "(T)" notation shall only appear on the appropriation of the receiving agency.

(h) (I) The figures in the "federal funds" column earned or received under the

following federal programs which are subject to a state match or which are subject to transfer to other block grants shall be limits on the amount of expenditures of such funds, and such funds shall be expended in accordance with applicable state and federal statutes, including all provisions of this act:

Title XX Social Services Block Grant

Preventive Health Services Block Grant

Maternal and Child Health Block Grant

(II) The figures in the "federal funds" column earned or received under the following federal programs shall be limits on the amount of expenditures of such funds, and such funds shall be expended in accordance with applicable state and federal statutes, including all provisions of this act:

Child Care Development Funds

Temporary Assistance to Needy Families Block Grant

Welfare-to-Work Block Grant

(III) The figures in the "federal funds" column for all other programs are anticipated federal funds, and, although these funds are not appropriated in this act, they are noted for the purpose of indicating the assumption used relative to those funds in developing the basic appropriations amounts.

(i) The general assembly accepts no obligation directly or indirectly for support or continuation of non-state-funded programs or grants where no direct or indirect state contribution is required. Furthermore, the general assembly accepts no obligation for costs incurred by or claimed against nonappropriated federally funded programs.

(j) No moneys appropriated by this act shall knowingly be paid to any organization, business firm, person, agency, or club which places restrictions on employment or membership based on sex, race, age, marital status, creed, color, religion, national origin, ancestry, or physical handicap.

(k) Pursuant to section 24-30-202 (2), Colorado Revised Statutes, the controller shall examine all state contracts entered into during the fiscal year commencing July 1, 2004, to determine whether such contracts are authorized by an appropriation within this act, and, pursuant to section 24-30-202 (3), Colorado Revised Statutes, no agency shall incur obligations by contract in excess of the amounts appropriated by this act.

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

**PART I  
DEPARTMENT OF AGRICULTURE**

**(1) COMMISSIONER'S OFFICE AND ADMINISTRATIVE SERVICES**

Personal Services	1,403,967 (18.7 FTE)	63,189			1,340,778(T) <sup>a</sup>	
Health, Life, and Dental	714,195	136,407		551,616 <sup>b</sup>		26,172
Short-term Disability	20,340	5,550		13,971 <sup>b</sup>		819
Salary Survey and Senior Executive Service	277,030	75,787		189,888 <sup>b</sup>		11,355
Performance-based Pay Awards	164,820	46,857		117,963 <sup>b</sup>		
Workers' Compensation	209,730	74,651		133,204 <sup>b</sup>		1,875
Operating Expenses	97,800	97,800				
Legal Services for 3,428 hours	211,062	43,837		156,265 <sup>b</sup>		10,960
Purchase of Services from Computer Center	12,667	12,667				
Multiuse Network Payments	30,661	30,661				
Payment to Risk Management and Property Funds	226,085	78,687		145,639 <sup>b</sup>		1,759
Vehicle Lease Payments	167,916	50,375		114,182 <sup>b</sup>		3,359
Information Technology Asset Maintenance	111,405	31,038		80,367 <sup>b</sup>		
Leased Space	103,203	44,835		58,368 <sup>b</sup>		
Capitol Complex Leased Space	139,739	108,996		30,743 <sup>b</sup>		

Communications Services				
Payments	4,886	1,661	3,225 <sup>b</sup>	
Utilities	94,443	28,948	65,495 <sup>b</sup>	
Agricultural Statistics	75,000	60,000	15,000 <sup>c</sup>	
Grants	702,975			702,975
				(8.0 FTE)
Indirect Cost Assessment	<u>58,613</u>			58,613
	4,826,537			

<sup>a</sup> This amount shall be from indirect cost recoveries.

<sup>b</sup> These amounts shall be from fees collected by various cash funds within the Department.

<sup>c</sup> This amount shall be from the sale of statistics books.

**(2) AGRICULTURAL SERVICES DIVISION**

Personal Services	8,683,441	2,031,224	6,327,867 <sup>a</sup>	324,350
		(30.5 FTE)	(112.1 FTE)	(3.0 FTE)
Operating Expenses	1,069,466	151,925	863,172 <sup>a</sup>	54,369
Noxious Weed Management Grant Program	15,000			15,000 <sup>b</sup>
Diseased Livestock Fund	25,000			25,000 <sup>c</sup>
Cervidae Disease Revolving Fund	25,000		25,000 <sup>d</sup>	
Indirect Cost Assessment	<u>814,000</u>		785,453 <sup>a</sup>	28,547
	10,631,907			

<sup>a</sup> These amounts shall be from various cash funds within the Department.

<sup>b</sup> This amount shall be from reserves in the Noxious Weed Management Fund pursuant to Section 35-5.5-116, C.R.S.

<sup>c</sup> This amount shall be payment for damages available from reserves in the Diseased Livestock Indemnity Fund, pursuant to Section 35-50-140.5 (2), C.R.S., and is continuously appropriated by a permanent statute or constitutional provision.

<sup>d</sup> This amount shall be payment for damages available from the Cervidae Disease Revolving Fund, pursuant to Section 35-50-114.5 (1)(a), C.R.S., and is continuously appropriated by a permanent statute or constitutional provision.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(3) AGRICULTURAL MARKETS DIVISION</b>						
Personal Services	358,376	358,376				
		(4.7 FTE)				
Operating Expenses	79,961	29,624		50,337 <sup>a</sup>		
Aquaculture Operating Expenses	25,000			25,000 <sup>b</sup>		
Economic Development Grants	45,000				45,000(T) <sup>c</sup>	
Agricultural Development Board	74,837				74,837 <sup>d</sup>	
					(0.5 FTE)	
	<u>583,174</u>					

<sup>a</sup> This amount shall be from various economic development programs.

<sup>b</sup> This amount shall be from the Aquaculture Cash Fund pursuant to Section 35-24.5-111, C.R.S.

<sup>c</sup> This amount represents a transfer from the Office of the Governor, Economic Development Commission. Any amounts included in state fiscal year spending are accounted for in the appropriations to the Office of the Governor.

<sup>d</sup> This amount shall be from the Agriculture Value-Added Cash Fund pursuant to Section 35-75-205 (1), C.R.S., and is continuously appropriated by a permanent statute or constitutional provision.

**(4) BRAND BOARD**

Brand Inspection	3,224,431					
	(66.3 FTE)					
Alternative Livestock	95,662					
Indirect Cost Assessment	<u>461,209</u>					
	3,781,302			3,781,302 <sup>a</sup>		

<sup>a</sup> This amount shall be from fees for service that are deposited into the Brand Inspection Fund pursuant to Section 35-41-102, C.R.S..

**(5) SPECIAL PURPOSE**

Wine Promotion Board	378,930			
	(1.0 FTE)			
Vaccine and Service Fund	98,090			
Brand Estray Fund	94,050			
Indirect Cost Assessment	<u>6,956</u>			
		578,026	543,376 <sup>a</sup>	34,650 <sup>b</sup>

<sup>a</sup> Of this amount, \$385,886 shall be from the Colorado Wine Industry Development Fund pursuant to Section 35-29.5-105, C.R.S., \$98,090 shall be from the Veterinary Vaccine and Service Fund pursuant to Section 35-50-146, C.R.S., and \$59,400 shall be from the Estray Fund pursuant to Section 35-41-102, C.R.S. Moneys from the Estray Fund are included for informational purposes only as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>b</sup> This amount shall be available from reserves in the Estray Fund pursuant to Section 35-41-102, C.R.S. These are continuously appropriated by a permanent statute or constitutional provision.

**(6) COLORADO STATE FAIR**

Program Costs	8,078,677		8,078,677 <sup>a</sup>	
			(26.9 FTE)	

<sup>a</sup> This amount shall be from fees collected by the Colorado State Fair.

**(7) CONSERVATION BOARD**

Personal Services	239,520	239,520		
		(3.5 FTE)		
Operating Expenses	33,200	33,200		
Distributions to Soil Conservation Districts	391,714	391,714		
Irrigation/Conservation Program	110,279		110,279 <sup>a</sup>	
			(3.0 FTE)	

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Department of Agriculture

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS	
\$	\$	\$	\$	\$	\$	\$	\$
Salinity Control Grants	<u>500,000</u>						500,000
	1,274,713						

<sup>a</sup> This amount shall be from fees charged by well pump testing associations.

**TOTALS PART I**

<b>(AGRICULTURE)<sup>1,2</sup></b>	<u>\$29,754,336</u>	<u>\$4,227,529</u>	<u>                    </u>	<u>\$22,266,389</u>	<u>\$1,535,265<sup>a</sup></u>	<u>\$1,725,153</u>
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<sup>a</sup> Of this amount, \$1,385,778 contains a (T) notation.

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

~~1 — All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

**PART II**  
**DEPARTMENT OF CORRECTIONS**

**(1) MANAGEMENT**

**(A) Executive Director's Office Subprogram<sup>3</sup>**

Personal Services	3,678,791	3,576,650		102,141(T) <sup>a</sup>
		(56.1 FTE)		(1.7 FTE)
Health, Life, and Dental	13,078,656	12,652,775	25,737 <sup>b</sup>	400,144 <sup>c</sup>
Short-term Disability	412,248	396,802	1,108 <sup>b</sup>	14,338 <sup>c</sup>
Salary Survey and Senior Executive Service	6,060,921	5,853,322	24,724 <sup>b</sup>	182,875 <sup>c</sup>
Performance-based Pay Awards	3,356,948	3,205,885	16,785 <sup>b</sup>	134,278 <sup>c</sup>
Shift Differential	5,363,943	5,339,038		24,905 <sup>c</sup>
Workers' Compensation	5,363,315	5,165,945		197,370 <sup>c</sup>
Operating Expenses	404,476	376,856		27,620(T) <sup>a</sup>
Legal Services for 17,727 hours	1,639,397 <sup>d</sup>	1,599,007		40,390 <sup>c</sup>
Payment to Risk Management and Property Funds	3,713,234	3,638,969		74,265 <sup>c</sup>
Leased Space	2,279,427	2,052,856	28,500 <sup>b</sup>	198,071 <sup>c</sup>
Capitol Complex Leased Space	<u>117,502</u>	81,869		35,633 <sup>c</sup>
	45,468,858			

<sup>a</sup> These amounts shall be from State Victims Assistance and Law Enforcement funds appropriated in the Department of Public Safety, Division of Criminal Justice.

<sup>b</sup> These amounts shall be from fees collected for monitoring private prisons.

<sup>c</sup> Of these amounts, \$914,550 shall be from sales revenues earned by Correctional Industries, and \$154,015 shall be from sales revenues earned by the Canteen Operation.

<sup>d</sup> Of this amount, \$1,091,451 shall be used to purchase 17,727 hours of legal services from the Department of Law, \$466,200 shall be used to contract for legal services from private firms for litigation related to the construction of the Trinidad Correctional Facility, and \$81,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.

<sup>e</sup> These amounts shall be from sales revenues earned by Correctional Industries.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(B) External Capacity Subprogram</b>						
(1) Private Prison Monitoring Unit						
Personal Services	878,240					
	(15.0 FTE)					
Operating Expenses	<u>173,560</u>					
	1,051,800			1,051,800 <sup>a</sup>		

<sup>a</sup> This amount shall be from fees collected for monitoring private prisons.

(2) Payments to House State Prisoners						
Payments to local jails at a rate of \$46.49 per inmate per day.						
	6,343,839		6,343,839			
Payments to private prisons at a rate of \$50.37 per inmate per day <sup>4</sup>						
	66,192,930		64,055,183			2,137,747 <sup>a</sup>
Community Corrections Programs	<u>1,688,628</u>		1,688,628			
	74,225,397					

<sup>a</sup> This amount shall be from a federal reimbursement for housing illegal aliens that is anticipated to be awarded in fiscal year 2004-05 and is subject to appropriation by the General Assembly.

120,746,055

**(2) INSTITUTIONS**

**(A) Utilities Subprogram**

Utilities <sup>5</sup>	16,864,370	14,948,114	1,916,256 <sup>a</sup>
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<sup>a</sup> Of this amount, \$1,171,302(T) shall be transferred from other operating expense line items in the Department of Corrections, and \$744,954 shall be from sales revenues earned by Correctional Industries.

**(B) Maintenance Subprogram**

Personal Services	15,046,547		
	(287.1 FTE)		
Operating Expenses	4,200,470		
Purchase of Services	168,877		
Montez Project	<u>348,707</u>		
	19,764,601	19,764,601	

**(C) Housing and Security Subprogram**

Personal Services	127,640,302 <sup>a</sup>		
	(2,800.5 FTE)		
Operating Expenses	<u>1,557,941</u>		
	129,198,243	129,198,243	

<sup>a</sup> In addition to the funding provided in this line, it is the intent of the General Assembly that the Department of Corrections utilize the \$3,370,835 General Fund appropriation contained in Sections 17-1-126 (1)(e), 17-1-127 (1)(e), 17-1-128 (1)(e), 17-1-129 (1)(e), 17-1-130 (1)(e)(II), 17-1-132 (1)(e), 17-1-134 (1)(c), 17-1-135 (1)(b), 17-1-136 (1)(d), 17-1-137 (1)(d)(II), 17-1-138 (1)(d), 17-1-139, 17-1-140 (1)(c), 17-1-141 (1)(c), 17-1-142 (1)(c)(II), 17-1-143 (1)(c)(II), and 17-1-148 (1)(b), C.R.S., for these purposes.

**(D) Food Service Subprogram**

Personal Services	12,300,812	12,300,812	
		(251.1 FTE)	
Operating Expenses	14,441,115	14,361,115	80,000 <sup>a</sup>
Purchase of Services	<u>481,358</u>	481,358	
	27,223,285		

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 APPROPRIATION FROM
 

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>(E) Medical Services Subprogram</b>							
Personal Services	22,537,326		22,312,647		224,679 <sup>a</sup>		
			(405.8 FTE)		(3.0 FTE)		
Operating Expenses	2,409,381		2,409,381				
Purchase of Pharmaceuticals	8,388,189		8,388,189				
Purchase of Medical Services from Other Medical Facilities	23,034,909		23,034,909				
Purchase of Medical Services from State Hospital	1,251,129		1,251,129				
Service Contracts	1,529,478		1,529,478				
Montez Lawsuit Medical Service Contract	195,000		195,000				
Medical Service Grants	<u>144,680</u>					144,680(T) <sup>b</sup>	
	59,490,092						

<sup>a</sup> This amount is anticipated to be received from the U.S. Department of Agriculture.

<sup>b</sup> This amount shall be from inmate medical fees pursuant to Section 17-1-113, C.R.S.

**(F) Laundry Subprogram**

Personal Services	1,850,215
	(36.4 FTE)
Operating Expenses	<u>1,840,200</u>

	3,690,415	3,690,415
<b>(G) Superintendents Subprogram</b>		
Personal Services	9,109,861	
	(165.2 FTE)	
Operating Expenses	<u>2,954,697</u>	
	12,064,558	12,064,558
<b>(H) Boot Camp Subprogram</b>		
Personal Services	1,590,047	
	(32.7 FTE)	
Operating Expenses	<u>52,419</u>	
	1,642,466	1,642,466
<b>(I) Youthful Offender System Subprogram</b>		
Personal Services	8,821,332	
	(174.4 FTE)	
Operating Expenses	184,114	
Contract Services	28,820	
Purchase of Services	<u>1,322,986</u>	
	10,357,252	10,357,252
<b>(J) Case Management Subprogram</b>		
Personal Services	12,205,858	
	(218.0 FTE)	
Operating Expenses	<u>124,105</u>	
	12,329,963	12,329,963
<b>(K) Mental Health Subprogram</b>		
Personal Services	4,333,646	

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 APPROPRIATION FROM
 

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	(69.5 FTE)						
Operating Expenses	53,497						
Medical Contract Services	<u>458,711</u>						
	4,845,854		4,845,854				
<b>(L) Inmate Pay Subprogram</b>	1,376,374		1,376,374				
<b>(M) San Carlos Subprogram</b>							
Personal Services	10,780,247						
	(197.1 FTE)						
Operating Expenses	200,301						
Service Contracts	<u>717,000</u>						
	11,697,548		11,697,548				
<b>(N) Legal Access Subprogram</b>							
Personal Services	893,426						
	(17.5 FTE)						
Operating Expenses	245,407						
Contract Services	50,425						
Start-up Costs	<u>2,400</u>						
	1,191,658		1,191,658				
		311,736,679					

**(3) SUPPORT SERVICES**

**(A) Business Operations Subprogram**

Personal Services	5,058,511	4,418,998	638,793 <sup>a</sup>	720(T) <sup>b</sup>
		(94.9 FTE)	(12.8 FTE)	
Operating Expenses	<u>227,848</u>	227,848		
	5,286,359			

<sup>a</sup> Of this amount, \$527,229(T) shall be from sales revenues earned by Correctional Industries, \$73,072(T) shall be from sales revenues earned by the Canteen Operation, and \$38,492 shall be from restitution collected pursuant to Section 16-18.5-109 (3), C.R.S. For informational purposes, \$471,994(T) shall be for department-wide indirect cost recoveries, and \$128,307(T) shall be for statewide indirect cost recoveries.

<sup>b</sup> This amount shall be from federal grants for statewide indirect cost recoveries.

**(B) Personnel Subprogram**

Personal Services	770,546			
	(16.7 FTE)			
Operating Expenses	<u>92,431</u>			
	862,977	862,977		

**(C) Offender Services Subprogram**

Personal Services	1,767,190			
	(36.8 FTE)			
Operating Expenses	<u>51,044</u>			
	1,818,234	1,818,234		

**(D) Communications Subprogram**

Personal Services	444,306	444,306		
		(8.2 FTE)		
Operating Expenses	1,260,265	1,251,265	9,000 <sup>a</sup>	
Multiuse Network Payments	1,069,494	1,012,063		57,431 <sup>b</sup>
Dispatch Services	275,274	275,274		

## APPROPRIATION FROM

	ITEM & SUBTOTAL		TOTAL	APPROPRIATION FROM				
	\$	\$		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
Communications Services								
Payments	<u>733,353</u>			733,353				
	3,782,692							

<sup>a</sup> These amounts shall be from fees collected for monitoring private prisons.

<sup>b</sup> This amount shall be from sales revenues earned by Correctional Industries.

**(E) Transportation Subprogram**

Personal Services	1,301,259		1,301,259				
			(27.3 FTE)				
Operating Expenses	160,031		160,031				
Vehicle Lease Payments	<u>2,008,800</u>		1,914,733		11,880 <sup>a</sup>	82,187 <sup>b</sup>	
	3,470,090						

<sup>a</sup> This amount shall be from fees collected for monitoring private prisons.

<sup>b</sup> Of this amount, \$78,187 shall be from sales revenues earned by Correctional Industries, and \$4,000 shall be from sales revenues earned by the Canteen Operation.

**(F) Training Subprogram**

Personal Services	1,561,258						
	(27.3 FTE)						
Operating Expenses	274,181						
Contract Services	3,000						
Start-up	<u>24,500</u>						
	1,862,939		1,862,939				

**(G) Information Systems Subprogram**

Personal Services	2,957,320	
	(50.6 FTE)	
Operating Expenses	863,416	
Contract Services	100,000	
Purchase of Services from Computer Center	<u>54,469</u>	
	3,975,205	3,975,205

**(H) Facility Services Subprogram**

Personal Services	593,047	
	(8.6 FTE)	
Operating Expenses	<u>75,028</u>	
	668,075	668,075

21,726,571

**(4) INMATE PROGRAMS**

**(A) Labor Subprogram**

Personal Services	4,840,477	
	(97.3 FTE)	
Operating Expenses	<u>87,025</u>	
	4,927,502	4,927,502

**(B) Education Subprogram**

Personal Services	7,832,763	7,832,763	
		(141.6 FTE)	
Operating Expenses	1,300,097		580,800 <sup>a</sup>
Contract Services	4,625,186	3,625,186	719,297 <sup>b</sup>
Education Grants	328,022		1,000,000 <sup>c</sup>
			328,022 <sup>d</sup>

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
						(1.0 FTE)	
Vocational Grants	272,577						272,577
Indirect Costs Recoveries	<u>720</u>						720
	14,359,365						

<sup>a</sup> This amount shall be from sales revenues earned by vocational programs.

<sup>b</sup> Of this amount, \$443,297 shall be from sales revenues earned by the Canteen Operation, and \$276,000(T) shall be from sales revenues earned by vocational programs for products and services sold to other government agencies.

<sup>c</sup> This shall be from sales revenues earned by the Canteen Operation.

<sup>d</sup> Of this amount, \$318,022(T) shall be from federal funds appropriated to the Department of Education, and \$10,000 shall be from gifts, grants, and donations.

**(C) Recreation Subprogram**

Personal Services	5,875,588		5,875,588				
			(119.9 FTE)				
Operating Expenses	<u>72,470</u>					72,470 <sup>a</sup>	
	5,948,058						

<sup>a</sup> This amount shall be from sales revenues earned by the Canteen Operation.

**(D) Drug and Alcohol Treatment Subprogram**

Personal Services	198,430		198,430				
			(3.5 FTE)				
Alcohol Treatment Program <sup>6</sup>	653,802		653,802				
Drug Treatment Program <sup>6</sup>	490,361		177,754		312,607 <sup>a</sup>		
Drug Offender Surcharge Program	622,702				480,343 <sup>a</sup>	142,359(T) <sup>b</sup>	

Contract Services	1,821,162	1,821,162	
Treatment Grants	<u>755,038</u>		755,038(T) <sup>b</sup>
	4,541,495		

<sup>a</sup> These amounts shall be from the Drug Offender Surcharge Fund pursuant to Section 18-19-103(4), C.R.S.

<sup>b</sup> These amounts shall be from federal funds appropriated to the Department of Public Safety, Division of Criminal Justice.

**(E) Sex Offender Treatment Subprogram**

Personal Services	1,835,845	1,807,034	28,811 <sup>a</sup>
		(35.1 FTE)	(1.0 FTE)
Operating Expenses	251,054	250,554	500 <sup>a</sup>
Polygraph Testing	<u>93,323</u>	93,323	
	2,180,222		

<sup>a</sup> These amounts shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

**(F) Volunteers Subprogram**

Personal Services	446,303		
	(9.0 FTE)		
Operating Expenses	<u>17,912</u>		
	464,215		464,215 <sup>a</sup>

<sup>a</sup> This amount shall be from sales revenues earned by the Canteen Operation.

**(G) Community Reintegration Subprogram<sup>6a</sup>**

Personal Services	423,338	423,338	
		(8.0 FTE)	
Operating Expenses	12,500	12,500	
Offender Emergency Assistance	86,844	86,844	
Contract Services	50,000	50,000	

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Offender Re-employment Center <sup>7</sup>	599,644					175,000 <sup>a</sup> (3.0 FTE)	424,644
Dress Out	518,585		518,585				
Community Reintegration Grants	<u>110,000</u>					110,000(T) <sup>b</sup>	
	1,800,911						

<sup>a</sup> Of this amount, \$90,000(T) shall be from the federal Welfare-to-Work Block Grant in the Department of Labor and Employment, \$75,000(T) shall be from a Federal Welfare to Work Motherhood Project Grant in the Department of Labor and Employment, and \$10,000 shall be from gifts, grants, and donations.

<sup>b</sup> Of this amount, \$85,000 shall be from the federal Life Skills Grant in the Department of Education, and \$25,000 shall be from the Incarcerated Veterans Transition Program in the Department of Labor and Employment.

34,221,768

**(5) COMMUNITY SERVICES**

**(A) Parole Subprogram**

Personal Services	5,562,686						
	(100.8 FTE)						
Operating Expenses	655,314						
Administrative Law Judge Services	12,061						
Contract Services	456,705						
Start-up Costs	<u>14,448</u>						
	6,701,214		6,701,214				

**(B) Parole Intensive Supervision Subprogram**

Personal Services	2,107,466	
	(43.7 FTE)	
Operating Expenses	266,349	
Contract Services	912,586	
Non-residential Services	703,481	
Home Detention	69,383	
Start-up Costs	<u>2,266</u>	
	4,061,531	4,061,531

**(C) Community Intensive Supervision Subprogram**

Personal Services	2,292,904	
	(47.5 FTE)	
Operating Expenses	475,588	
Contract Services	3,179,261	
Start-up Costs	<u>14,448</u>	
	5,962,201	5,962,201

**(D) Community Supervision Subprogram**

(1) Community Supervision

Personal Services	1,856,173	1,856,173	
		(36.5 FTE)	
Operating Expenses	107,367	107,367	
Community Mental Health Services	428,274	428,274	
Contract Services for High Risk Offenders	227,836	227,836	
Contract Services for Fugitive Returns	32,475		32,475(T) <sup>a</sup>
Community Corrections Grant	37,002		37,002(T) <sup>a</sup>
Start-up Costs	<u>23,797</u>	23,797	

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	2,712,924					
<sup>a</sup> These amounts shall be from the Department of Public Safety, Division of Criminal Justice.						
<b>(2) Youthful Offender System Aftercare</b>						
Personal Services	508,312					
	(9.5 FTE)					
Operating Expenses	139,564					
Contract Services	<u>1,062,396</u>					
	1,710,272	1,710,272				
	21,148,142					
<b>(6) PAROLE BOARD</b>						
Personal Services	919,398					
	(13.5 FTE)					
Operating Expenses	99,311					
Contract Services	<u>52,000</u>					
	1,070,709	1,070,709				
<b>(7) CORRECTIONAL INDUSTRIES</b>						
Personal Services	8,773,000					
	(171.0 FTE)					
Operating Expenses	5,349,030					

Raw Materials	16,928,799		
Inmate Pay	1,488,702		
Capital Outlay	1,406,200		
Indirect Cost Assessment	<u>527,229</u>	34,472,960	34,472,960 <sup>a</sup>

<sup>a</sup> Of this amount, \$21,906,895(T) is estimated to be from sales to other state agencies, \$8,519,347 estimated to be from sales to non-state entities, \$3,896,718(T) is estimated to be from the Department of Revenue for the purchase of license plates, and \$150,000 is estimated to be from the Land Improvement Fund.

**(8) CANTEEN OPERATION**

Personal Services	1,044,965		
	(23.7 FTE)		
Operating Expenses	9,179,580		
Inmate Pay	34,986		
Indirect Cost Assessment	<u>73,072</u>	10,332,603	10,332,603 <sup>a</sup>

<sup>a</sup> This amount shall be from sales revenues earned by the Canteen Operation.

**TOTALS PART II**

<b>(CORRECTIONS)<sup>1, 2</sup></b>	<u>\$555,455,487</u>	<u>\$496,828,987</u>	<u>                    </u>	<u>\$3,436,067<sup>a</sup></u>	<u>\$52,274,745<sup>a</sup></u>	<u>\$2,915,688</u>
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<sup>a</sup> Of these amounts, \$29,686,273 contains a (T) notation.

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

~~1 ——— All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief~~

~~description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

- 2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

- ~~3 Department of Corrections, Management, Executive Director's Office Subprogram, Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division and Division of Youth Corrections, Judicial Department, Probation and Related Services, Department of Public Safety, Division of Criminal Justice, and Department of Transportation, Office of Transportation Safety -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from the Drug Offender Surcharge Fund, the Sex Offender Surcharge Fund, the Persistent Drunk Driver Cash Fund, and the Alcohol and Drug Driving Safety Fund, among other programs.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

- ~~4 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners, Payments to private prisons at a rate of \$50.37 per inmate per day -- It is the intent of the General Assembly that the appropriations made for payments to private facilities housing state inmates be used exclusively for the purpose of per diem payments. It is the intent of the General Assembly that the department not withhold funds from the per diem payments to cover major medical expenses incurred by state inmates assigned to private facilities. It is the intent of the General Assembly that appropriations made in the medical services subprogram are sufficient to cover major medical expenses incurred by state inmates held in both state and private facilities.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~5 Department of Corrections, Institutions, Utilities Subprogram, Utilities -- The Department of Corrections is requested to continue the energy management program designed to reduce overall energy consumption in the department's facilities. Up to \$100,000 of the Department's utility appropriation may be for this program and a portion of these funds may be used to hire the equivalent of 1.0 FTE as an energy management program manager. The Department is requested to submit with its annual budget document a detailed accounting of any savings achieved as a result of the program and a summary of funds used to hire the 1.0 FTE.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

6 Department of Corrections, Inmate Programs, Drug and Alcohol Treatment Subprogram, Alcohol Treatment Program; and Drug Treatment Program -- It is the intent of the General Assembly that the Department of Corrections be allowed to transfer funds, as necessary, between the alcohol treatment program line item and the drug treatment program line item. The Department is requested to report in its annual budget submission to the Joint Budget Committee the amounts transferred between these line items and the total expenditures for each program.

~~6a Department of Corrections, Inmate Programs, Community Reintegration Subprogram -- The Department is requested to track recidivism rates for the inmates provided assistance through this program for five years after release of an inmate. The Department is further requested to report, in their annual budget submission, a comparison of the recidivism rate of the inmates who are assisted through this program as compared to the overall recidivism rate for other inmates released from the Department.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~7 Department of Corrections, Inmate Programs, Community Reintegration Subprogram, Offender Re-employment Center -- It is the intent of the General Assembly that no new General Fund dollars will be used for the Offender Re-employment Center and that the Department use funds received as gifts, grants, and donations for this center. Existing General Fund dollars may be used as a match for gifts, grants, and donations but shall not be used if they are to be considered a maintenance of effort. Of the amount appropriated in this line, up to \$94,000 may be used for the acquisition of leased space notwithstanding the provisions outlined in head note number 7 with regard to leased space.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

## APPROPRIATION FROM

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

**PART III  
DEPARTMENT OF EDUCATION**

**(1) MANAGEMENT AND ADMINISTRATION**

General Department and Program Administration	6,230,339 <sup>a</sup>	3,964,437 (50.5 FTE)		125,820 <sup>b</sup> (1.0 FTE)	2,125,324(T) <sup>c</sup> (24.5 FTE)	14,758
Office of Professional Services	2,326,485			2,326,485 <sup>d</sup> (17.0 FTE)		
Health, Life, and Dental Salary Survey and Senior Executive Service	1,172,468 549,029	591,710 278,552		40,879 <sup>b</sup> 18,536 <sup>b</sup>	120,878(T) <sup>c</sup> 47,875(T) <sup>c</sup>	419,001 204,066
Performance-based Pay Awards	242,529	88,912		10,057 <sup>b</sup>	31,239(T) <sup>c</sup>	112,321
Shift Differential	80,202	80,202				
Workers' Compensation	424,213	229,901		17,455 <sup>b</sup>		176,857
Emeritus Retirement	57,100	57,100				
Administrative Law Judge Services	45,984			9,656 <sup>c</sup>	36,328(T) <sup>f</sup>	
Payment to Risk Management and Property Funds	121,709	65,960		5,008 <sup>b</sup>		50,741
Capitol Complex Leased Space	455,054	139,555		29,898 <sup>b</sup>		285,601
Information Technology Asset Maintenance	90,697	90,697				
Disaster Recovery	19,722	19,722				

Colorado Student Assessment Program	18,338,954	13,206,260	5,132,694 (6.0 FTE)
Federal Grant for State Assessments and Related Activities	1,005,673		1,005,673 (6.0 FTE)
School Accountability Reports and State Data Reporting System	2,024,062	2,024,062 (3.0 FTE)	
Record Integrated Tracking System Unit	180,000	180,000 (2.0 FTE)	
	<hr/>		
	33,364,220		

<sup>a</sup> For informational purposes only, this amount includes the following: \$5,275,529 for personal services; \$698,502 for operating expenses; \$117,537 for 1,909 hours of legal services; \$15,878 for vehicle lease; \$32,250 for capital outlay; \$36,549 for short-term disability; \$13,934 for the purchase of services from computer center; and \$40,160 for multiuse network payments.

<sup>b</sup> Of these amounts, it is estimated that \$97,116 shall be from general education development program fees, \$115,057 shall be from the Educator Licensure Cash Fund created in Section 22-60.5-112, C.R.S., and \$35,480 shall be from the Public School Income Fund pursuant to Section 22-2-112 (1) (i), C.R.S.

<sup>c</sup> Of these amounts, it is estimated that \$1,334,422 shall be from indirect cost recoveries; \$177,212 shall be from Assistance to Public Schools, Categorical Programs, Other Categorical Programs, Public School Transportation; \$761,568 shall be from Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding; and \$52,114 shall be from various appropriations to the Department of Education.

<sup>d</sup> This amount shall be from the Educator Licensure Cash Fund created in Section 22-60.5-112, C.R.S. For informational purposes only, this amount includes the following: \$991,524 for personal services; \$755,400 for Colorado Bureau of Investigation services; \$274,636 for operating expenses; \$155,040 for indirect cost recoveries; \$136,685 for 2,220 hours of legal services; and \$13,200 for capital outlay.

<sup>e</sup> This amount shall be from the Educator Licensure Cash Fund created in Section 22-60.5-112, C.R.S.

<sup>f</sup> This amount shall be from Assistance to Public Schools, Categorical Programs, District Programs Required by Statute, Special Education - Children with Disabilities.

**(2) ASSISTANCE TO PUBLIC SCHOOLS**

**(A) Public School Finance<sup>8,9</sup>**

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
State Share of Districts' Total Program Funding <sup>10, 11</sup>	2,748,177,287		2,381,680,543		11,500,000 <sup>a</sup>	354,996,744 <sup>b</sup>	
Additional State Aid Related to Locally Negotiated Business Incentive Agreements	<u>2,339,101</u>		2,339,101				
	2,750,516,388						

<sup>a</sup> This amount shall be from rental income earned on public school lands.

<sup>b</sup> Of this amount, \$310,403,393 shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution and \$44,593,351 shall be from the State Public School Fund created in Section 22-54-114, C.R.S. Of the amount from the State Public School Fund, \$25,593,351 is estimated to be from federal mineral leasing revenues transferred to the State Public School Fund pursuant to Section 22-54-114 (1), C.R.S., and \$19,000,000 is estimated to be from interest earned on moneys in the Public School Fund and transferred to the State Public School Fund pursuant to Section 22-41-106, C.R.S.

**(B) Categorical Programs<sup>12</sup>**

**(I) District Programs Required by Statute**

Special Education - Children with Disabilities	205,990,933		71,572,347		15,152,370 <sup>a</sup> (0.5 FTE)	119,266,216 (48.6 FTE)	
English Language Proficiency Program	9,859,599		3,101,598		970,783 <sup>b</sup> (1.0 FTE)	5,787,218 (3.2 FTE)	

**(II) Other Categorical Programs**

Federal Special Education Grant for Infants, Toddlers, and Their Families <sup>13</sup>	6,386,135					6,386,135	
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(5.6 FTE)

Public School Transportation	41,573,643	36,922,227	4,651,416 <sup>c</sup>
Transfer to the Department of Higher Education for Distribution of State Assistance for Vocational Education	19,959,556	17,792,850	2,166,706 <sup>d</sup>
Special Education - Gifted and Talented Children	6,258,744	5,500,000	758,744 <sup>d</sup>
Expelled and At-risk Student Services Grant Program	6,285,171	5,788,807	496,364 <sup>d</sup>
Small Attendance Center Aid	808,089	787,645	20,444 <sup>d</sup>
Comprehensive Health Education	<u>600,000</u>	300,000	300,000 <sup>e</sup>
	297,721,870		

<sup>a</sup> Of this amount, \$15,097,370 shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution and \$55,000(T) shall be from federal funds appropriated in the Department of Human Services.

<sup>b</sup> Of this amount, \$665,032 shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution and \$305,751(T) shall be from federal funds appropriated in the Department of Human Services.

<sup>c</sup> Of this amount, \$4,496,166 shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution and \$155,250(L) shall be from local funds. The latter amount represents an estimate of categorical program support funds to be replaced with local property tax revenue pursuant to Section 22-54-107, C.R.S.

<sup>d</sup> These amounts shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution.

<sup>e</sup> This amount shall be from reserves in the Colorado Comprehensive Health Education Fund created in Section 22-25-109, C.R.S.

**(C) Grant Programs and Other Distributions<sup>14</sup>**

Read-to-Achieve Cash Fund	16,592,664		16,592,664 <sup>a</sup>
Read-to-Achieve Grant Program	16,592,664		16,592,664 <sup>b</sup>
Federal Title I Reading First Grant	9,650,058		9,650,058

## APPROPRIATION FROM

	ITEM & SUBTOTAL		TOTAL		APPROPRIATION FROM		
	\$	\$	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
			\$	\$	\$	\$	\$
							(8.8 FTE)
S.B. 97-101 Public School Health Services	14,585,895					14,585,895(T) <sup>c</sup>	(1.4 FTE)
State Public School Fund, Contingency Reserve <sup>15, 16</sup>	3,585,804					3,585,804 <sup>d</sup>	
State Public School Fund, School Capital Construction Expenditures Reserve	10,000,000					10,000,000 <sup>e</sup>	(1.0 FTE)
Charter School Capital Construction	5,000,000					5,000,000 <sup>f</sup>	
State Match for School Lunch Program	<u>2,472,644</u>					2,472,644 <sup>g</sup>	
	78,479,729						

<sup>a</sup> This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104 (1) (e), C.R.S.

<sup>b</sup> This amount shall be from the Read-to-Achieve Cash Fund created in Section 22-7-506 (4), C.R.S.

<sup>c</sup> This amount shall be from federal Medicaid funds appropriated to the Department of Health Care Policy and Financing. Of this amount, \$179,470 shall be for administrative costs.

<sup>d</sup> This amount shall be from school district reimbursements that are credited to the State Public School Fund, Contingency Reserve, pursuant to Section 22-54-117 (5) (b), C.R.S.

<sup>e</sup> Of this amount, \$5,000,000 shall be from the shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution, and \$5,000,000 shall be from the State Public School Fund, School Capital Construction Expenditures Reserve established in Section 22-54-117 (1.5), C.R.S.

<sup>f</sup> This amount shall be from the State Education Fund created in Section 17 (4) of Article IX of the State Constitution.

<sup>g</sup> This amount shall be from the State Public School Fund created in Section 22-54-114, C.R.S.

**(D) Appropriated Sponsored Programs**

Sponsored Programs	268,580,812	575,000 <sup>a</sup>	3,388,029 <sup>b</sup>	264,617,783
			(5.6 FTE)	(88.0 FTE)

<sup>a</sup> This amount shall be from fees and charges for workshops, conferences, training programs, and seminars.

<sup>b</sup> Of this amount, \$2,572,534(T) shall be from the Department of Human Services and \$815,495 shall be from various grants and donations.

3,395,298,799

**(3) LIBRARY PROGRAMS**

Regional Library Service				
Systems	600,000	600,000		
Colorado Virtual Library	379,796	359,796	20,000 <sup>a</sup>	
Reading Services for the Blind	<u>93,800</u>		93,800 <sup>b</sup>	
	1,073,596			

<sup>a</sup> This amount shall be from grants and donations.

<sup>b</sup> This amount shall be from the Reading Services for the Blind Cash Fund created in Section 24-90-105.5, C.R.S.

**(4) SCHOOL FOR THE DEAF AND THE BLIND**

**(A) School Operations<sup>17</sup>**

Personal Services	8,409,895			
	(148.2 FTE)			
Operating Expenses	393,520			
Utilities	331,536			
Allocation of State and Federal				
Categorical Program Funding	145,000			
	(0.4 FTE)			

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Medicaid Reimbursements for Public School Health Services	75,000 <u>(1.5 FTE)</u> 9,354,951		7,909,605			1,445,346(T) <sup>a</sup>

<sup>a</sup> Of this amount, \$1,165,346 shall be from Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding; \$145,000 shall be from Assistance to Public Schools, Categorical Programs; \$75,000 shall be from Assistance to Public Schools, Grant Programs and Other Distributions, S.B. 97-101 Public School Health Services; and \$60,000 shall be from federal Child Nutrition Act funds appropriated in the Assistance to Public Schools, Appropriated Sponsored Programs subsection.

**(B) Special Purpose**

Fees and Conferences	75,000					
Aides for Extended Diagnostic Enrollment	82,500 <u>(2.8 FTE)</u>					
Summer Olympics Housing	10,000					
Grants	1,284,844 <u>(7.2 FTE)</u> 1,452,344			85,000 <sup>a</sup>		1,367,344 <sup>b</sup>

<sup>a</sup> Of this amount, \$75,000 shall be from fees and charges for workshops and conferences and \$10,000 shall be from housing reimbursements.

<sup>b</sup> Of this amount, \$1,284,844(T) shall be from various federal funds transferred from the Appropriated Sponsored Programs subsection and \$82,500 shall be from federal funds transferred from school districts.

10,807,295

TOTALS PART III

(EDUCATION)<sup>1,2</sup>

\$3,440,543,910 \$2,555,671,589 \_\_\_\_\_ \$14,743,794 \$457,019,405<sup>a</sup> \$413,109,122

<sup>a</sup> Of this amount, \$22,611,014 contains a (T) notation, and \$155,250 contains an (L) notation.

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

~~1~~ All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

~~8~~ Department of Education, Assistance to Public Schools, Public School Finance -- The Department is requested to provide to the Joint Budget Committee, on or before November 1, 2004, information concerning the number of students that repeated a grade level in the 2003-04 school year, and the share of districts' total program costs associated with these students. The Department is requested to summarize the information by grade level, by school district, and by type of instructional program.

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~9~~ Department of Education, Assistance to Public Schools, Public School Finance; and School for the Deaf and the Blind, School Operations -- The Department is requested to work with the Board of Trustees of the Colorado School for the Deaf and the Blind and report to the Joint Budget Committee and the Senate and House Education Committees by January 1, 2005, concerning the implementation of section 22-80-102 (4), C.R.S. The report is requested to include information concerning the

~~status of any: (a) Intergovernmental agreements between the School and local school districts or other local governmental agencies, (b) partnerships with boards of cooperative services, and (c) charter schools chartered by the Board of Trustees. In addition, the report is requested to include information concerning the estimated state and local fiscal impact of any such agreements.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

10 Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- The minimum state aid for fiscal year 2004-05 is established at \$80.43 per student.

~~11 Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- The Department is requested to provide to the Joint Budget Committee, on or before November 1, 2004, information concerning the Colorado preschool program. The information provided is requested to include the following for fiscal year 2003-04: (a) A list of participating districts; (b) the funded pupil count (FTE) allocated to each participating district and a description regarding how such allocation was determined; (c) data reflecting the ratio of each district's funded pupil count for the preschool program to its funded pupil count for kindergarten; (d) data indicating the number of three-year-old children that participated in each district's preschool program; (e) data indicating the number of children that participated in each district's preschool program for a full-day rather than a half-day; (f) data indicating the number of preschool program FTE each district used to provide a full-day kindergarten component; (g) the state and local shares of each district's total program funding that is attributable to the preschool program; and (h) whether or not each district contracted for preschool services with community providers.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~12 Department of Education, Assistance to Public Schools, Categorical Programs, and Department of Higher Education, Division of Occupational Education, Colorado Vocational Act Distributions pursuant to Section 23-8-102, C.R.S. -- The Department of Education is requested to work with the Department of Higher Education and to provide to the Joint Budget Committee information concerning each categorical program. For grant programs, such information is requested to include the following: (a) The total number and dollar amount of requests received; (b) the amount awarded or distributed to each district, board of cooperative services, or administrative unit, and (c) a description of the criteria utilized to evaluate requests and to determine grant awards. For other programs, such information is requested to include the following: (a) The total amount distributed to each district, board of cooperative services, or administrative unit; (b) the total amount that each entity would be eligible to receive pursuant to state law and/or State Board of Education rule; and (c) a description of the method or formula used to determine the amount for which entities are eligible and to distribute funds.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~13 Department of Education, Assistance to Public Schools, Categorical Programs, Other Categorical Programs, Federal Special Education Grant for Infants, Toddlers, and Their Families -- The Department is requested to provide to the Joint Budget Committee information concerning the expenditure of federal funds provided pursuant to Part C of the federal "Individuals with Disabilities Education Act" for the most recent state fiscal year. Such information is requested to include sufficient detail to identify expenditures related to the provision of direct services, by type of service.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~14 Department of Education, Assistance to Public Schools, Grant Programs and Other Distributions -- The Department is requested to provide information to the Joint Budget Committee by November 1, 2004, concerning the allocation of funding to eligible boards of cooperative services (BOCES) pursuant to section 22-2-122 (3), C.R.S. Specifically, the Department is requested to detail the allocations made to each BOCES in fiscal years 2002-03 and 2003-04, and to evaluate and report its findings concerning the impact of such allocations on the number and quality of grant applications submitted by member school districts and schools.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~15 Department of Education, Assistance to Public Schools, Grant Programs and Other Distributions, State Public School Fund, Contingency Reserve -- The Department is requested to notify the Joint Budget Committee whenever the State Board of Education approves a payment from the Contingency Reserve. Such notification is requested to include the amount of the payment, the name of the district receiving funds, the proposed use of such funds, and the applicable circumstance listed in section 22-54-117, C.R.S.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~16 Department of Education, Assistance to Public Schools, Grant Programs and Other Distributions, State Public School Fund, Contingency Reserve -- It is the intent of the General Assembly that the State Board of Education utilize the assistance of the Division of Property Taxation in the Department of Local Affairs in making a determination of school district requests for payment from the contingency reserve fund prior to approving payments from the fund.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

17 Department of Education, School for the Deaf and the Blind, School Operations -- This appropriation is based on an estimated

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

enrollment of 232 students at the Colorado School for the Deaf and Blind. It is the intent of the General Assembly that enrollment at the school not significantly exceed 232 students. The Department is requested to report annually to the Joint Budget Committee on any variance from this enrollment count.

#### PART IV

### GOVERNOR - LIEUTENANT GOVERNOR - STATE PLANNING AND BUDGETING

#### (1) OFFICE OF THE GOVERNOR<sup>18</sup>

##### (A) Governor's Office

Administration of Governor's Office and Residence <sup>19</sup>	2,239,655	2,136,932 (35.4 FTE)			102,723(T) <sup>a</sup>	
Discretionary Fund	20,000	20,000				
Mansion Activity Fund	<u>95,000</u>			75,000 <sup>b</sup>	20,000 <sup>c</sup>	
	2,354,655					

<sup>a</sup> This amount shall include \$85,111 in indirect cost recoveries collected from the State Highway Fund by the Department of Transportation, pursuant to Section 43-1-113 (8) (a), C.R.S., and \$17,612 shall be from indirect cost recoveries from federal grants received by the Office of the Governor.

<sup>b</sup> This amount shall be from rental fees.

<sup>c</sup> This amount shall be from rental fees received from exempt sources.

##### (B) Special Purpose

Health, Life, and Dental	225,287	181,137	1,707 <sup>a</sup>	33,275(T) <sup>b</sup>	9,168
Short-term Disability	8,605	6,613	88 <sup>a</sup>	1,723(T) <sup>b</sup>	181
Salary Survey and Senior Executive Service	119,060	91,333	1,227 <sup>a</sup>	23,931(T) <sup>b</sup>	2,569
Performance-based Pay Awards	75,178	57,253	874 <sup>a</sup>	17,051(T) <sup>b</sup>	
Workers' Compensation	3,803	3,803			
Legal Services for 818 hours	50,364	47,901	2,463 <sup>c</sup>		
Purchase of Services from Computer Center	19,001	19,001			
Multiuse Network Payments	99,421	99,421			
Payment to Risk Management and Property Funds	65,747	65,747			
Capitol Complex Leased Space	<u>207,670</u>	207,670			
	874,136				

<sup>a</sup> These amounts shall be from the Division of Insurance Cash Fund pursuant to Section 24-48.5-106 (3), C.R.S., for the Certified Capital Companies Program administration.

<sup>b</sup> These amounts shall be from indirect cost recoveries collected from the State Highway Fund by the Department of Transportation pursuant to Section 43-1-113 (8) (a), C.R.S.

<sup>c</sup> This amount shall be from the Division of Insurance Cash Fund pursuant to Section 24-48.5-106 (3), C.R.S., for legal services for the Certified Capital Companies Program.

**(C) Other Programs and Grants<sup>19</sup>**

Program Administration	16,282,388			16,282,388 <sup>a</sup>
Legal Services for 230 hours	14,161			14,161 <sup>b</sup>
Indirect Cost Assessment	<u>17,612</u>			17,612 <sup>c</sup>
	16,314,161			

## APPROPRIATION FROM

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

<sup>a</sup> This amount includes federal grants estimated to be received by the Governor's Office for the Office of Energy Conservation, the School-to-Career program, the Headstart Program, the Workforce Coordinating Council, and other initiatives, and is included for informational purposes only.

<sup>b</sup> This amount shall be for legal services for the Office of Energy Conservation, and is included for informational purposes only.

<sup>c</sup> This amount shall be for indirect cost recoveries, and is included for informational purposes only.

19,542,952

**(2) OFFICE OF THE LIEUTENANT GOVERNOR**

Administration	184,906	184,906			
		(2.7 FTE)			
Discretionary Fund	5,000	5,000			
Commission of Indian Affairs	80,062	78,562		1,500 <sup>a</sup>	
		(2.3 FTE)			
	<u>269,968</u>				

<sup>a</sup> This amount shall be from private donations.

**(3) OFFICE OF STATE PLANNING AND BUDGETING<sup>18, 20, 21, 22, 23</sup>**

Personal Services	1,217,159			1,217,159(T) <sup>a</sup>	
				(19.5 FTE)	
Operating Expenses	51,724			51,724(T) <sup>a</sup>	
Economic Forecasting					
Subscriptions	<u>16,362</u>			16,362(T) <sup>a</sup>	
	1,285,245				

<sup>a</sup> These amounts shall be from indirect cost recoveries collected from the State Highway Fund by the Department of Transportation pursuant to Section 43-1-113 (8) (a), C.R.S.

**(4) ECONOMIC DEVELOPMENT PROGRAMS**

Administration	386,657	386,502 (6.0 FTE)	155(T) <sup>a</sup>	
Vehicle Lease Payments	3,762	3,762		
Leased Space	231,540	231,540		
Business Development	802,196	787,196 (9.2 FTE)	15,000 <sup>b</sup>	
Grand Junction Satellite Office	60,353	60,353 (1.0 FTE)		
Minority Business Office	112,793	107,843 (2.0 FTE)	4,950 <sup>c</sup>	
Leading Edge Program Grants	126,407	50,976		75,431 <sup>d</sup>
Small Business Development Centers	1,263,359	61,854 (1.0 FTE)		1,201,505 (2.5 FTE)
International Trade Office <sup>24</sup>	648,034	598,034 (6.0 FTE)	50,000 <sup>b</sup>	
Colorado Promotion - Colorado Welcome Centers	485,371	389,958 (3.3 FTE)		95,413 <sup>e</sup>
Colorado Promotion - Other Program Costs <sup>25</sup>	5,423,810	5,373,810 (3.0 FTE)	50,000 <sup>f</sup>	

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Economic Development Commission - General Economic Incentives and Marketing <sup>26</sup>	956,669		956,669 (2.0 FTE)				
Colorado First Customized Job Training <sup>27</sup>	2,725,022		2,725,022				
CAPCO Administration	74,315				74,315 <sup>e</sup> (1.0 FTE)		
Indirect Cost Assessment	<u>155</u>				155 <sup>h</sup>		
		13,300,443					

<sup>a</sup> This amount shall be from indirect cost recoveries collected from cash revenues received by the Office of Economic Development.

<sup>b</sup> These amounts shall be from various fees collected.

<sup>c</sup> This amount shall be from the Minority Business Fund created in Section 24-49.5-104, C.R.S.

<sup>d</sup> This amount shall be from grants and donations.

<sup>e</sup> This amount shall be from reserves in the Colorado Travel and Tourism Promotion Fund created in Section 24-49.7-106, C.R.S.

<sup>f</sup> This amount shall be from grants, donations and reserves in the Colorado Travel and Tourism Promotion Fund created in Section 24-49.7-106, C.R.S.

<sup>g</sup> This amount shall be from the Division of Insurance Cash Fund pursuant to Section 24-48.5-106 (3), C.R.S., for the Certified Capital Companies Program Administration.

<sup>h</sup> This amount shall be from various cash fund sources collected by the Office of Economic Development.

**(5) OFFICE OF INNOVATION AND TECHNOLOGY<sup>22, 28</sup>**

Personal Services	749,191		749,191 (10.0 FTE)				
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Operating Expenses	148,768	148,768
Legal Services for 26 hours	<u>1,601</u>	1,601
	899,560	

**TOTALS PART IV  
(GOVERNOR-  
LIEUTENANT  
GOVERNOR- STATE  
PLANNING AND  
BUDGETING)<sup>1,2</sup>**

<u>\$35,298,168</u>	<u>\$15,838,358</u>	<u>\$225,779</u>	<u>\$1,706,447<sup>a</sup></u>	<u>\$17,527,584</u>
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<sup>a</sup> Of this amount, \$1,464,103 contains a (T) notation.

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

~~1 All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

~~18 Governor-Lieutenant Governor-State Planning and Budgeting, Office of the Governor, and Office of State Planning and Budgeting -- As part of the FY 2005-06 budget submission, the Office of State Planning and Budgeting is requested to provide a report on indirect cost recoveries from federal programs that are administered through the Office of the Governor or that are~~

~~not shown elsewhere in the Long Bill. The report should include an analysis, by federal program, of: Statewide and departmental indirect costs collected in FY 2002-03 and FY 2003-04; where funds collected were spent; the potential for additional indirect cost collections in FY 2004-05 and future years, and the potential for offsetting General Fund expenditures in the Office of the Governor or other departments through these collections. For each federal program that was not assessed statewide and departmental indirect costs, the report should explain why these costs were not assessed.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~19 Governor - Lieutenant Governor - State Planning and Budgeting, Office of the Governor, Governor's Office, Administration of Governor's Office and Residence, and Other Programs and Grants -- The Governor's Office is requested to provide to the Joint Budget Committee, with its FY 2005-06 budget request, information pertaining to federal and cash exempt funds received and expected to be received. This information should include the amount and source of each grant, any matching and maintenance of effort requirements, duration of the grant, as well as the name of the program or project and number of FTE the funds will support.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~20 Governor - Lieutenant Governor - State Planning and Budgeting, Office of State Planning and Budgeting -- The Commission on Information Management, in conjunction with the Office of State Planning and Budgeting, is requested to submit a priority list for all state information technology projects requested in the FY 2005-06 budget requests by November 1, 2004.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

21 Governor - Lieutenant Governor - State Planning and Budgeting, Office of State Planning and Budgeting -- It is the intent of the General Assembly that efforts to maximize the State's collection of federal revenues should be pursued by the Executive Branch. To this end, the Office of State Planning and Budgeting is encouraged to pursue contracts to maximize federal revenues on a contingency basis. It is anticipated that no additional State funds would be required to enter into these contracts. The Office of State Planning and Budgeting is requested to report to the Joint Budget Committee on a monthly basis on the status of such efforts for the duration of the contract period, and is requested to provide a final report concerning the fiscal impact of the contract, including: (a) The total amount of net federal revenue generated to date; (b) The total amount of net federal revenue anticipated to be received annually in future fiscal years; (c) The total net reduction in General Fund expenditures to date; (d) The total net reduction in annual General Fund expenditures anticipated in future fiscal years; and, (e) The total amount of contingency fees paid pursuant to the contract.

~~22 Governor - Lieutenant Governor - State Planning and Budgeting, Office of State Planning and Budgeting, and Office of~~

~~Innovation and Technology -- The General Assembly requests the Office of State Planning and Budgeting and the Office of Innovation and Technology to work with Joint Budget Committee staff and departmental staff to develop recommendations for standardizing Long Bill information technology appropriations in order to achieve consistency in long bill appropriations for information technology. The Office of State Planning and Budgeting and the Office of Innovation and Technology are requested to report their recommendations for such a system to the General Assembly no later than November 1, 2004.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

- ~~23 Governor - Lieutenant Governor - State Planning and Budgeting, Office of State Planning and Budgeting, and Department of Personnel and Administration, Division of Human Resources -- The Department shall comply with the statutory provisions of Section 24-50-110 (1) (d), C.R.S., and is requested to provide other state departments with the information necessary to comply with this statute. The Office of State Planning and Budgeting and the Department of Personnel are requested to work with the departments to improve the timeliness and accuracy of information about state personnel. Improvements, at a minimum, should include: updating personnel information on a centralized computerized data base; accurate reporting of filled FTE positions; number of reclassifications that are approved; turnover rates by agency; tracking of FTE positions funded to FTE positions filled; an accurate count of part-time and temporary FTE positions; and elimination of unused FTE positions. The Department and the Office of State Planning and Budgeting are requested to submit a consolidated statewide personnel report to the General Assembly by September 1, 2004. This report should include, by line item and Department, a summary of vacant positions, the length of time each position has been vacant, and the number of reclassifications that were approved in FY 2003-04.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

- ~~24 Governor - Lieutenant Governor - State Planning and Budgeting, Economic Development Programs, International Trade Office -- The International Trade Office is requested to provide its FY 2003-04 annual report to the Joint Budget Committee by November 1, 2004. The report should include the following information: Number of new and existing companies assisted; activity reports from overseas representatives and offices; number of incoming missions; and regional export activities.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

- ~~25 Governor - Lieutenant Governor - State Planning and Budgeting, Economic Development Programs, Colorado Promotion - Other Program Costs -- This program is requested to submit to the Joint Budget Committee a report outlining how it spent the \$9,000,000 supplemental appropriation it received in FY 2002-03, and a cost-benefit analysis of such expenditures. It is requested that this report be provided January first of each fiscal year until the appropriation is accounted for.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~26 Governor - Lieutenant Governor - State Planning and Budgeting, Economic Development Programs, Economic Development Commission - General Economic Incentives and Marketing -- In its annual report to the General Assembly, the Economic Development Commission is requested to provide an analysis and summary of programs and activities undertaken to assist the economies of rural areas of the state. For each project in a rural area, the report should include the following information: The location, recipient, purpose, dollar amount received from the Commission, local and/or private matching contributions, and other economic development assistance provided by the state for that project, such as job training. The report should also provide the total dollar amount provided by the Commission to rural areas, the percentage of total Commission assistance that went to rural areas, and information on any rural projects that applied for but did not receive Commission assistance.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~27 Governor - Lieutenant Governor - State Planning and Budgeting, Economic Development Programs, Colorado First Customized Job Training, and Department of Higher Education, Division of Occupational Education, Colorado First Customized Job Training -- This program is requested to submit to the Joint Budget Committee by November 1, 2004, a detailed plan for accountability, including review criteria for selection of companies to participate, the number of new jobs created by the programs, the number of unemployed and underemployed individuals who were trained and employed by this program, the amount of new personal income, state personal, and corporate income tax generated by this program, the time period for repayment of state investment in this program, and the number of persons taken off state support programs and the money saved thereby.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~28 Governor - Lieutenant Governor - State Planning and Budgeting, Office of Innovation and Technology -- The Office of Innovation and Technology is requested to produce a plan for the implementation of the Statewide Internet Portal, including objectives, a timeline with specific benchmarks, and a detailed spending plan. The Office is requested to deliver this plan to the Joint Budget Committee no later than October 1, 2004.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

APPROPRIATION FROM

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

**PART V**

**DEPARTMENT OF HEALTH CARE POLICY AND FINANCING**

**(1) EXECUTIVE DIRECTOR'S OFFICE<sup>29, 30, 30a</sup>**

Personal Services	12,624,138 <sup>a</sup> (196.1 FTE)	5,683,628(M)			154,764 <sup>b</sup>	6,785,746
Health, Life, and Dental	429,879	196,262(M)			2,247 <sup>c</sup>	231,370
Short-term Disability	18,843	8,494(M)			193 <sup>c</sup>	10,156
Salary Survey and Senior Executive Service	248,845	112,580(M)			1,393 <sup>c</sup>	134,872
Performance-based Pay	136,130	61,418(M)			795 <sup>c</sup>	73,917
Workers' Compensation	43,255	21,628(M)				21,627
Operating Expenses	934,947	461,924(M)			832 <sup>d</sup>	472,191
Legal Services and Third Party Recovery Legal Services for 12,684 hours	780,953	316,901(M)		65,849 <sup>e</sup>	5,409 <sup>c</sup>	392,794
Administrative Law Judge Services	676,943	338,471(M)				338,472
Purchases of Services from Computer Center	296,415	131,973(M)			16,235(T) <sup>f</sup>	148,207
Payment to Risk Management and Property Funds	67,493	33,747(M)				33,746

Ch. 427

Department of Health Care Policy and Financing

2445

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Capitol Complex Leased Space Transfer to the Department of Human Services for Related Administration	285,179		142,590(M)				142,589
Medicaid Management Information System Contract	74,564		37,282(M)				37,282
Health Insurance Portability and Accountability Act of 1996 (HIPAA) Web Portal Maintenance	20,262,998		4,921,514(M)			149,748(T) <sup>g</sup>	15,191,736
Health Insurance Portability and Accountability Act of 1996 (HIPAA) Security Rule Implementation	312,900		78,225(M)				234,675
Medicaid Authorization Cards and Identification Cards	125,600		60,916(M)			1,319 <sup>e</sup>	63,365
Department of Public Health and Environment Facility Survey and Certification	355,601		177,042(M)		1,517 <sup>h</sup>		177,042
Acute Care Utilization Review Long-Term Care Utilization Review	4,000,636		1,000,288(M)				3,000,348
External Quality Review	1,309,826		342,529(M)			2,899 <sup>i</sup>	964,398
Drug Utilization Review	1,668,108		598,813(M)				1,069,295
Early and Periodic Screening, Diagnosis, and Treatment Program	812,193		203,048(M)				609,145
Nursing Facility Audits	913,025		228,256(M)				684,769
	2,468,383		1,234,192(M)				1,234,191
	864,150		432,075(M)				432,075

Hospital and Federally Qualified Health Clinic Audits	250,000	125,000(M)		125,000
Nursing Home Preadmission and Resident Assessments	1,010,040	252,510(M)		757,530
Nurse Aide Certification	297,769	136,041(M)	12,844(T) <sup>j</sup>	148,884
Nursing Home Quality Assessments	26,954	6,738(M)		20,216
Estate Recovery	700,000		350,000 <sup>e</sup>	350,000
Single Entry Point Administration	59,310	29,655(M)		29,655
Single Entry Point Audits	35,340	17,670(M)		17,670
S.B. 97-05 Enrollment Broker	875,756	437,878(M)		437,878
H.B. 01-1271 Medicaid Buy-in	65,081			65,081
<i>Non-Emergency Transportation Services</i>	<u>4,400,778</u>	2,200,389		2,200,389
		57,432,032		

<sup>a</sup> For information purposes only, the appropriation includes \$361,418 and 6.0 FTE for the staffing costs associated with implementing the Health Insurance Portability and Accountability Act of 1996 and \$194,760 and 3.0 FTE for the staffing costs associated with the Colorado Benefits Management program.

<sup>b</sup> Of this amount, \$124,599 shall be from the Children's Basic Health Plan Trust created in Section 26-19-105, C.R.S., and \$30,165 shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

<sup>c</sup> These amounts shall be from the Children's Basic Health Plan Trust created in Section 26-19-105, C.R.S.

<sup>d</sup> Of this amount, \$582 shall be from the Children's Basic Health Plan Trust created in Section 26-19-105, C.R.S., and \$250 shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

<sup>e</sup> This amount shall be from third party recoveries.

<sup>f</sup> This amount shall be from the Old Age Pension Fund appropriated in the Department of Human Services, pursuant to Article 24 of the Constitution of Colorado.

<sup>g</sup> Of this amount, \$146,867(T) shall be from the Old Age Pension Fund appropriated in the Department of Human Services, \$2,347 shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., and \$534 shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

<sup>h</sup> This amount shall be from the Old Age Pension Health and Medical Care Fund, pursuant to Article 24 of the Constitution of Colorado.

<sup>i</sup> This amount shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

<sup>j</sup> This amount shall be from the Department of Regulatory Agencies.

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

<sup>k</sup> This amount shall be from estate recoveries.

**(2) MEDICAL SERVICES PREMIUMS<sup>31, 32, 33, 34, 35, 37, 38, 39, 39a</sup>**

Services for 34,048 Supplemental Security Income Adults 65 and Older (SSI 65 +) at an average cost of \$19,112.45	650,740,709
Services for 5,648 Supplemental Income Adults 60 to 64 Years of Age (SSI 60 - 64) at an average cost of \$12,877.70	72,733,265
Services for 10,353 Qualified Medicare Beneficiaries (QMBs) and Special Low-Income Medicare Beneficiaries (SLIMBs) at an average cost of \$979.99	10,145,840
Services for 46,226 Supplemental Security Income Disabled Individuals at an average cost of \$12,606.79	582,761,330
Services for 49,019 Categorically Eligible Low-income Adults at an average cost of \$3,639.65	178,410,002
Services for 8,026 Baby Care Program Adults at an average cost of \$6,111.71	49,052,569

Services for 176 S.B. 01S2-12 Breast and Cervical Cancer Treatment Clients at an Average Cost of \$32,956.11	5,800,275					
Services for 202,001 Eligible Children at an average cost of \$1,416.32	286,097,561					
Services for 15,130 Foster Children at an average cost of \$2,927.09	44,286,809					
Services for 4,784 Non-Citizens at an Average Cost of \$11,433.08	<u>54,695,848</u>					
		1,934,724,208	937,325,584(M)	813,076 <sup>a</sup>	29,166,690 <sup>b</sup>	967,418,858

<sup>a</sup> Of this amount, \$740,896 shall be from the Children's Home- and Community-based Services Cash Fund created in Section 26-4-424 (5), C.R.S., and \$72,180 shall be from service fees from privately owned intermediate care facilities for the mentally retarded, pursuant to Section 26-4-410 (1) (d) (I), C.R.S.

<sup>b</sup> Of this amount, \$28,151,642 represents public funds certified as representing expenditures incurred by public nursing homes and hospitals that are eligible for federal financial participation under the Medicaid program, and \$1,015,048 shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

**(3) Medicaid Mental Health Community Programs**

<b>(A) Program Administration</b>	1,037,096 (9.0 FTE)	430,346(M)		606,750
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**(B) Mental Health Programs**

(1) Medicaid Mental Health Capitation<sup>39b</sup>

Capitation Base Payments for 376,174 Estimated Medicaid Eligible Clients	140,624,800	70,312,400(M)		70,312,400
Mental Health Services for Breast and Cervical Cancer Patients	71,175		24,911 <sup>a</sup>	46,264

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Mental Health Institute Rate Refinance Adjustment	3,097,499		1,548,750(M)				1,548,749
Alternatives to Inpatient Hospitalization at the Mental Health Institute at Pueblo	852,311		426,155(M)				426,156
Alternatives to Inpatient Hospitalization at the Mental Health Institute at Fort Logan	783,191		391,595(M)				391,596
Alternatives to the Fort Logan Aftercare Program	<u>310,702</u>		155,351(M)				155,351
	145,739,678						

<sup>a</sup> This amount shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

(2) Other Medicaid Mental Health  
Payments

Medicaid Mental Health Fee for Service Payments	2,827,380		1,413,690(M)				1,413,690
Medicaid Mental Health Child Placement Agency	7,440,901					7,440,901(T) <sup>a</sup>	
Medicaid Anti-Psychotic Pharmaceuticals	<u>34,526,249</u>					34,526,249(T) <sup>b</sup>	
	44,794,530						

<sup>a</sup> This amount is shown for informational purposes only and reflects total expenditures which originate as 50 percent General Fund appropriated to the Division of Child Welfare in the Department of Human Services and 50 percent federal funds transferred from the Department of Health Care Policy and Financing.

<sup>b</sup> This amount is shown for informational purposes only and reflects an estimate of the portion of the Medical Services Premium line item.

191,571,304

**(4) INDIGENT CARE PROGRAM**

Safety Net Provider Payments <sup>40</sup>	249,688,322	9,432,484(M)		115,400,000 <sup>a</sup>	124,855,838
The Children's Hospital, Clinic Based Indigent Care	6,119,760	3,059,880(M)			3,059,880
H.B. 97-1304 Children's Basic Health Plan Trust	20,983,142	3,296,346	210,400 <sup>b</sup>	17,476,396 <sup>c</sup>	
Children's Basic Health Plan Administration	4,325,385			1,997,552 <sup>d</sup>	2,327,833
Children's Basic Health Plan Premium Costs <sup>41</sup>	58,701,708			20,545,598 <sup>d</sup>	38,156,110
Children's Basic Health Plan Dental Benefit Costs	5,620,437			1,967,153 <sup>d</sup>	3,653,284
Comprehensive Primary and Preventive Care Fund	5,239,789			5,239,789 <sup>e</sup>	
Comprehensive Primary and Preventive Care Grants Program	<u>5,239,789</u>			5,239,789 <sup>f</sup>	
					355,918,332

<sup>a</sup> This amount represents public funds certified as representing expenditures incurred by hospitals that are eligible for federal financial participation under the Medicaid Major Teaching Hospital Program, Medicaid, and the Medicaid Disproportionate Share Payments to Hospitals Program.

<sup>b</sup> This amount shall be from annual premiums paid by participating families.

<sup>c</sup> This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104 (1) (b), C.R.S.

<sup>d</sup> These amounts shall be from the Children's Basic Health Plan Trust created in Section 26-19-105, C.R.S.

<sup>e</sup> This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104 (1) (g), C.R.S.

<sup>f</sup> This amount shall be from the Comprehensive Primary and Preventive Care Fund created in Section 26-4-1007, C.R.S., pursuant to Section 24-75-1104 (1) (g), C.R.S.

**(5) OTHER MEDICAL SERVICES**

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Services for 3,979 Old Age Pension State Medical Program clients at an average cost of \$2,701.30 <sup>42</sup>	10,748,483			10,748,483 <sup>a</sup>		
Home Care Allowance for 4,087 Recipients at an average monthly cost of \$221.85.	10,880,411	10,336,390			544,021(L) <sup>b</sup>	
Adult Foster Care for 58 Recipients at an average monthly cost of \$226.25	157,469	149,596			7,873(L) <sup>b</sup>	
University of Colorado Family Medicine Residency Training Programs	1,449,444	724,722(M)				724,722
Enhanced Prenatal Care Training and Technical Assistance	102,346	51,173(M)				51,173
Nurse Home Visitor Program	3,010,000				1,505,000(T) <sup>c</sup>	1,505,000
S.B. 97-101 Public School Health Services <sup>43</sup>	<u>29,717,200</u>				15,131,305 <sup>d</sup>	14,585,895
	56,065,353					

<sup>a</sup> This amount shall be from the Old Age Pension Health and Medical Care Fund, pursuant to Article 24 of the Constitution of Colorado.

<sup>b</sup> These amounts shall be from local funds.

<sup>c</sup> This amount shall be a transfer from the Department of Public Health and Environment.

<sup>d</sup> This amount represents funds certified as representing expenditures incurred by school districts that are eligible for federal financial participation under Medicaid.

**(6) DEPARTMENT OF HUMAN SERVICES MEDICAID-FUNDED PROGRAMS**

<b>(A) Executive Director's Office - Medicaid Funding<sup>44</sup></b>	9,502,563	4,751,283(M)		4,751,280
<b>(B) Office of Information Technology Services - Medicaid Funding</b>				
Colorado Benefits Management System <sup>45, 46</sup>	5,299,435	2,772,241(M)	27,406(T) <sup>a</sup>	2,499,788
Other Office of Information Technology Services line items	<u>507,026</u>	253,513(M)		253,513
	5,806,461			

<sup>a</sup> This amount shall be from the Old Age Pension Fund appropriated in the Department of Human Services, pursuant to Article 24 of the Constitution of Colorado.

<b>(C) Office of Operations - Medicaid Funding</b>	5,226,867	2,613,434(M)		2,613,433
<b>(D) County Administration - Medicaid Funding</b>	8,624,879	3,234,330(M)		5,390,549
<b>(E) Division of Child Welfare - Medicaid Funding</b>	79,473,510	39,736,755(M)		39,736,755
<b>(F) Office of Self Sufficiency, Disability Determination Services - Medicaid Funding<sup>47</sup></b>	1,163,662	581,831(M)		581,831
<b>(G) Mental Health and Alcohol and Drug Abuse Services - Medicaid Funding</b>				
Administration	277,951	138,976(M)		138,975

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT		
\$	\$	\$	\$	\$	\$	\$	\$
Mental Health Community Programs, Goebel Lawsuit Settlement	11,655,586		5,827,793(M)				5,827,793
Mental Health Institutes	4,876,070		2,438,035(M)				2,438,035
Alcohol and Drug Abuse Division, High Risk Pregnant Women Program	471,915		235,957(M)				235,958
	<u>17,281,522</u>						
<b>(H) Services for People with Disabilities - Medicaid Funding</b>							
Community Services - Medicaid Funding	219,038,318		109,519,159(M)				109,519,159
Regional Centers - Medicaid Funding	39,362,220		18,931,270(M)			749,840 <sup>a</sup>	19,681,110
Federally-matched Local Program Costs	16,542,353					8,271,177 <sup>b</sup>	8,271,176
Regional Center Depreciation and Annual Adjustments	1,460,194		730,097(M)				730,097
Services for Families and Children - Medicaid Funding	3,745,232		1,834,456(M)		76,320 <sup>c</sup>		1,834,456
	<u>280,148,317</u>						

<sup>a</sup> This amount shall be from service fees from regional centers for the developmentally disabled, pursuant to Section 26-4-410 (1) (d) (I), C.R.S.

<sup>b</sup> This amount represents funds certified as expenditures incurred by local governments that are eligible for federal financial participation under Medicaid.

<sup>c</sup> This amount shall be from the Children's Home-and Community-based Services Cash Fund, pursuant to Section 26-4-424 (5), C.R.S.

**(I) Adult Assistance Programs;**

**Community Services for the**

**Elderly - Medicaid Funding** 1,800 900(M) 900

**(J) Division of Youth**

**Corrections - Medicaid Funding** 11,563,845 5,781,922(M) 5,781,923

418,793,426

**TOTALS PART V**

**(HEALTH CARE POLICY**

**AND FINANCING)<sup>1,2</sup>** \$3,014,504,655 \$1,258,466,091 \$12,265,645 \$265,610,328<sup>a</sup> \$1,478,162,591

<sup>a</sup> Of this amount, \$43,825,250 contains an (T) notation, and \$551,894 contains a (L) notation.

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

~~1 All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

- 29 Department of Health Care Policy and Financing, Executive Director's Office -- The Department is requested to submit an accounting of all line items by actual expenditure. Actual expenditure is defined as final expenditure for the state fiscal year 2003-04, including post-closing payments. The Department is requested to submit this information to the Joint Budget Committee by October 31, 2004.
- 30 Department of Health Care Policy and Financing, Executive Director's Office -- The Department is requested to submit monthly Medicaid expenditure and caseload reports on the Medical Services Premiums budget to the Joint Budget Committee, by the third Monday of each month. The Department is requested to include in the report the managed care organization caseload by aid category. The Department is also requested to provide caseload and expenditure data for the Children's Basic Health Plan within the monthly report.
- ~~30a Department of Health Care Policy and Financing, Executive Director's Office, and Human Services, Mental Health and Alcohol and Drug Abuse Services -- The Departments are requested to prepare a report that provides a needs assessment and associated recommendations on a proposed acute treatment unit facility in Southwestern Colorado. The report is requested to consider this area's unique regional geographic factors that: (1) substantially contribute to added time, trauma, cost, and risk in the transportation of clients needing hospitalization for severe mental illness, (2) add to the discontinuity of care, increase length of treatment, and impede the capacity to reintegrate consumers into the community, and (3) undermine best standards of care for consumers in acute psychiatric crisis and their families. The report is also requested to address the impact of these factors on state institutions, including the mental health institutes, and to estimate potential cost savings, and the associated impact on municipal, county and private entities from the establishment of the proposed acute treatment unit. The report is requested to take into consideration the March 2001, Operational Plan for the Mental Health Institutes in Colorado by the TriWest Group; the June 2001, TriWest Group study "An Assessment of Community Mental Health Resources," and the Department of Human Services' February 15, 2002, Operational Plan for the Mental Health Institutes. The Departments' report is requested to be provided to the Joint Budget Committee and the House and Senate Health, Environment, Welfare, and Institutions Committees by no later than September 1, 2004.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

- 31 Department of Health Care Policy and Financing, Medical Services Premiums; and Department of Law, Criminal Justice and Appellate, Medicaid Fraud Grant -- The General Assembly requests that the Department of Law's Medicaid Fraud Control Unit produce a progress report on the Department's efforts to reduce Medicaid fraud and abuse in Colorado. The report should include: (1) estimates on the total amount of Medicaid fraud and abuse in Colorado; (2) an itemized list of total fines, costs, and restitutions recovered, on a case-by-case basis, attributable to the Medicaid Fraud Control Unit's efforts; (3) an analysis of the time and cost associated with each Medicaid fraud or abuse case prosecuted by the Medicaid Fraud Control Unit; (4) a detailed explanation of the Medicaid Fraud Control Unit's participation in the Operation Restore Trust program; (5) a detailed

explanation of the Medicaid Fraud Control Unit's participation in global or national Medicaid fraud settlements, including total awards received due to them; and (6) evidence of the effectiveness of the Medicaid Fraud Control Unit in reducing the amount of Medicaid fraud and abuse in Colorado. The Medicaid Fraud Control Unit is requested to submit the report to the Joint Budget Committee by November 1, 2004.

~~32 Department of Health Care Policy and Financing, Medical Services Premiums -- The Department is requested to submit a report on the managed care organizations' capitation rates for each population and the estimated blended rate for each aid category in effect for fiscal year 2004-05 to the Joint Budget Committee by July 25, 2004. The Department shall include in the report a copy of each managed care organization's certification that the reimbursement rates are sufficient to assure the financial stability of the managed care organization with respect to delivery of services to the Medicaid recipients covered in their contract pursuant to Section 26-4-115 (2) (k), C.R.S.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

33 Department of Health Care Policy and Financing, Medical Services Premiums -- It is the intent of the General Assembly that expenditures for these services should be recorded only against the Long Bill group total for Medical Services.

34 Department of Health Care Policy and Financing, Medical Services Premiums -- The General Assembly has determined that the average appropriated rates provide sufficient funds to pay reasonable and adequate compensation to efficient and economical providers. The Department should take actions to ensure that the average appropriated rates are not exceeded.

35 Department of Health Care Policy and Financing, Medical Services Premiums -- The calculations of this line item include an assumption that the S.B. 03-176 will be implemented beginning in January 2005.

~~37 Department of Health Care Policy and Financing, Medical Services Premiums -- The calculations for this line item assume a reduction of \$991,288 for private duty nursing services. This reduction is based on the assumption that private duty nursing services will be limited to no more than 112 hours per week for any one client. The calculations assume the Medical Services Board will adopt rules to conform to the intent of this appropriation.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~38 Department of Health Care Policy and Financing, Medical Services Premiums -- The calculations for this line item assume a reduction of \$747,360 for durable medical equipment. The calculations assume the Medical Services Board will adopt rules to conform to the intent of this appropriation.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~39 Department of Health Care Policy and Financing, Medical Services Premiums -- The calculations for this line item assume an increase of \$3,000,000. It is the intent of the General Assembly that this \$3,000,000 be used to increase the reimbursement rates to the Federally Qualify Health Centers by increasing the inflation factor to an amount that equals \$3,000,000. The calculations assume the Medical Services Board will adopt rules to conform to the intent of this appropriation.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~39a Department of Health Care Policy and Financing, Medical Services Premiums -- The Department is requested to provide a progress report to the JBC and the House and Senate Health, Environment, Welfare, and Institutions Committees on the recommendations outlined in the Colorado Medicaid Footnote 50a Report from November of 2000. The progress report should focus on an overview of the recommendations, department and legislative action regarding the implementation of the recommendations, any recommendations that have not been implemented, any adjustments needed to address rate disparities or rate shortfalls in the community long-term care continuum, and any legislative or department action necessary to implement the footnote 50a recommendations.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

39b Department of Health Care Policy and Financing, Medicaid Mental Health Community Programs, Mental Health Programs, Medicaid Mental Health Capitation -- It is the intent of the General Assembly that expenditures for these services should be recorded only against the Long Bill group total for Medicaid Mental Health Capitation.

~~40 Department of Health Care Policy and Financing, Indigent Care Program, Safety Net Provider Payments -- The Department is requested to submit a report by February 1, 2005, to the Joint Budget Committee, which evaluates the use of the new methodology to distribute disproportionate share and major teaching hospital payments.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

41 Department of Health Care Policy and Financing, Indigent Care Program, Children's Basic Health Plan Premium Costs -- This appropriation assumes an average medical cost per child of \$1,091.04 per year (\$90.92 per member per month), not including dental services, and assumes an estimated average monthly caseload of 47,600 children. The appropriation assumes 9,565 prenatal member months and 874 births for adult pregnant women served by the Children's Basic Health Plan waiver program.

~~42 Department of Health Care Policy and Financing, Other Medical Services, Services for 3,979 Old Age Pension State Medical~~

~~Program clients at an average cost of \$2,701.30 -- The Department is requested to submit a report by November 1, 2004, recommending changes to the benefit structure or eligibility criteria for the Old Age Pension State Medical Program. The report should include information on what medical services would be the most beneficial to include in a limited health plan that would not exceed \$10,750,000 to serve the number of people eligible for the program. The report should include information on whether it would be feasible for the Old Age Pension State Medical Program to become an insurance premium sharing program rather than a traditional fee-for-service program.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

43 Department of Health Care Policy and Financing, Other Medical Services, S.B. 97-101 Public School Health Services -- The Departments are requested to submit a report by November 1 of each year to the joint budget committee on the services that receive reimbursement from the federal government under S.B. 97-101 public school health service program. The report should include information on the type of services, how those services meet the definition of medical necessity, and the total amount of federal dollars that was distributed to each school under the program. The report should also include information on how many children were served by the program.

44 Department of Health Care Policy and Financing, Department of Human Services Medicaid-Funded Programs, Executive Director's Office - Medicaid Funding -- The appropriation in this Health Care Policy and Financing line item corresponds to the Medicaid funding in the Department of Human Services, Executive Director's Office, General Administration. As such, the appropriation contains amounts that corresponds to centralized appropriation amounts in the Department of Human Services. Consistent with the head notes to the Long Bill, the Department of Human Services is able to transfer the centralized appropriation to other appropriation line items in their appropriation bill. In order to aid budget reconciliation between the Department of Health Care Policy and Financing and the Department of Human Services, the Department of Health Care Policy and Financing is hereby authorized to make line item transfers out of this appropriation to other Department of Human Services Medicaid-funded programs appropriations in this section (5) in amounts equal to the centralized appropriation transfers made by the Department of Human Services for Medicaid funded programs in the Department of Human Services.

~~45 Department of Health Care Policy and Financing, Department of Human Services Medicaid-Funded Programs, Office of Information Technology Services - Medicaid Funding, Colorado Benefits Management System (CBMS), and Department of Human Services, Office of Information Technology Services, Colorado Benefits Management System (CBMS) -- It is the understanding of the General Assembly that the primary goal of the Colorado Benefits Management System (CBMS) project is to streamline several county administrative functions by creating a single, integrated, eligibility and client management system that will minimize manual and paper-intensive processes. The 1997 feasibility study that was prepared for the CBMS project included an analysis of the annual savings that would result from the statewide implementation of CBMS, estimating \$31.0 million in annual savings from all fund sources. The feasibility study did not include an analysis of the impact of medical~~

~~application sites. A re-analysis in December 2000 projects annual savings of \$13.0 million. Further project changes anticipated as of March 2002 are expected to result in the level of savings being further reduced to \$12.4 million. It is the intent of the General Assembly that, once CBMS is fully implemented statewide, various appropriations will be adjusted to reflect the resulting cost savings. It is further the intent of the General Assembly that such adjustments be based on an objective analysis of the impact of the implementation of CBMS on the Department of Health Care Policy and Financing, the Department of Human Services, and county departments of social services.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

- 46 Department of Health Care Policy and Financing, Department of Human Services Medicaid-Funded Programs, Office of Information Technology Services-Medicaid Funding, Colorado Benefits Management System; Department of Human Services, Office of Information Technology Services, Colorado Benefits Management System; Department of Personnel and Administration, Central Services, Document Solutions Group -- It is the intent of the General Assembly that the Department of Health Care Policy and Financing and the Department of Human Services be allowed to "roll-forward" a total of \$2,453,201 in spending authority related to Personal Responsibility and Work Opportunity Reconciliation Act moneys from FY 2003-04 to be used in FY 2004-05. It is the intent of the General Assembly that these moneys be used to pay the Department of Personnel and Administration for costs incurred with Colorado Benefits Management System data conversion.
- 47 Department of Health Care Policy and Financing, Department of Human Services Medicaid -Funded Programs, Office of Self Sufficiency, Disability Determination Services - Medicaid Funding; Department of Human Services, Office of Self Sufficiency, Disability Determination Services -- On or before October 15, 2005, the Department of Health Care Policy and Financing is requested to provide a report indicating the costs and estimated savings associated with representation from disability determination services at administrative law judge hearings regarding Medicaid eligibility determination on the basis of disability. The report should include all costs associated with attendance at administrative law judge hearings; a comparison of the denial rates for this population over the past three years; and an estimate of any savings associated with an increase in denials upon appeal.

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

**PART VI  
DEPARTMENT OF HIGHER EDUCATION**

**(1) DEPARTMENT ADMINISTRATIVE OFFICE**

Health, Life, and Dental	413,773			58,887 <sup>a</sup>	352,648(T) <sup>b</sup>	2,238
Short-term Disability	11,625			1,679 <sup>a</sup>	9,849(T) <sup>b</sup>	97
Salary Survey and Senior Executive Service	161,462			23,543 <sup>a</sup>	136,568(T) <sup>b</sup>	1,351
Performance-based Pay Awards	96,844			13,503 <sup>a</sup>	82,570(T) <sup>b</sup>	771
Workers' Compensation	21,250			742 <sup>a</sup>	20,508(T) <sup>b</sup>	
Legal Services for 448 hours	27,583				27,583(T) <sup>b</sup>	
Purchase of Services from Computer Center	10,134				10,134(T) <sup>b</sup>	
Payment to Risk Management and Property Funds	37,281			1,446 <sup>c</sup>	35,835(T) <sup>b</sup>	
Leased Space	<u>380,747</u>			87,572 <sup>c</sup>	293,175(T) <sup>b</sup>	
	1,160,699					

<sup>a</sup> These amounts shall be from various sources of cash funds throughout the Department.

<sup>b</sup> Of these amounts \$482,198 shall be from statewide and departmental indirect cost recoveries, and \$486,672 shall be from Limited Gaming Revenues deposited in the State Historical Fund, pursuant to Section 12-47.1-1201, C.R.S.

<sup>c</sup> These amounts shall be from the Private Occupational Schools Fund created in Section 12-59-116, C.R.S.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(2) COLORADO COMMISSION ON HIGHER EDUCATION</b>						
<b>(A) Administration</b>						
Administration	2,088,548			125,443(T) <sup>a</sup>	1,963,105(T) <sup>b</sup> (28.8 FTE)	
Financial Aid Research for the General Assembly <sup>48, 49</sup>	5,000				5,000(T) <sup>b</sup> (0.1 FTE)	
	<u>2,093,548</u>					
<sup>a</sup> This amount shall be from statewide and departmental indirect cost recoveries paid by the Colorado Student Loan Program and the Colorado Student Obligation Bond Authority.						
<sup>b</sup> These amounts shall be from statewide and departmental indirect cost recoveries.						
<b>(B) Division of Private Occupational Schools<sup>50</sup></b>						
	502,193			444,193 <sup>a</sup> (6.5 FTE)	58,000 <sup>b</sup> (1.3 FTE)	
<sup>a</sup> This amount shall be from the Private Occupational Schools Fund created in Section 12-59-116, C.R.S.						
<sup>b</sup> This amount shall be from reserves in the Private Occupational Schools Fund.						
<b>(C) Special Purpose</b>						
Western Interstate Commission for Higher Education (WICHE)	105,000				105,000(T) <sup>a</sup>	
WICHE - Optometry	333,000				333,000(T) <sup>a</sup>	

Advanced Technology Grants	775,000		775,000(T) <sup>b</sup>
Veterinary School Program Needs	<u>285,000</u>	122,600 <sup>c</sup>	162,400(T) <sup>a</sup>
	1,498,000		

4,093,741

<sup>a</sup> These amounts shall be from statewide and departmental in direct cost recoveries.

<sup>b</sup> This amount shall be from Waste Tire Recycling Development Cash Fund moneys deposited in the Advanced Technology Fund, and it is shown for informational purposes only, since moneys in the Advanced Technology Fund are continuously appropriated pursuant to Section 23-1-106.5 (9), C.R.S.

<sup>c</sup> This amount shall be from the Western Interstate Commission on Higher Education.

**(3) COLORADO COMMISSION ON HIGHER EDUCATION FINANCIAL AID**

**(A) Need Based Grants**

General Need Based Grants	37,935,202		
Governor's Opportunity Scholarships	<u>8,000,000</u>		
	45,935,202	45,935,202	

**(B) Merit Based Grants**                      6,434,287                      6,434,287

**(C) Work Study<sup>51</sup>**                              15,003,374                      15,003,374

**(D) Special Purpose**

Required Federal Match	3,376,350	2,076,350	1,300,000
Veterans/Law Enforcement/POW Tuition Assistance	214,401	214,401	
Native American Students/Fort Lewis College	6,477,140	6,477,140	
Early Childhood Professional Loan Repayment Program <sup>51a</sup>	<u>22,222</u>		22,222(T) <sup>a</sup>
	10,090,113		

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Department of Higher Education

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

<sup>a</sup> This amount shall be from federal Child Care Development Funds transferred from the Department of Human Services.

77,462,976

**(4) GOVERNING BOARDS AND LOCAL DISTRICT JUNIOR COLLEGES**

**(A) TRUSTEES OF ADAMS STATE COLLEGE<sup>52, 53</sup>**

Governing Board and General Campuses

General Fund and Tuition

Allocation	15,952,073	10,316,691	5,635,382 <sup>a</sup>
(276.1 FTE)			
Other Than Tuition Revenue	666,000		666,000 <sup>b</sup>
Auxiliary Revenue	<u>774,000</u>		<u>774,000<sup>c</sup></u>
	17,392,073		

<sup>a</sup> This amount shall be from tuition revenue.

<sup>b</sup> This amount shall be from other than tuition revenue.

<sup>c</sup> This amount shall be from auxiliary revenue.

**(B) TRUSTEES OF MESA STATE COLLEGE<sup>52, 53</sup>**

Governing Board and General Campuses

General Fund and Tuition

Allocation	27,168,081	15,775,165	11,392,916 <sup>a</sup>
(408.4 FTE)			

Other Than Tuition Revenue	387,550		387,550 <sup>b</sup>
Auxiliary Revenue	<u>1,755,027</u>		1,755,027 <sup>c</sup>
	29,310,658		

- <sup>a</sup> This amount shall be from tuition revenue.
- <sup>b</sup> This amount shall be from other than tuition revenue.
- <sup>c</sup> This amount shall be from auxiliary revenue.

**(C) TRUSTEES OF METROPOLITAN STATE COLLEGE OF DENVER<sup>52, 53</sup>**

Governing Board and General Campuses

General Fund and Tuition			
Allocation	73,362,832	33,951,845	39,410,987 <sup>a</sup>
	(964.2 FTE)		
Other Than Tuition Revenue	1,694,200		1,694,200 <sup>b</sup>
Auxiliary Revenue	<u>5,109,300</u>		5,109,300 <sup>c</sup>
	80,166,332		

- <sup>a</sup> This amount shall be from tuition revenue.
- <sup>b</sup> This amount shall be from other than tuition revenue.
- <sup>c</sup> This amount shall be from auxiliary revenue.

**(D) TRUSTEES OF WESTERN STATE COLLEGE<sup>52, 53</sup>**

Governing Board and General Campuses

General Fund and Tuition			
Allocation	15,120,811	6,896,788	8,224,023 <sup>a</sup>
	(201.3 FTE)		
Other Than Tuition Revenue	193,980		193,980 <sup>b</sup>
Auxiliary Revenue	<u>742,000</u>		742,000 <sup>c</sup>
	16,056,791		

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 APPROPRIATION FROM
 

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(E) BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM<sup>52, 53</sup></b>						
Governing Board and General Campuses						
General Fund and Tuition						
Allocation	251,080,631	109,183,992		141,896,639 <sup>a</sup>		
	(3,636.5 FTE)					
Other Than Tuition Revenue	27,982,594			27,812,594 <sup>b</sup>	170,000(T) <sup>c</sup>	
Auxiliary Revenue	<u>26,423,280</u>			26,423,280 <sup>d</sup>		
	305,486,505					

<sup>a</sup> This amount shall be from tuition revenue.

<sup>b</sup> This amount shall be from other than tuition revenue.

<sup>c</sup> This amount shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund, created in Section 34-63-102 (5), C.R.S. This amount represents a 2005 calendar year grant. Any unexpended balance on June 30, 2005, is intended to roll forward and remain available for expenditure in FY 2005-06.

<sup>d</sup> This amount shall be from auxiliary revenue.

**(F) TRUSTEES OF FORT LEWIS COLLEGE<sup>52, 53</sup>**

Governing Board and General Campuses

General Fund and Tuition

Allocation	29,255,507	7,435,161	21,820,346 <sup>a</sup>
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	(389.3 FTE)			
Other Than Tuition Revenue	2,107,205		2,061,115 <sup>b</sup>	46,090(T) <sup>c</sup>
Auxiliary Revenue	<u>2,206,239</u>		2,206,239 <sup>d</sup>	
	33,568,951			

<sup>a</sup> This amount shall be from tuition revenue.

<sup>b</sup> This amount shall be from other than tuition revenue.

<sup>c</sup> This amount shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund, created in Section 34-63-102 (5), C.R.S. This amount represents a 2005 calendar year grant. Any unexpended balance on June 30, 2005, is intended to roll forward and remain available for expenditure in FY 2005-06.

<sup>d</sup> This amount shall be from auxiliary revenue.

**(G) REGENTS OF THE UNIVERSITY OF COLORADO<sup>52, 53</sup>**

Governing Board and General Campuses

General Fund and Tuition

Allocation	520,911,712	155,172,841	365,738,871 <sup>a</sup>	
	(6,140.3 FTE)			
Other Than Tuition Revenue	48,315,427		47,657,896 <sup>b</sup>	657,531(T) <sup>c</sup>
Auxiliary Revenue	<u>37,824,330</u>		37,824,330 <sup>d</sup>	
	607,051,469			

<sup>a</sup> This amount shall be from tuition revenue.

<sup>b</sup> This amount shall be from other than tuition revenue.

<sup>c</sup> This amount shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund, created in Section 34-63-102 (5), C.R.S. This amount represents a 2005 calendar year grant. Any unexpended balance on June 30, 2005, is intended to roll forward and remain available for expenditure in FY 2005-06.

<sup>d</sup> This amount shall be from auxiliary revenue.

**(H) TRUSTEES OF THE COLORADO SCHOOL OF MINES<sup>52, 53</sup>**

Governing Board and General Campus

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
General Fund and Tuition Allocation	48,632,603 (563.7 FTE)		17,187,980		31,444,623 <sup>a</sup>		
Other Than Tuition Revenue	1,750,000				1,500,000 <sup>b</sup>	250,000(T) <sup>c</sup>	
Auxiliary Revenue	<u>950,000</u>				950,000 <sup>d</sup>		
	51,332,603						

<sup>a</sup> This amount shall be from tuition revenue.

<sup>b</sup> This amount shall be from other than tuition revenue.

<sup>c</sup> This amount shall be from the Oil and Gas Conservation Commission in the Department of Natural Resources and shall be for the management and operations of the Colorado Energy Research Institute created pursuant to Section 23-41-114, C.R.S.

<sup>d</sup> This amount shall be from auxiliary revenue.

**(I) UNIVERSITY OF NORTHERN COLORADO<sup>52, 53</sup>**

Governing Board and General Campus

General Fund and Tuition Allocation	74,181,555 (986.8 FTE)		33,590,909		40,590,646 <sup>a</sup>		
Other Than Tuition Revenue	2,529,258				2,529,258 <sup>b</sup>		
Auxiliary Revenue	<u>1,600,000</u>				1,600,000 <sup>c</sup>		
	78,310,813						

<sup>a</sup> This amount shall be from tuition revenue.

<sup>b</sup> This amount shall be from other than tuition revenue.

<sup>c</sup> This amount shall be from auxiliary revenue.

**(J) STATE BOARD FOR COMMUNITY COLLEGES AND  
OCCUPATIONAL EDUCATION STATE SYSTEM COMMUNITY  
COLLEGES<sup>52, 53</sup>**

Governing Board and General Campuses

General Fund and Tuition

Allocation	220,141,575	106,279,979	113,861,596 <sup>a</sup>	
	(4,386.1 FTE)			
Other Than Tuition Revenue	11,769,197		9,769,197 <sup>b</sup>	2,000,000(L) <sup>c</sup>
Auxiliary Revenue	<u>718,364</u>		718,364 <sup>d</sup>	
	232,629,136			

<sup>a</sup> This amount shall be from tuition revenue.

<sup>b</sup> This amount shall be from other than tuition revenue.

<sup>c</sup> This amount shall be from local property tax collections.

<sup>d</sup> This amount shall be from auxiliary revenue.

**(K) LOCAL DISTRICT  
JUNIOR COLLEGE GRANTS  
PURSUANT TO SECTION 23-  
71-301, C.R.S.**

11,038,334                      11,038,334

1,462,343,665

**(5) ADVISORY COMMISSION ON FAMILY MEDICINE**

Residency Training Programs                      1,576,501                      1,576,501(T)<sup>a</sup>

<sup>a</sup> Of this amount \$1,449,444 shall be from Medicaid funds appropriated in the Department of Health Care Policy and Financing, and \$127,057 shall be from indirect cost recoveries.

## APPROPRIATION FROM

	ITEM & SUBTOTAL		TOTAL	APPROPRIATION FROM				
	\$	\$		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
<b>(6) DIVISION OF OCCUPATIONAL EDUCATION</b>								
<b>(A) Administrative Costs</b>	562,036			486,805 (9.0 FTE)			75,231(T) <sup>a</sup>	
<b>(B) Colorado Vocational Act Distributions pursuant to Section 23-8-102, C.R.S.<sup>12</sup></b>	19,959,556						19,959,556(T) <sup>a</sup>	
<b>(C) Area Vocational School Support</b>	8,505,528			8,505,528				
<b>(D) Sponsored Programs</b>								
(1) Administration	2,134,459 (25.2 FTE)							
(2) Programs	<u>14,817,697</u>							
	16,952,156							16,952,156
<b>(E) Colorado First Customized Job Training<sup>27</sup></b>	2,725,022						2,725,022(T) <sup>a</sup>	

<sup>a</sup> This amount shall be from statewide and departmental indirect cost recoveries.

<sup>a</sup> This amount shall be a transfer from the Department of Education.

<sup>a</sup> This amount shall be a transfer from the Governor's Office.

48,704,298

**(7) AURARIA HIGHER EDUCATION CENTER<sup>52</sup>**

Administration	14,333,380		14,333,380(T) <sup>a</sup>
	(128.3 FTE)		
Auxiliary Revenue	<u>50,000</u>	50,000 <sup>b</sup>	
	14,383,380		

<sup>a</sup> This amount shall be from the appropriations for the State Board of Community Colleges and Occupational Education, the Trustees of the Metropolitan State College, and the Regents of the University of Colorado.

<sup>b</sup> This amount shall be from auxiliary revenue.

**(8) COUNCIL ON THE ARTS**

Program Costs	1,116,000	500,000 (2.0 FTE)	16,000 <sup>a</sup>	600,000
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<sup>a</sup> This amount shall be from gifts, grants and donations.

**(9) STATE HISTORICAL SOCIETY**

**(A) Cumbres and Toltec**

Railroad Commission	10,000	10,000		
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<b>(B) Sponsored Programs</b>	390,000 (5.0 FTE)		20,000 <sup>a</sup>	150,000 <sup>b</sup>	220,000
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<sup>a</sup> This amount shall be from grants and contracts with various sources of cash funds.

<sup>b</sup> This amount shall be from grants and contracts with various sources of cash funds exempt.

<b>(C) Auxiliary Programs</b>	1,527,215		1,274,590 <sup>a</sup>	252,625 <sup>b</sup>	
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Ch. 427

Department of Higher Education

2471

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(14.5 FTE)						
<b>(D) Gaming Revenue</b>						
Gaming Cities Distribution	5,428,499				5,428,499 <sup>a</sup>	
Statewide Preservation Grant Program	17,914,287 (18.0 FTE)				17,914,287 <sup>a</sup>	
Society Museum and Preservation Operations	5,212,157 (89.9 FTE)			698,136 <sup>b</sup>	3,785,481 <sup>a</sup>	728,540
	<u>28,554,943</u>					

<sup>a</sup> This amount shall be from museum shop sales, micro-photo services, public education programs, membership and publication services, traveling exhibits, rentals, and special event fees.

<sup>b</sup> This amount shall be from donations and gifts.

<sup>a</sup> These amounts shall be from Limited Gaming Revenues deposited in the State Historical Fund, pursuant to Section 12-47.1-1201, C.R.S.

<sup>b</sup> This amount shall be from museum admission fees, user charges and other sources of cash funds.

30,482,158

**TOTALS PART VI**

<b>(HIGHER EDUCATION)<sup>1, 2</sup></b>	<u>\$1,641,323,418</u>	<u>\$592,472,772</u>	<u>                    </u>	<u>\$955,312,693<sup>a</sup></u>	<u>\$73,732,800<sup>a</sup></u>	<u>\$19,805,153</u>
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<sup>a</sup> Of these amounts, \$44,253,351 contains a (T) notation and \$2,000,000 contains an (L) notation.

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

~~1~~ All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

~~12~~ Department of Education, Assistance to Public Schools, Categorical Programs, and Department of Higher Education, Division of Occupational Education, Colorado Vocational Act Distributions pursuant to Section 23-8-102, C.R.S. -- The Department of Education is requested to work with the Department of Higher Education and to provide to the Joint Budget Committee information concerning each categorical program. For grant programs, such information is requested to include the following: (a) The total number and dollar amount of requests received; (b) the amount awarded or distributed to each district, board of cooperative services, or administrative unit; and (c) a description of the criteria utilized to evaluate requests and to determine grant awards. For other programs, such information is requested to include the following: (a) The total amount distributed to each district, board of cooperative services, or administrative unit; (b) the total amount that each entity would be eligible to receive pursuant to state law and/or State Board of Education rule; and (c) a description of the method or formula used to determine the amount for which entities are eligible and to distribute funds.

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~27~~ Governor - Lieutenant Governor - State Planning and Budgeting, Economic Development Programs, Colorado First Customized Job Training, and Department of Higher Education, Division of Occupational Education, Colorado First Customized Job Training -- This program is requested to submit to the Joint Budget Committee by November 1, 2004, a detailed plan for accountability, including review criteria for selection of companies to participate, the number of new jobs created by the programs, the number of unemployed and underemployed individuals who were trained and employed by this

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

~~program, the amount of new personal income, state personal, and corporate income tax generated by this program, the time period for repayment of state investment in this program, and the number of persons taken off state support programs and the money saved thereby.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

48 Department of Higher Education, Colorado Commission on Higher Education, Financial Aid Research for the General Assembly -- The Department should continue its efforts to provide data on the efficiency and effectiveness of state financial aid in expanding access to higher education for Colorado residents. The Department is requested to provide to the Joint Budget Committee by November 1 of each year an evaluation of financial aid programs, which should include, but not be limited to: 1) an estimate of the amount of federal, institutional, and private resources (including tax credits) devoted to financial aid; 2) the number of recipients from all sources; 3) information on typical awards; and 4) the typical debt loads of graduates. To the extent possible the Department should differentiate the data based on available information about the demographic characteristics of the recipients. To the extent that this information is not currently available, the Department is requested to provide a reasonable estimate, or identify the additional costs that would be associated with collecting the data.

~~49 Department of Higher Education, Colorado Commission on Higher Education, Financial Aid Research for the General Assembly -- The Department is requested to submit a report to the Joint Budget Committee by November 1, 2004, comparing the retention rates of students receiving Governor's Opportunity Scholarships with retention rates for low-income students receiving other types of financial aid packages.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~50 Department of Higher Education, Colorado Commission on Higher Education, Division of Private Occupational Schools - It is the intent of the General Assembly that the Division reduce its fee revenue by 10 percent in FY 2004-05.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

51 Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Work Study -- It is the intent of the General Assembly to allow the Colorado Commission on Higher Education to roll forward two percent of the Work Study appropriation to the next fiscal year.

~~51a Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Special Purpose, Early Childhood Professional Loan Repayment Program -- Of this appropriation, no more than 10.0 percent shall be expended for program administration.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

52 Department of Higher Education, Governing Boards and Local District Junior Colleges, Trustees of Adams State College; Trustees of Mesa State College; Trustees of Metropolitan State College of Denver; Trustees of Western State College; Board of Governors of the Colorado State University System; Trustees of Fort Lewis College; Regents of the University of Colorado; Trustees of the Colorado School of Mines; University of Northern Colorado; State Board for Community Colleges and Occupational Education State System Community Colleges; Auraria Higher Education Center -- Notwithstanding the limitations set forth in subsection (3) of section 1 of this act, the FTE reflected in these line items are shown for informational purposes and are not intended to be a limitation on the budgetary flexibility allowed by Section 23-1-104 (1) (a) (I), C.R.S.

~~53 Department of Higher Education, Governing Boards and Local District Junior Colleges, Trustees of Adams State College; Trustees of Mesa State College; Trustees of Metropolitan State College of Denver; Trustees of Western State College; Board of Governors of the Colorado State University System; Trustees of Fort Lewis College; Regents of the University of Colorado; Trustees of the Colorado School of Mines; University of Northern Colorado; State Board for Community Colleges and Occupational Education State System Community Colleges -- It is the intent of the General Assembly that each governing board may increase tuition rates by an amount calculated to generate up to a maximum of 1.1 percent additional revenue from resident students, not including the effects of enrollment changes; except that, if legislation allowing designation of institutions of higher education as enterprises is enacted by the Sixty-fourth General Assembly and becomes law, the governing board of an institution or group of institutions that is designated as an enterprise pursuant to such legislation may increase the tuition rates for the institution or group of institutions by an amount calculated to generate up to a maximum of eight percent additional revenue from resident and non-resident students not including the effects of enrollment changes. Of said eight percent additional revenue, spending authority for one and one-tenth percent additional revenue shall be from the appropriation in this section, and spending authority for six and nine-tenths percent additional revenue shall be from the appropriation in section 15 of this act. These rates are used in order to increase spending authority for program enhancements and this is not an attempt by the General Assembly to set tuition policy. Each governing board will give consideration to establishing equity of tuition increases among the campuses and programs under the governing board's jurisdiction.~~

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

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

**PART VII  
DEPARTMENT OF HUMAN SERVICES**

**(1) EXECUTIVE DIRECTOR'S OFFICE**

**(A) General Administration**

Personal Services	850,558
	(11.4 FTE)
Health, Life, and Dental	10,142,939
Short-term Disability	304,917
Salary Survey and Senior Executive Service	4,400,010
Performance-based Pay Awards	2,648,094
Shift Differential	3,727,425
Workers' Compensation	6,646,422
Operating Expenses	471,877
Legal Services for 18,439 hours	1,135,288
Administrative Law Judge Services	558,215
Payment to Risk Management and Property Funds	1,934,440
Staff Training	50,835
Injury Prevention Program <sup>54</sup>	105,970

S.B. 03-197 Salary Payout	<u>98,496</u>				
	33,075,486	16,801,253(M)	664,568 <sup>a</sup>	11,612,698 <sup>b</sup>	3,996,967 <sup>c</sup>

<sup>a</sup> Of this amount, it is estimated that \$243,152 shall be from patient fees collected by the Mental Health Institutes, \$154,195 shall be from the Records and Reports Fund created in Section 19-1-307 (2.5), C.R.S., and \$267,221 shall be from various sources of cash funds.

<sup>b</sup> Of this amount, it is estimated that \$8,285,000(T) shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing, \$305,233 shall be from patient cash collected by the Mental Health Institutes, \$32,000(T) shall be from moneys in the Conferences and Training Fund, \$1,444(T) shall be from the Department of Health Care Policy and Financing, and \$2,989,021 shall be from various sources of exempt cash funds.

<sup>c</sup> Of this amount, it is estimated that \$707,332 shall be from the Temporary Assistance for Needy Families Block Grant, \$630,953 shall be from Section 110 vocational rehabilitation funds, \$280,000 shall be from Child Care Development Funds, \$261,097 shall be from federal cost allocation recoveries, \$240,443 shall be from the Substance Abuse Prevention and Treatment Block Grant, and \$1,877,142 shall be from various sources of federal funds.

**(B) Special Purpose**

Office of Performance Improvement	5,213,630 (77.1 FTE)	1,825,276	182,895 <sup>a</sup>	847,863 <sup>b</sup>	2,357,596 <sup>c</sup>
Administrative Review Unit	1,662,410 (20.0 FTE)	997,687(M)			664,723 <sup>d</sup>
Records and Reports of Child Abuse or Neglect	269,802		269,802 <sup>e</sup> (5.0 FTE)		
Juvenile Parole Board	176,169 (2.2 FTE)	176,169			
Developmental Disabilities Council	815,490 (6.0 FTE)				815,490 <sup>f</sup>
Health Insurance Portability and Accountability Act of 1996 - Security Remediation	2,530,234 (2.0 FTE) <u>10,667,735</u>	1,847,700		530,576 <sup>b</sup>	151,958 <sup>g</sup>

## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	43,743,221					
<b>(2) OFFICE OF INFORMATION TECHNOLOGY SERVICES</b>						
Personal Services	5,627,327 (82.2 FTE)	4,047,509		22,387 <sup>a</sup>	510,307 <sup>b</sup>	1,047,124 <sup>c</sup>
Operating Expenses	813,324	358,699		4,267 <sup>d</sup>	28,842(T) <sup>e</sup>	421,516 <sup>e</sup>
Purchase of Services from Computer Center	5,120,129	2,234,385		6,940 <sup>f</sup>	3,498 <sup>g</sup>	2,875,306 <sup>e</sup>
Telecommunication Systems Lease Payments	153,326	50,976			102,350(T) <sup>h</sup>	
Microcomputer Lease Payments <sup>55</sup>	726,192	406,397		20,824 <sup>d</sup>	173,215 <sup>i</sup>	125,756 <sup>e</sup>
Colorado Trails (23.0 FTE)	9,580,096	5,172,279				4,407,817 <sup>e</sup>
County Financial Management System	1,812,910	929,907				883,003 <sup>e</sup>

<sup>a</sup> It is estimated that this amount shall be from various sources of cash funds.

<sup>b</sup> Of this amount it is estimated that \$1,217,563(T) shall be from Medicaid funds appropriated in the Department of Health Care Policy and Financing, \$50,000 shall be from patient cash collected by the Mental Health Institutes, and \$110,876 shall be from various sources of exempt cash funds.

<sup>c</sup> Of this amount, it is estimated that \$1,479,550 shall be from federal cost allocation recoveries, and \$878,046 shall be from various sources of federal funds.

<sup>d</sup> This amount shall be from Title IV-E of the Social Security Act.

<sup>e</sup> This amount shall be from the Records and Reports Fund created in Section 19-1-307 (2.5), C.R.S.

<sup>f</sup> This amount shall be from Title I of the Developmental Disabilities Assistance and Bill of Rights Act 2000.

<sup>g</sup> This amount shall be from the Substance Abuse Prevention and Treatment Block Grant.

Health Information Management System	334,968	207,090		127,878(T) <sup>j</sup>	
Client Index Project	156,116	89,634			66,482 <sup>e</sup>
National Aging Program Information System	93,114	16,282	7,372 <sup>d</sup>		69,460 <sup>e</sup>
Colorado Benefits Management System (CBMS) <sup>45, 46</sup>	15,267,749 (36.1 FTE)	2,396,274	1,225,237 <sup>k</sup>	5,299,435(T) <sup>l</sup>	6,346,803 <sup>m</sup>
Legacy System Shutdown	499,983 (3.0 FTE)	126,300	1,500 <sup>k</sup>	13,503(T) <sup>n</sup>	358,680 <sup>e</sup>
Multiuse Network Payments	1,924,719	1,174,079	19,247 <sup>d</sup>	153,977 <sup>o</sup>	577,416 <sup>e</sup>
Communications Services	<u>44,715</u>	32,642		12,073 <sup>p</sup>	
		42,154,668			

<sup>a</sup> This amount shall be from patient fees from the Mental Health Institutes.

<sup>b</sup> Of this amount, it is estimated that \$282,147(T), including \$209,027 Medicaid cash funds, shall be from the Department of Health Care Policy and Financing, \$110,109 shall be from patient revenues collect by the Mental Health Institutes, and \$118,051 shall be from various sources of cash funds exempt.

<sup>c</sup> Of these amounts, \$2,132,061 shall be from the Temporary Assistance for Needy Families Block Grant, \$421,416 shall be from Child Care Development Funds, and it is estimated that \$4,060,184 shall be from federal Title IV-E revenues, \$1,848,669 shall be from Food Stamp funds, \$121,738 shall be from federal Alcohol and Drug Abuse block grant funds, \$69,460 shall be from Title III Older Americans Act funds, and \$2,179,032 shall be from various sources of federal funds.

<sup>d</sup> These amounts shall be from various sources of cash funds.

<sup>e</sup> Of this amount, it is estimated that \$16,040(T) shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing, and \$12,802 shall be from various sources of cash funds exempt.

<sup>f</sup> Of this amount, it is estimated that \$4,372 shall be from patient fees from the Mental Health Institutes and \$2,568 shall be from the Records and Reports Cash Fund created in Section 19-1-307 (2.5), C.R.S.

<sup>g</sup> Of this amount, it is estimated that \$3,179(T) shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing and \$319 shall be from various sources of cash exempt funds.

<sup>h</sup> It is anticipated that these amounts shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing.

<sup>i</sup> Of this amount, it is estimated that \$85,584(T) shall be Medicaid funds from the Department of Health Care Policy and Financing and \$87,631 shall be from various sources of cash exempt funds.

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

<sup>j</sup> Of this amount, it is estimated that \$106,267 shall be from Mental Health Institutes, \$12,021 shall be from the department's Regional Centers, and \$9,590 shall be from the Division of Youth Corrections.

<sup>k</sup> It is estimated that these amounts shall be from the Old Age Pension Fund created pursuant to Article XXIV of the State Constitution.

<sup>l</sup> This amount shall be transferred from the Department of Health Care Policy and Financing and shall include \$3,923,811 Medicaid cash funds, \$827,512 from the Children's Basic Health program, and \$548,112 from state medical programs.

<sup>m</sup> Of this amount, \$4,358,942 shall be from the Temporary Assistance for Needy Families Block Grant, and it is estimated that \$1,987,861 shall be from Food Stamp funds.

<sup>n</sup> It is anticipated that this amount shall be from the Department of Health Care Policy and Financing.

<sup>o</sup> Of this amount, it is estimated that \$90,846(T) shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing and \$63,131 shall be from various cash exempt sources.

<sup>p</sup> This amount shall be from various cash exempt sources.

**(3) OFFICE OF OPERATIONS**

Personal Services	20,810,908
	(472.4 FTE)
Operating Expenses	2,292,146
Vehicle Lease Payments	906,991
Leased Space	3,251,212
Capitol Complex Leased Space	1,030,733
Utilities <sup>6</sup>	4,439,804
Utility Recovery Fund	551,560
Buildings and Grounds Rental	888,370
	(6.5 FTE)
State Garage Fund	542,182
	<u>(2.1 FTE)</u>

34,713,906      17,085,949(M)      715,183<sup>a</sup>      12,483,988<sup>b</sup>      4,428,786<sup>c</sup>

<sup>a</sup> Of this amount, it is estimated that \$410,366 shall be from patient cash collected by the Mental Health Institutes, \$222,885 shall be from the Buildings and Grounds Fund pursuant to Section 25-1-118, C.R.S., and \$81,932 shall be from various sources of cash funds.

<sup>b</sup> Of this amount, it is estimated that \$5,226,867(T) shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing, \$4,065,083 shall be from patient cash collected by the Mental Health Institutes, which includes \$2,915,619(T) from revenue earned from Mental Health Community Capitation, \$1,078,281(T) shall be from the Department of Corrections, \$551,560 shall be from the Utility Recovery Fund, pursuant to Section 24-30-2003, C.R.S., \$542,182 shall be from moneys in the State Garage Fund collected from other state agencies pursuant to Section 24-30-1104(2)(b), \$665,485 shall be from reserves in the Buildings and Grounds Fund, pursuant to Section 25-1-118, C.R.S., \$43,201(T) shall be from the Department of Military Affairs, and \$311,329 shall be from various sources of cash funds exempt.

<sup>c</sup> Of this amount, it is estimated that \$860,115 shall be from Section 110 vocational rehabilitation funds, \$773,824 shall be from the Social Security Administration for disability determination services, \$211,821 shall be from the Substance Abuse Prevention and Treatment Block Grant, \$58,362 shall be from the U.S. Department of Health and Human Services, Office of Refugee Resettlement, \$4,000 shall be from the Temporary Assistance for Needy Families Block Grant, and \$2,520,664 shall be from various sources of federal funds including indirect cost recoveries.

**(4) COUNTY ADMINISTRATION**

County Administration	42,826,789	12,905,186(M)	17,242,235 <sup>a</sup>	12,679,368 <sup>b</sup>
County Contingency Payments pursuant to Section 26-1-126, C.R.S.	11,069,321	11,069,321		
County Share of Offsetting Revenues <sup>57</sup>	3,700,344		3,700,344 <sup>c</sup>	
County Incentive Payments <sup>58</sup>	<u>2,792,000</u>		2,792,000 <sup>d</sup>	
	60,388,454			

<sup>a</sup> Of this amount, \$8,617,356(L) shall be from local funds and \$8,624,879(T) shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing.

<sup>b</sup> Of this amount, it is estimated that \$1,969,370 shall be from the Title XX Social Services Block Grant and \$10,709,998 shall be from various sources of federal funds.

<sup>c</sup> This amount shall be from the counties' share of offsetting cash funds exempt revenues, including retained child support collections, retained fraud refunds, state revenue intercepts, and other refunds.

<sup>d</sup> This amount shall be from the State's share of retained child support collections and fraud refunds.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(5) DIVISION OF CHILD WELFARE<sup>59, 60</sup></b>						
Administration (21.0 FTE)	1,747,785	1,053,420(M)			59,246(T) <sup>a</sup>	635,119 <sup>b</sup>
Child Welfare Staff Training	788,774	266,586(M)			37,230(L) <sup>f</sup>	484,958 <sup>d</sup>
Foster and Adoptive Parent Recruitment, Training, and Support (1.0 FTE)	324,607	259,685(M)				64,922 <sup>b</sup>
Child Welfare Services <sup>61</sup>	302,016,627	94,824,416			126,227,008 <sup>e</sup>	80,965,203 <sup>f</sup>
Distributions to Counties Pursuant to Section 26-1-111 (2) (d), C.R.S. <sup>62</sup>	4,100,000					4,100,000 <sup>b</sup>
Family and Children's Programs <sup>63</sup> (3.0 FTE)	46,242,364	38,358,543			3,844,067(L) <sup>f</sup>	4,039,754 <sup>b</sup>
Independent Living Program	1,785,766					1,785,766 <sup>b</sup>
Promoting Safe and Stable Families Program (2.0 FTE)	4,189,086	44,026(M)			1,003,245(L) <sup>f</sup>	3,141,815 <sup>e</sup>
Expedited Permanency Planning Project	987,500	987,500				
Federal Child Abuse Prevention and Treatment Act Grant <sup>64</sup>	346,169					346,169 <sup>b</sup> (3.0 FTE)
	<u>362,528,678</u>					

<sup>a</sup> This amount shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing.

<sup>b</sup> These amounts shall be from Title IV-E of the Social Security Act.

<sup>c</sup> These amounts shall be from local funds.

<sup>d</sup> Of this amount, \$255,716 shall be from the Title XX Social Services Block Grant and \$229,242 shall be from Title IV-E of the Social Security Act.

<sup>e</sup> Of this amount, \$79,414,264(T) shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing and \$46,812,744(L) shall be from local funds.

<sup>f</sup> Of this amount, \$54,403,689 shall be from Title IV-E of the Social Security Act, \$22,690,313 shall be from the Title XX Social Services Block Grant, and \$3,871,201 shall be from various sources of federal funds.

<sup>g</sup> This amount shall be from Title IV-B of the Social Security Act.

<sup>h</sup> This amount shall be from the Child Abuse Prevention and Treatment Act state grant.

**(6) DIVISION OF CHILD CARE**

Child Care Licensing and Administration	5,869,167 (62.0 FTE)	2,131,203(M)	639,490 <sup>a</sup>	3,098,474 <sup>b</sup>
Fines Assessed Against Licensees	37,500		37,500 <sup>c</sup>	
Child Care Licensing System Upgrade Project	253,354			253,354 <sup>d</sup>
Child Care Assistance Program	73,135,526	15,549,911	8,841,587(L) <sup>e</sup>	48,744,028 <sup>f</sup>
Child Care Assistance Program Automated System Feasibility Study	80,095			80,095 <sup>d</sup>
Grants to Improve the Quality and Availability of Child Care	300,000			300,000 <sup>d</sup>
Federal Discretionary Child Care Funds Earmarked for Certain Purposes	4,798,700			4,798,700 <sup>d</sup>
Pilot Program for Community Consolidated Child Care Services	972,438			972,438 <sup>d</sup>
School-readiness Child Care Subsidization Program	2,224,702			2,224,702 <sup>d</sup> (0.5 FTE)

## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS	
\$	\$	\$	\$	\$	\$	\$	\$
Early Childhood Professional Loan Repayment Program	<u>22,222</u>						22,222 <sup>d</sup>
	87,693,704						

<sup>a</sup> This amount shall be from the Child Care Licensing Cash Fund established pursuant to Section 26-6-105 (4), C.R.S.

<sup>b</sup> Of this amount, \$2,931,904 shall be from Child Care Development Funds and \$166,570 shall be from Title IV-E of the Social Security Act.

<sup>c</sup> This amount shall be from the Child Care Cash Fund established pursuant to Section 26-6-114 (5), C.R.S.

<sup>d</sup> These amounts shall be from Child Care Development Funds.

<sup>e</sup> This amount shall be from local funds. This amount includes \$1,500,000 that is estimated to be the local share of the costs of administering the Child Care Assistance Program.

<sup>f</sup> Of this amount, \$47,744,028 shall be from Child Care Development Funds and \$1,000,000 shall be from the Title XX Social Services Block Grant.

**(7) OFFICE OF SELF SUFFICIENCY****(A) Administration**

Personal Services	2,222,557						
	(29.6 FTE)						
Operating Expenses	<u>121,589</u>						
	2,344,146	488,301					1,855,845 <sup>a</sup>

<sup>a</sup> Of this amount, \$1,013,899 shall be from the Temporary Assistance for Needy Families Block Grant and \$841,946 shall be from various sources of federal funds.

**(B) Colorado Works Program**

County Block Grants <sup>65, 66</sup>	158,736,682	1,346,813			25,225,862 <sup>a</sup>		132,164,007 <sup>b</sup>
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Reimbursement to Counties for Prior Year Expenditures Due to Reduction in Federal Maintenance of Effort Requirement	5,524,726		5,524,726 <sup>b</sup>
Short-term Works Emergency Fund	1,000,000		1,000,000 <sup>b</sup>
County Reserve Accounts	14,666,218		14,666,218 <sup>b</sup>
County Training <sup>67</sup>	390,134		390,134 <sup>b</sup>
Domestic Violence Training	122,673		122,673 <sup>b</sup>
			(1.0 FTE)
Domestic Abuse Program	1,000,000	350,000 <sup>c</sup>	650,000 <sup>b</sup>
			(2.0 FTE)
Workforce Development Council	<u>65,000</u>		65,000 <sup>b</sup>
	181,505,433		

<sup>a</sup> Of this amount, \$22,433,862(L) shall be from local funds and \$2,792,000 is estimated to be from the State's share of cash funds exempt revenues, including retained child support collections, retained fraud refunds, state revenue intercepts, and other refunds. Of the amount appropriated from local funds, \$3,700,344 is estimated to be from the local share of cash funds exempt revenues, including retained child support collections, fraud refunds, state revenue intercepts, and other refunds.

<sup>b</sup> These amounts shall be from the Temporary Assistance for Needy Families Block Grant.

<sup>c</sup> This amount shall be from donations to the Colorado Domestic Abuse Program and from reserves in the Colorado Domestic Abuse Program Fund, established pursuant to Section 39-22-802, C.R.S.

**(C) Special Purpose Welfare Programs**

(1) Low Income Energy Assistance Program <sup>68</sup>	33,024,386		2,499,954 <sup>a</sup>	30,524,432 <sup>b</sup>
	(6.6 FTE)			
(2) Food Stamp Job Search Units Program Costs	1,991,940	146,520	409,382 <sup>c</sup>	1,436,038 <sup>d</sup>
	(6.2 FTE)			
Supportive Services	<u>261,452</u>	78,435	52,291 <sup>c</sup>	130,726 <sup>d</sup>
	2,253,392			
(3) Food Distribution Program	490,332	25,000	319,389 <sup>c</sup>	145,943 <sup>d</sup>

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	(6.5 FTE)						
(4) Low-Income Telephone Assistance Program	85,623					85,623(T) <sup>f</sup>	
	(0.9 FTE)						
(5) Income Tax Offset	32,922		16,461(M)				16,461 <sup>e</sup>
(6) Electronic Benefits Transfer Service	3,168,273		328,300		741,682 <sup>b</sup>	633,667(L) <sup>i</sup>	1,464,624 <sup>j</sup>
	(5.0 FTE)						
(7) Refugee Assistance	3,642,965						3,642,965 (10.0 FTE)
(8) Systematic Alien Verification for Eligibility	48,620		10,000			28,620(T) <sup>k</sup>	10,000
	(1.0 FTE)						
	<u>42,746,513</u>						

<sup>a</sup> This amount shall be from the Colorado Energy Assistance Foundation.

<sup>b</sup> Of this amount, \$29,024,432 shall be from the federal Office of Energy Assistance and \$1,500,000 shall be from the Temporary Assistance for Needy Families Block Grant.

<sup>c</sup> Of these amounts, \$261,673(L) shall be from county matching funds and \$200,000 shall be from in-kind donations.

<sup>d</sup> These amounts shall be from the U.S. Department of Agriculture.

<sup>e</sup> This amount shall be from recipient agencies.

<sup>f</sup> This amount shall be from the Department of Regulatory Agencies.

<sup>g</sup> Of this amount, \$13,666 shall be from the Temporary Assistance for Needy Families Block Grant and \$2,795 shall be from various sources of federal funds.

<sup>h</sup> Of this amount, \$487,986 shall be from the Electronic Benefits Transfer Service Fund (26-2-104(2)(d)(II), C.R.S.) and \$253,696 shall be from the Old Age Pension Fund (Article XXIV, Section 1 of the Colorado Constitution).

<sup>1</sup> This amount shall be from local funds.

<sup>2</sup> Of this amount, \$204,679 shall be from the Temporary Assistance for Needy Families Block Grant, \$35,575 shall be from Child Care Development Funds, and \$1,224,370 shall be from various sources of federal funds.

<sup>3</sup> This amount shall be from the Department of Health Care Policy and Financing.

**(D) Child Support Enforcement**

Automated Child Support Enforcement System	11,318,722 (37.9 FTE)	3,703,356(M)	145,010 <sup>a</sup>	281,489 <sup>b</sup>	7,188,867 <sup>c</sup>
Child Support Enforcement	1,920,147 <u>(24.5 FTE)</u>	652,850			1,267,297 <sup>c</sup>
	13,238,869				

<sup>a</sup> This amount shall be from the State's share of revenues earned on funds in the Family Support Registry.

<sup>b</sup> This amount shall be from the federal government's share of revenues earned on funds in the Family Support Registry.

<sup>c</sup> These amounts shall be from Title IV-D of the Social Security Act.

**(E) Disability Determination Services<sup>47</sup>**

Program Costs	16,775,568 (146.7 FTE)			1,163,662(T) <sup>a</sup>	15,611,906
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<sup>a</sup> This amount shall be Medicaid funds appropriated to the Department of Health Care Policy and Financing.

256,610,529

**(8) MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE SERVICES<sup>30a</sup>**

**(A) Administration**

Personal Services	1,137,015 (16.6 FTE)				
Operating Expenses	33,690				

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Federal Programs and Grants	1,672,925 (3.0 FTE)						
Supportive Housing and Homeless Program	15,609,485 (12.5 FTE)						
Traumatic Brain Injury Trust Fund	970,463 (1.0 FTE)						
	<u>19,423,578</u>		421,640		970,463 <sup>a</sup>	366,112 <sup>b</sup>	17,665,363 <sup>c</sup>

<sup>a</sup> This amount shall be from the Colorado Traumatic Brain Injury Trust Fund, created pursuant to Section 26-1-309 (1), C.R.S.

<sup>b</sup> Of this amount, \$277,951(T) shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing, and \$88,161 shall be from patient revenues earned by the Mental Health Institutes.

<sup>c</sup> Of this amount, \$15,609,485 shall be from the U.S. Department of Housing and Urban Development, \$259,766 shall be from the Mental Health Services Block Grant, \$121,202 shall be from the Substance Abuse Prevention and Treatment Block Grant, and \$1,674,910 shall be from various sources of federal funds.

**(B) Mental Health Community Programs**

**(1) Mental Health Services for the  
Medically Indigent**

Services for 8,911 Indigent Mentally Ill Clients at an Average Cost of \$2,300	20,493,986		15,069,799				5,424,187 <sup>a</sup>
Assertive Community Treatment Programs	1,213,600		606,800			606,800 <sup>b</sup>	
Alternatives to Inpatient Hospitalization at the Mental Health Institute at Pueblo	894,871		894,871				

Alternatives to Inpatient Hospitalization at the Mental Health Institute at Fort Logan	583,481	583,481	
Alternatives to the Fort Logan Aftercare Program	178,766	178,766	
Juvenile Mental Health Pilot (H.B. 00-1034)	350,400	175,200	175,200(L) <sup>b</sup>
Alternatives to Inpatient Hospitalization for Youth	<u>246,282</u>	246,282	
	23,961,386		

<sup>a</sup> Of this amount, it is estimated that \$4,935,547 shall be from the Mental Health Services Block Grant and \$488,640 shall be from the Homeless Prevention Block Grant.

<sup>b</sup> This amount shall be from local matching funds.

**(2) Goebel Lawsuit**

Goebel Lawsuit Settlement	18,119,086	6,301,591 (2.0 FTE)	11,817,495(T) <sup>a</sup>
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<sup>a</sup> Of this amount, \$11,655,586 shall be from Medicaid funds transferred from the Department of Health Care Policy and Financing, and \$161,909 shall be from the Division of Vocational Rehabilitation.

**(C) Mental Health Institutes**

Personal Services	69,138,283 (1,195.2 FTE)		
Operating Expenses	7,751,711		
General Hospital Personal Services	2,683,800 (36.0 FTE)		
General Hospital Operating Expenses	322,658		

## APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Educational Programs	627,865						
	(15.0 FTE)						
Indirect Cost Assessment	<u>214,279</u>						
	80,738,596		59,979,406		2,098,079 <sup>a</sup>	18,661,111 <sup>b</sup>	

<sup>a</sup> Of this amount, \$1,590,342 shall be from patient revenues and \$507,737 shall be from school districts and counties for the operation of residential treatment centers.

<sup>b</sup> Of this amount, \$13,622,223 shall be from patient revenues, \$4,794,759(T) shall be from the Department of Corrections, \$230,914(T) shall be from the Department of Education, \$12,000(T) shall be from Regional Centers, and \$1,215 shall be from gifts, grants, and donations for operation of the CIRCLE program. For informational purposes only, of the patient revenues, \$2,404,706(T) is estimated to be from revenue earned from Medicaid Mental Health Community Capitation transferred from the Department of Health Care Policy and Financing, \$4,644,977 is estimated to be from federal and other sources of patient revenues, \$1,696,470(T) is estimated to be from the Division of Youth Corrections and the Department of Health Care Policy and Financing for the operation of Residential Treatment Centers, and \$4,876,070(T) is estimated to be from Medicaid funds appropriated to the Department of Health Care Policy and Financing.

**(D) Alcohol and Drug Abuse Division<sup>3</sup>**

## (1) Administration

Personal Services	1,705,384						
	(27.0 FTE)						
Operating Expenses	179,942						
Other Federal Grants	126,500						
Indirect Cost Assessment	<u>243,723</u>						
	2,255,549			52,873 <sup>a</sup>	451,165 <sup>b</sup>	1,751,511 <sup>c</sup>	

<sup>a</sup> Of this amount, it is estimated that \$27,774 shall be from the Law Enforcement Assistance Fund, pursuant to Section 43-4-402 (2), C.R.S., \$14,924 shall be from the Persistent Drunk Driver Cash Fund, pursuant to Section 42-3-130.5, C.R.S., \$5,000 shall be from the Addiction Counselor Training Fund, pursuant to Section 25-1-211, C.R.S., and \$5,175 shall be from the Controlled Substances Program Fund, pursuant to Section 12-22-306, C.R.S.

<sup>b</sup> Of this amount, \$440,993(T) shall be transferred from the Judicial Department for the Alcohol and Drug Driving Safety Program and \$10,172 shall be from reserves in the Law Enforcement Assistance Fund, pursuant to Section 43-4-402 (2), C.R.S.

<sup>c</sup> Of this amount, it is estimated that \$1,625,011 shall be from the Substance Abuse Prevention and Treatment Block Grant and \$126,500 shall be from various federal substance abuse and treatment grants.

(2) Community Programs

(a) Treatment Services

Treatment and Detox Contracts <sup>70</sup>	19,861,809	7,639,903	1,252,616 <sup>a</sup>	871,343 <sup>b</sup>	10,097,947 <sup>c</sup>
Case Management for Chronic Detox Clients	369,166	2,283			366,883 <sup>c</sup>
High Risk Pregnant Women Program	<u>471,915</u>			471,915(T) <sup>d</sup>	
	20,702,890				

<sup>a</sup> Of this amount, \$1,002,616 shall be from the Drug Offender Surcharge Fund, pursuant to Section 18-19-103 (4), C.R.S., and \$250,000 shall be from the Persistent Drunk Driver Cash Fund, pursuant to Section 42-3-130.5, C.R.S.

<sup>b</sup> Of this sum, \$471,343(T) shall be from moneys appropriated to the Department of Public Safety, Community Corrections, Substance Abuse Treatment Program, and \$400,000 shall be from reserves in the Persistent Drunk Driver Cash Fund, pursuant to Section 42-3-130.5, C.R.S.

<sup>c</sup> These amounts shall be from the Substance Abuse Prevention and Treatment Block Grant.

<sup>d</sup> This amount shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing.

(b) Prevention and Intervention

Prevention Contracts	3,831,230		5,000 <sup>a</sup>		3,826,230 <sup>b</sup>
Persistent Drunk Driver Programs	277,340		277,340 <sup>c</sup>		
Law Enforcement Assistance Fund Contracts	<u>250,000</u>		250,000 <sup>d</sup>		
	4,358,570				

## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(c) Other Programs						
Federal Grants	921,291				195,500 <sup>a</sup>	725,791 <sup>b</sup>
Balance of Substance Abuse Block Grant Programs	<u>6,074,162</u>	238,770				5,835,392 <sup>c</sup>
	6,995,453					

<sup>a</sup> This amount reflects federal funds estimated to be transferred from the Department of Public Safety.

<sup>b</sup> This amount includes estimated receipts for various federal substance abuse prevention and treatment grants.

<sup>c</sup> It is anticipated that this amount shall be from the Substance Abuse Prevention and Treatment Block Grant.

176,555,108

**(9) SERVICES FOR PEOPLE WITH DISABILITIES****(A) Developmental Disability Services**

## (1) Community Services

Personal Services	2,264,045 (30.0 FTE)	225,224			2,038,821(T) <sup>a</sup>	
Operating Expenses	147,532				147,532(T) <sup>a</sup>	

Adult Program Costs <sup>71, 72</sup>	257,639,129	10,707,636	246,931,493 <sup>b</sup>
Federally-matched Local Program Costs	16,542,353		16,542,353(T) <sup>c</sup>
Preventive Dental Hygiene	<u>60,483</u>	56,990	3,493(L) <sup>d</sup>
	276,653,542		

<sup>a</sup> These amounts shall be from Medicaid cash funds appropriated to the Department of Health Care Policy and Financing.

<sup>b</sup> Of this amount, \$216,851,964(T) shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing, \$22,769,419 shall be from client cash sources, \$6,818,796(L) shall be from local matching funds, and \$491,314(T) shall be from the Division of Vocational Rehabilitation.

<sup>c</sup> This amount shall be from Medicaid cash funds appropriated to the Department of Health Care Policy and Financing that originate as local cash funds exempt and federal funds.

<sup>d</sup> This amount shall be from local funds.

(2) Regional Centers<sup>73</sup>

Personal Services	39,131,084		
	(891.3 FTE)		
Operating Expenses	2,085,249		
Capital Outlay - Patient Needs	80,249		
Leased Space	238,684		
Resident Incentive Allowance	138,176		
Purchase of Services	<u>262,112</u>		
	41,935,554	2,573,334 <sup>a</sup>	39,362,220(T) <sup>b</sup>

<sup>a</sup> This amount shall be from client cash revenues.

<sup>b</sup> This amount shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing and shall include \$749,840 for facility fees pursuant to Section 26-4-410(1)(d)(I), C.R.S.

(3) Services for Children and Families

Administration	61,925	20,360	41,565(T) <sup>a</sup>
	(1.0 FTE)		

## APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Program Funding	<u>14,363,264</u>		9,948,363			4,414,901 <sup>b</sup>	
	14,425,189						
<sup>a</sup> This amount shall be from Medicaid cash funds appropriated in the Department of Health Care Policy and Financing.							
<sup>b</sup> Of this amount, \$3,703,667(T) shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing and \$711,234(L) shall be from local funds.							
<b>(4) Work Therapy Program</b>							
Program Costs	767,707				627,585 <sup>a</sup>	140,122 <sup>b</sup>	
	(1.5 FTE)						
<sup>a</sup> This amount shall be from the Work Therapy Cash Fund, authorized pursuant to Section 27-10-118, C.R.S.							
<sup>b</sup> Of this amount, \$115,122 shall be from Work Therapy Cash Fund reserves and \$25,000 shall be from various sources of cash funds exempt.							
<b>(B) Division of Vocational Rehabilitation</b>							
Rehabilitation Programs - General Fund Match	14,502,203		3,074,130(M)				11,428,073 <sup>a</sup>
	(200.5 FTE)						
Rehabilitation Programs - Local Funds Match	17,769,228				120,364 <sup>b</sup>	3,664,485 <sup>c</sup>	13,984,379 <sup>d</sup>
	(9.0 FTE)						
Business Enterprise Program for the Blind	847,248				136,440 <sup>e</sup>	43,340 <sup>f</sup>	667,468
	(5.0 FTE)						

Business Enterprise Program Operated Stands and Leasehold Improvements	650,000		467,990 <sup>e</sup>	1,000 <sup>f</sup>	181,010
Independent Living Centers and State Independent Living Council	778,180	329,154		44,902(L) <sup>g</sup>	404,124
Appointment of Legal Interpreters for the Hearing Impaired	62,442	62,442			
Colorado Commission for the Deaf and Hard of Hearing	492,250			492,250 <sup>h</sup> (1.0 FTE)	
Older Blind Grants	<u>308,332</u>			30,833 <sup>i</sup>	277,499
	35,409,883				

<sup>a</sup> This amount shall be from Section 110 and Section 203 vocational rehabilitation funds.

<sup>b</sup> This amount is estimated to be from counties. It is the intent of the General Assembly that the Division not over-expend its cash funds appropriation.

<sup>c</sup> Of this amount, it is estimated that \$2,880,402(T) shall be from the Department of Education on behalf of school districts, \$255,165(T) shall be from Mental Health and Alcohol and Drug Abuse Services, \$241,437 shall be from community colleges, \$43,875(T) shall be from the Division of Youth Corrections, and \$243,606 shall be from various sources of cash funds exempt.

<sup>d</sup> This amount shall be from Section 110 vocational rehabilitation funds.

<sup>e</sup> These amounts are estimated to be from the Business Enterprise Program Cash Fund, pursuant to Section 26-8.5-107, C.R.S.

<sup>f</sup> These amounts shall be from reserves in the Business Enterprise Program Cash Fund.

<sup>g</sup> This amount shall be from local recipients of Independent Living Grants.

<sup>h</sup> This amount shall be from the Colorado Commission for the Deaf and Hard of Hearing Cash Fund pursuant to Section 26-21-107, C.R.S.

<sup>i</sup> This amount shall be from recipients of Older Blind Grant funds.

**(C) Homelake Domiciliary for Veterans<sup>74</sup>**

Personal Services	677,416				
	(16.4 FTE)				
Operating Expenses	166,844				
Utilities	<u>64,518</u>				
	908,778	184,210		476,976 <sup>a</sup>	247,592

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## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	370,100,653					
<b>(10) ADULT ASSISTANCE PROGRAMS</b>						
<b>(A) Administration</b>	455,909	35,676			90,064 <sup>a</sup>	330,169 <sup>b</sup>
	(5.0 FTE)					
<sup>a</sup> This amount shall be from receipts for patient care.						
<sup>a</sup> This amount shall be from various sources of cash funds exempt.						
<sup>b</sup> This amount shall be from federal cost allocation recoveries.						
<b>(B) Old Age Pension Program</b>						
Cash Assistance Programs	65,323,082			65,323,082 <sup>a</sup>		
Refunds	588,362				588,362 <sup>b</sup>	
Burial Reimbursements	918,364			918,364 <sup>a</sup>		
State Administration	1,034,204			1,034,204 <sup>a</sup>		
	(14.0 FTE)					
County Administration	3,763,093			3,763,093 <sup>a</sup>		
OAP Colorado Benefits						
Management System Costs	1,286,558			1,286,558 <sup>a</sup>		
OAP Electronic Benefits Transfer						
Service System Costs	341,443			341,443 <sup>a</sup>		
	<u>73,255,106</u>					

<sup>a</sup> These amounts shall be from the Old Age Pension Fund pursuant to Article XXIV, Section 1 of the Colorado Constitution. 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 Article XXIV of the State Constitution.

<sup>b</sup> Of this amount, \$523,871 shall be from cash funds exempt revenue, including refunds and state revenue intercepts, and \$64,491 (T) shall be from the Department of Health Care Policy and Financing.

**(C) Other Grant Programs**

Aid to the Needy Disabled State Supplemental Grant Program	5,986,219	5,560,903	425,316 <sup>a</sup>
Aid to the Blind State Supplemental Grant Program for an average	24,193	22,746	1,447(L) <sup>b</sup>
Aid to the Needy Disabled State-only Grant Program	9,599,424	5,621,423	3,978,001 <sup>c</sup>
Burial Reimbursements	508,000	402,985	105,015 <sup>d</sup>
Home Care Allowance	10,880,411		10,880,411(T) <sup>e</sup>
Adult Foster Care	<u>157,469</u>		<u>157,469(T)<sup>e</sup></u>
	27,155,716		

<sup>a</sup> Of this amount, \$303,991 (L) shall be from local funds and \$121,325 shall be from cash funds exempt revenues, including refunds and state revenue intercepts.

<sup>b</sup> This amount shall be from local funds.

<sup>c</sup> Of this amount, \$1,919,885 shall be from federal interim assistance reimbursement payments, \$192,068 shall be from other refunds, and \$1,866,048 (L) shall be from local funds.

<sup>d</sup> Of this amount, \$100,744 (L) shall be from local funds and \$4,271 shall be from cash funds exempt revenues, including refunds.

<sup>e</sup> These amounts shall be from the Department of Health Care Policy and Financing.

**(D) Community Services for the Elderly**

Administration	606,503 (7.0 FTE)	161,323(M)	445,180 <sup>a</sup>
Colorado Commission on Aging	73,054 (1.0 FTE)	18,813(M)	54,241 <sup>a</sup>

## APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Senior Community Services Employment	860,537						860,537 <sup>b</sup>
Older Americans Act Programs (0.5 FTE)	13,042,216		489,694(M)		66,000	3,039,710(L) <sup>c</sup>	9,446,812 <sup>a</sup>
National Family Caregiver Support Program	1,420,414		142,041			213,062(L) <sup>c</sup>	1,065,311 <sup>a</sup>
State Ombudsman Program <sup>75</sup>	222,031		61,898(M)			1,800(T) <sup>d</sup>	158,333 <sup>a</sup>
State Funding for Senior Services	3,000,000		1,500,000		1,500,000 <sup>e</sup>		
Area Agencies on Aging Administration	981,915						981,915 <sup>a</sup>
	<u>20,206,670</u>						

<sup>a</sup> These amounts shall be from Title III of the Older Americans Act.

<sup>b</sup> This amount shall be from Title V of the Older Americans Act.

<sup>c</sup> These amounts, shown for informational purposes only, shall be from local funds.

<sup>d</sup> This amount shall be from Medicaid funds appropriated in the Department of Health Care Policy and Financing.

<sup>e</sup> This amount shall be from the Older Coloradans Cash Fund pursuant to Section 26-11-205.5 (5), C.R.S.

121,073,401

**(11) DIVISION OF YOUTH CORRECTIONS<sup>3</sup>****(A) Administration<sup>76</sup>**

Personal Services	1,127,718		1,127,718 (15.4 FTE)				
Operating Expenses	30,294		30,294				

Victim Assistance	27,290		27,290(T) <sup>a</sup>
	<u>1,185,302</u>		(0.5 FTE)

<sup>a</sup> This amount shall be from State Victims Assistance and Law Enforcement funds appropriated to the Department of Public Safety, Division of Criminal Justice.

**(B) Institutional Programs**

Personal Services	34,120,127	34,120,127 (717.3 FTE)	
Operating Expenses	3,073,970	1,743,770	1,330,200(T) <sup>a</sup>
Medical Services	6,569,067	6,569,067 (36.0 FTE)	
Educational Programs	4,990,458	4,646,565 (34.3 FTE)	343,893(T) <sup>b</sup>
Prevention/Intervention Services	49,900		(2.5 FTE) 49,900(T) <sup>c</sup> (1.0 FTE)
	<u>48,803,522</u>		

<sup>a</sup> This amount shall be from the Department of Education for the federal school breakfast and lunch program.

<sup>b</sup> This amount shall be from the Department of Education.

<sup>c</sup> This amount shall be from the Alcohol and Drug Abuse Division.

**(C) Community Programs**

Personal Services	6,584,261	6,285,533 (107.8 FTE)	48,728 <sup>a</sup> (1.0 FTE)	250,000 <sup>b</sup>
Operating Expenses	312,895	310,447	2,448 <sup>a</sup>	
Purchase of Contract Placements <sup>77</sup>	41,615,874	30,258,069		11,357,805(T) <sup>c</sup>
Managed Care Pilot Project	1,260,538	1,054,498		206,040(T) <sup>c</sup>
S.B. 91-94 Programs <sup>78</sup>	7,966,324	7,966,324		
Parole Program Services	1,232,546	203,982		1,028,564 <sup>b</sup>

Ch. 427

Department of Human Services

2499

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS	
\$	\$	\$	\$	\$	\$	\$	\$
Juvenile Sex Offender Staff Training	38,250			38,250 <sup>d</sup>			
	59,010,688						

<sup>a</sup> These amounts shall be from the contractor for the Ridge View facility pursuant to Section 19-2-411.5 (2) (e), C.R.S.

<sup>b</sup> These amounts shall be from Title IV-E of the Social Security Act.

<sup>c</sup> These amounts shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing.

<sup>d</sup> This amount shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

108,999,512

**TOTALS PART VII**

<b>(HUMAN SERVICES)</b> <sup>1, 2, 79, 80, 81, 82</sup>	<u>\$1,664,561,834</u>	<u>\$465,503,517</u>	<u>\$88,177,547</u>	<u>\$607,166,427<sup>a</sup></u>	<u>\$503,714,343</u>
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<sup>a</sup> Of this amount, \$448,498,500 contains a (T) notation, and \$105,764,058 contains an (L) notation.

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

~~1 ----- All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

~~3 Department of Corrections, Management, Executive Director's Office Subprogram, Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division and Division of Youth Corrections, Judicial Department, Probation and Related Services, Department of Public Safety, Division of Criminal Justice, and Department of Transportation, Office of Transportation Safety -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from the Drug Offender Surcharge Fund, the Sex Offender Surcharge Fund, the Persistent Drunk Driver Cash Fund, and the Alcohol and Drug Driving Safety Fund, among other programs.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~30a Department of Health Care Policy and Financing, Executive Director's Office, and Human Services, Mental Health and Alcohol and Drug Abuse Services -- The Departments are requested to prepare a report that provides a needs assessment and associated recommendations on a proposed acute treatment unit facility in Southwestern Colorado. The report is requested to consider this area's unique regional geographic factors that: (1) substantially contribute to added time, trauma, cost, and risk in the transportation of clients needing hospitalization for severe mental illness; (2) add to the discontinuity of care, increase length of treatment, and impede the capacity to reintegrate consumers into the community; and (3) undermine best standards of care for consumers in acute psychiatric crisis and their families. The report is also requested to address the impact of these factors on state institutions, including the mental health institutes, and to estimate potential cost savings, and the associated impact on municipal, county and private entities from the establishment of the proposed acute treatment unit. The report is requested to take into consideration the March 2001, Operational Plan for the Mental Health Institutes in Colorado by the TriWest Group; the June 2001, TriWest Group study "An Assessment of Community Mental Health Resources;" and the Department of Human Services' February 15, 2002, Operational Plan for the Mental Health Institutes. The Departments' report is requested to be provided to the Joint Budget Committee and the House and Senate Health, Environment, Welfare, and Institutions Committees by no later than September 1, 2004.~~

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

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~45 Department of Health Care Policy and Financing, Department of Human Services Medicaid-Funded Programs, Office of Information Technology Services - Medicaid Funding, Colorado Benefits Management System (CBMS), and Department of Human Services, Office of Information Technology Services, Colorado Benefits Management System (CBMS) -- It is the understanding of the General Assembly that the primary goal of the Colorado Benefits Management System (CBMS) project is to streamline several county administrative functions by creating a single, integrated, eligibility and client management system that will minimize manual and paper-intensive processes. The 1997 feasibility study that was prepared for the CBMS project included an analysis of the annual savings that would result from the statewide implementation of CBMS, estimating \$31.0 million in annual savings from all fund sources. The feasibility study did not include an analysis of the impact of medical application sites. A re-analysis in December 2000 projects annual savings of \$13.0 million. Further project changes anticipated as of March 2002 are expected to result in the level of savings being further reduced to \$12.4 million. It is the intent of the General Assembly that, once CBMS is fully implemented statewide, various appropriations will be adjusted to reflect the resulting cost savings. It is further the intent of the General Assembly that such adjustments be based on an objective analysis of the impact of the implementation of CBMS on the Department of Health Care Policy and Financing, the Department of Human Services, and county departments of social services.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

46 Department of Health Care Policy and Financing, Department of Human Services Medicaid-Funded Programs, Office of Information Technology Services-Medicaid Funding, Colorado Benefits Management System; Department of Human Services, Office of Information Technology Services, Colorado Benefits Management System; Department of Personnel and Administration, Central Services, Document Solutions Group -- It is the intent of the General Assembly that the Department of Health Care Policy and Financing and the Department of Human Services be allowed to "roll-forward" a total of \$2,453,201 in spending authority related to Personal Responsibility and Work Opportunity Reconciliation Act moneys from FY 2003-04 to be used in FY 2004-05. It is the intent of the General Assembly that these moneys be used to pay the Department of Personnel and Administration for costs incurred with Colorado Benefits Management System data conversion.

- 47 Department of Health Care Policy and Financing, Department of Human Services Medicaid -Funded Programs, Office of Self Sufficiency, Disability Determination Services - Medicaid Funding; Department of Human Services, Office of Self Sufficiency, Disability Determination Services -- On or before October 15, 2005, the Department of Health Care Policy and Financing is requested to provide a report indicating the costs and estimated savings associated with representation from disability determination services at administrative law judge hearings regarding Medicaid eligibility determination on the basis of disability. The report should include all costs associated with attendance at administrative law judge hearings; a comparison of the denial rates for this population over the past three years; and an estimate of any savings associated with an increase in denials upon appeal.
- 54 Department of Human Services, Executive Director's Office, General Administration, Injury Prevention Program -- The Department is requested to provide information regarding the cost-effectiveness of this program. Such information should include: Actual and planned annual expenditures for this line item, by program; the actual number of workers' compensation claims filed, by type of injury and by program; and the related costs associated with workers' compensation claims filed, by type of injury and by program. This information should be provided to the Joint Budget Committee annually on or before October 15.
- 55 Department of Human Service, Office of Information Technology Services, Microcomputer Lease Payments -- The Department is requested to provide a report to the Joint Budget Committee by October 1, 2004, identifying: (1) The number of microcomputer leases that will reach the end of their life-cycle during FY 2004-05; (2) the extent to which leases can be eliminated based on department-wide downsizing; and (3) the associated savings, by line item, if leases are not renewed.
- ~~56 Department of Human Services, Office of Operations, Utilities -- Up to \$100,000 of the Department's utility appropriation may be used to develop and implement a program designed to decrease energy consumption. A portion of these funds may be used to hire an energy program manager.~~
- (Governor lined through this provision. See the editor's note and the Governor's letter following this act.)
- 57 Department of Human Services, County Administration, County Share of Offsetting Revenues -- It is the intent of the General Assembly that, pursuant to section 26-13-108, C.R.S., the Department utilize recoveries to offset the costs of providing public assistance. This appropriation represents an estimate of the county share of such recoveries and, if the amount of the county share of such recoveries is greater than the amount reflected in this appropriation, the Department is authorized to disburse an amount in excess of this appropriation to reflect the actual county share of such recoveries.
- 58 Department of Human Services, County Administration, County Incentive Payments -- It is the intent of the General Assembly that, pursuant to sections 26-13-108 and 26-13-112(2)(c), C.R.S., the Department distribute child support incentive payments

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

to counties. This appropriation represents an estimate of one-half of the State share of recoveries of amounts of support for public assistance recipients, as described in Section 26-13-108, C.R.S. If the amount of one-half of the State share of such recoveries is greater than the amount reflected in this appropriation, the Department is authorized to disburse an amount in excess of this appropriation to reflect one-half of the actual State share of such recoveries.

59 Department of Human Services, Division of Child Welfare -- It is the intent of the General Assembly to encourage counties to serve children in the most appropriate and least restrictive manner. For this purpose, the Department may transfer funds among all line items in this long bill group total for the division of child welfare.

~~60 Department of Human Services, Division of Child Welfare -- The Department is requested to provide to the Joint Budget Committee, by November 1, 2004, information concerning the gross amount of payments to child welfare service providers, including amounts that were paid using revenues other than county, state, or federal tax revenues. The Department is requested to identify amounts, by source, for the last two actual fiscal years.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~61 Department of Human Services, Division of Child Welfare, Child Welfare Services -- The Department is requested to provide to the Joint Budget Committee, by November 1, 2004, information concerning actual expenditures for the last two fiscal years for services that are now funded through this consolidated line item. Such data should include the following: (a) County administrative expenditures; (b) out-of-home placement care expenditures and the average cost per child; (c) subsidized adoption expenditures and the average payment per child; (d) case service expenditures and the average cost per child; and (e) child welfare-related child care expenditures and the average cost per child.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

62 Department of Human Services, Division of Child Welfare, Distributions to Counties Pursuant to Section 26-1-111 (2) (d), C.R.S. -- In accordance with section 26-1-111 (2) (d), C.R.S., the Department shall distribute federal Title IV-E funds earned in state fiscal year 2003-04 in excess of those amounts appropriated for state fiscal year 2003-04. This appropriation is

intended to represent an estimate of the amount of excess federal Title IV-E funds that will be distributed to counties in state fiscal year 2004-05. If the amount of excess federal Title IV-E funds is greater than the amount reflected in this appropriation, the Department is authorized to disburse an amount in excess of this appropriation to comply with section 26-1-111 (2) (d), C.R.S.

~~63 Department of Human Services, Division of Child Welfare, Family and Children's Programs -- It is requested that \$3.0 million of the funds appropriated for this line item be used to assist county departments of social services in implementing and expanding family- and community-based services for adolescents. It is the intent of the General Assembly that such services be based on a program or programs that have been demonstrated to be effective in reducing the need for higher cost residential services.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

64 Department of Human Services, Division of Child Welfare, Federal Child Abuse Prevention and Treatment Act Grant -- The Department is requested to provide information to the Joint Budget Committee, by July 1, 2004, concerning funds available to Colorado pursuant to the federal Child Abuse Prevention and Treatment Act. Specifically, the Department is requested to provide the following information: (a) The amount of funds available to Colorado for state fiscal year 2004-05, including amounts remaining available from previous fiscal years; (b) the types of activities for which these funds may be expended; (c) the amount of funds spent in state fiscal year 2003-04 and the purposes of such expenditures; and (d) anticipated expenditures for state fiscal year 2004-05 and the purposes of such expenditures.

65 Department of Human Services, Office of Self Sufficiency, Colorado Works Program, County Block Grants -- It is the intent of the General Assembly that the appropriation of local funds for Colorado works program county block grants may be decreased by a maximum of \$100,000 to reduce one or more small counties' fiscal year 2004-05 targeted or actual spending level, pursuant to Section 26-2-714 (8), C.R.S.

~~66 Department of Human Services, Office of Self Sufficiency, Colorado Works Program, County Block Grants -- Pursuant to sections 26-2-714 (7) and 26-2-714 (9), C.R.S., under certain conditions, a county may transfer federal Temporary Assistance for Needy Families (TANF) funds within its Colorado Works Program Block Grant to the federal child care development fund or to programs funded by Title XX of the federal Social Security Act. One of the conditions specified is that the amount a county transfers must be specified by the Department of Human Services as being available for transfer within the limitation imposed by federal law. It is the intent of the General Assembly that the Department allow individual counties to transfer a greater percent of federal TANF funds than the state is allowed under federal law as long as: (a) Each county has had an opportunity to transfer an amount up to the federal maximum allowed; and, (b) the total amount transferred statewide does not exceed the federal maximum.~~

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

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~67 Department of Human Services, Office of Self Sufficiency, Colorado Works Program, County Training -- The Department is requested to utilize a portion of the funding provided through this line item, in addition to other available resources, for the purpose of providing technical assistance and training for county staff concerning requirements of the federal Americans with Disabilities Act and the provision of services to special needs populations.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~68 Department of Human Services, Office of Self Sufficiency, Special Purpose Welfare Programs, Low Income Energy Assistance Program -- The cash funds exempt appropriation for this line item represents an estimate of donations the Department anticipates receiving from the Colorado Energy Assistance Foundation. It is the intent of the General Assembly that if actual cash funds exempt expenditures that are eligible to be counted as part of the State's maintenance of effort for the federal Temporary Assistance for Needy Families program exceed the appropriated amount, the Department should report actual eligible expenditures to the federal government for such purpose.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~70 Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division, Community Programs, Treatment Services, Treatment and Detox Contracts -- It is the intent of the General Assembly that the FY 2004-05 General Fund reduction of \$901,872 shall be allocated equally between detox contracts and treatment contracts.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~71 Department of Human Services, Services for People with Disabilities, Developmental Disability Services, Community Services, Adult Program Costs -- The Department is requested to survey all individuals on the comprehensive services waiting list in June, 2004, to determine when each individual will need comprehensive services. The Department is requested to report the results of the CCB surveys in the submission of the FY 2005-06 budget request to the Joint Budget Committee.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

72 Department of Human Services, Services for People with Disabilities, Developmental Disability Services, Community Services, Adult Program Costs -- It is the intent of the General Assembly that the Department provide information to the Joint Budget Committee on the findings of the medicaid audit of the comprehensive and supported living service waiver programs. The Department is requested to assess how these findings impact the findings and recommendations included in the evaluation of the systems change project and recommend options for promoting the goals and objectives included in the memorandum of understanding between the Department of Human Services and the Joint Budget Committee. The Department is requested to provide this information on or before September 1, 2004.

~~73 Department of Human Services, Services for People with Disabilities, Developmental Disability Services, Regional Centers -- The Department is requested to develop options for downsizing the state's regional centers in an effort to comply with the Ohmstead v. L.C. Supreme Court decision and to reduce program expenditures associated with these state facilities. The options provided to the Joint Budget Committee should include estimates of a minimum number of persons being served by the regional centers, identification of populations to be served in state facilities if any, and estimated costs and savings associated with these options including the sale of state property and facilities. The Department is requested to work with the community centered boards and other stakeholder groups in the development of these options. The department is requested to submit these options to the Joint Budget Committee on or before October 1, 2004.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

74 Department of Human Services, Services for People with Disabilities, Homelake Domiciliary for Veterans -- It is the intent of the General Assembly that the Homelake Domiciliary not require additional General Fund dollars. The Department is requested to prepare an annual plan outlining potential General Fund reductions and the impact on client fees and submit the plan to the Joint Budget Committee by November 1 of each year.

75 Department of Human Services, Adult Assistance Programs, Community Services for the Elderly, State Ombudsman Program -- The Department is requested to report on the FY 2003-04 cost to the Legal Center for operating the state ombudsman program. In addition, the Department is requested to report on any other state or local expenditures for the state ombudsman program incurred during the same time period. The Department is requested to submit such report to the Joint Budget Committee on or before October 1, 2004.

76 Department of Human Services, Division of Youth Corrections, Administration --The Division is requested to continue its efforts to provide outcome data on the effectiveness of its programs. The Division is requested to provide to the Joint Budget Committee, by January 1 of each year, an evaluation of Division placements, community placements, and nonresidential

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

placements. The evaluation should include, but not be limited to, the number of juveniles served, length of stay, and recidivism data per placement.

77 Department of Human Services, Division of Youth Corrections, Community Programs, Purchase of Contract Placements -- It is the intent of the General Assembly that up to 5.0 percent of the General Fund appropriation to this line may be used to provide treatment services to youths housed in state-operated facilities. The Division is requested to provide a report to the Joint Budget Committee on August 1, 2005. This report should include the following information: (1) The amount spent treating youths in state facilities from this line item in FY 2003-04, (2) the type of services purchased with such expenditures; (3) the number of committed and detained youths treated with such expenditures; (4) a justification for the use of dollars for such expenditures; and (5) an evaluation of the effectiveness of this footnote in addressing the need for flexibility in treating youths in state-operated facilities.

78 Department of Human Services, Division of Youth Corrections, Community Programs, S.B. 91-94 Programs -- The Department is requested to submit to the Joint Budget Committee no later than November 1 of each year a report that includes the following information by judicial district and for the state as a whole: (1) Comparisons of trends in detention and commitment incarceration rates; (2) profiles of youth served by S.B. 91-94; (3) progress in achieving the performance goals established by each judicial district; (4) the level of local funding for alternatives to detention; (5) identification and discussion of potential policy issues with the types of youth incarcerated, length of stay, and available alternatives to incarceration, and (6) identification of any impacts that the cap on juvenile detention beds has had in providing services to youths using appropriations for S.B. 91-94 programs.

79 Department of Human Services, Totals -- The General Assembly requests that the Executive Director of the Department submit annually, on or before November 1, a report to the Joint Budget Committee concerning the amount of federal Temporary Assistance for Needy Families (TANF) funds available in the Long-term Works Reserve Fund. The requested report should include the following: (a) The amount of TANF funds expended, by Long Bill line item, for FY 2003-04; (b) the amount of federal TANF funds transferred by each individual county, for FY 2003-04, including details regarding the program area to which each county transferred such funds; (c) the amount of any prior year appropriations of federal TANF funds that have been rolled forward to the current state fiscal year; (d) estimated expenditures of federal TANF funds for the current year and

immediately following state fiscal year; (e) the total amount of TANF funds available to Colorado for state fiscal years 2003-04, FY 2004-05, and FY 2005-06, including funds rolled forward from previous state fiscal years; (f) the amount of federal TANF funds that remain available in each county's Works Program Reserve Account as of July 1 of the current state fiscal year; and (g) a demonstration that the information provided in the report is consistent with related financial information reported to the federal government.

- 80 Department of Human Services, Totals -- The General Assembly requests that the Executive Director of the Department submit annually, on or before November 1, a report to the Joint Budget Committee concerning federal Child Care Development Funds. The requested report should include the following information related to these funds for state fiscal year 2003-04: (a) The total amount of federal funds available to Colorado, including funds rolled forward from previous state fiscal years; (b) the amount of federal funds expended, by Long Bill line item; (c) the amount of funds expended, by Long Bill line item where applicable, that were reported to the federal government as either maintenance of effort or matching funds associated with the expenditure of federal funds; (d) a demonstration that the information provided in the report is consistent with related financial information reported to the federal government; and (e) the amount of funds expended that met the four percent federal requirement related to quality activities. In addition, the report should include the following information related to federal Child Care Development Funds for state fiscal years 2004-05 and 2005-06: (a) The total amount of federal funds estimated to be available to Colorado, including funds rolled forward from previous state fiscal years; (b) the amount of federal funds estimated to be expended, by Long Bill line item; (c) the amount of state or local expenditures that are anticipated to be required to comply with federal maintenance of effort and matching requirements; and (d) the amount of funds estimated to be expended, by Long Bill line item where applicable, that are anticipated to be reported to the federal government as either maintenance of effort or matching funds associated with the expenditure of federal funds.
- 81 Department of Human Services, Totals -- The General Assembly requests that the Department submit to the Joint Budget Committee, on or before November 1, 2004, a summary, by Long Bill line item, of federal Temporary Assistance for Needy Families (TANF) funds requested in its annual budget request for state fiscal year 2005-06. The General Assembly further requests that the Department include information demonstrating that the total amount of federal TANF funds requested in its annual budget request for state fiscal year 2005-06 does not exceed the amount anticipated to be available to the State.
- 82 Department of Human Services, Totals -- The General Assembly requests that the Department submit to the Joint Budget Committee, on or before November 1, 2004, a summary, by Long Bill line item, of federal Child Care Development Funds requested in its annual budget request for state fiscal year 2005-06. The Department is further requested to include information demonstrating that the total amount of federal Child Care Development Funds requested in its annual budget request for state fiscal year 2005-06 does not exceed the amount anticipated to be available to the State.

## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>PART VIII</b>						
<b>JUDICIAL DEPARTMENT</b>						
<b>(1) SUPREME COURT/COURT OF APPEALS</b>						
Appellate Court Programs <sup>83</sup>	8,030,648	7,972,648		58,000 <sup>a</sup>		
		(119.0 FTE)				
Attorney Regulation Committees	3,600,000			3,500,000 <sup>b</sup>	100,000 <sup>c</sup>	
				(35.5 FTE)		
Continuing Legal Education	280,000			275,000 <sup>d</sup>	5,000 <sup>e</sup>	
				(4.0 FTE)		
Law Examiner Board	650,000			450,000 <sup>f</sup>	200,000 <sup>g</sup>	
				(8.2 FTE)		
Law Library	<u>465,000</u>			415,000 <sup>h</sup>	50,000 <sup>i</sup>	
	13,025,648					

<sup>a</sup> This amount shall be from various fees and other cost recoveries.

<sup>b</sup> These amounts shall be from annual attorney registration fees and other fees deposited in the Attorney Registration Fund. These moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>c</sup> This amount shall be from reserves in the Attorney Registration Fund.

<sup>d</sup> These amounts shall be from annual attorney registration fees and other fees deposited in the Continuing Legal Education Cash Fund. These moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>e</sup> This amount shall be from reserves in the Continuing Legal Education Cash Fund.

<sup>f</sup> This amount shall be from law examination application fees and other fees deposited in the Law Examiner Board Cash Fund. These moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>a</sup> This amount shall be from reserves in the Law Examiner Board Cash Fund.

<sup>b</sup> This amount shall be from appellate court filing fees and other fees credited to the Supreme Court Library Fund pursuant to Section 13-2-120, C.R.S. These moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>1</sup> This amount shall be from reserves in the Supreme Court Library Fund created in Section 13-2-120, C.R.S.

**(2) COURTS ADMINISTRATION**

**(A) Administration**

Personal Services	3,808,685	3,273,586 (52.0 FTE)		535,099(T) <sup>a</sup>	
Operating Expenses	357,321	356,321	1,000 <sup>b</sup>		
Judicial/Heritage Program	621,371	241,400 (3.0 FTE)	1,700 <sup>c</sup>	378,271 <sup>d</sup>	
Family Friendly Courts	252,200		252,200 <sup>e</sup> (0.5 FTE)		
Statewide Indirect Cost Assessment	59,459		47,833 <sup>f</sup>	11,091 <sup>f</sup>	535
Departmental Indirect Cost Assessment	<u>475,640</u>		474,581 <sup>f</sup>	1,059 <sup>f</sup>	
	5,574,676				

<sup>a</sup> This amount shall be from statewide and departmental indirect cost recoveries.

<sup>b</sup> This amount shall be from fees and cost recoveries.

<sup>c</sup> This amount shall be from parking receipts.

<sup>d</sup> This amount shall be from Limited Gaming revenues deposited in the State Historical Fund, pursuant to Section 12-47.1-1201(5)(b), C.R.S.

<sup>e</sup> This amount shall be from the Family-Friendly Court Program Cash Fund, pursuant to Section 13-3-113 (6), C.R.S.

<sup>f</sup> These amounts shall be from various sources of cash funds and cash funds exempt in the department.

**(B) Administrative Special Purpose**

Health, Life, and Dental	7,325,558	6,473,990	851,568 <sup>a</sup>		
Short-term Disability	179,901	165,597	13,765 <sup>a</sup>	539 <sup>b</sup>	
Salary Survey	3,825,778	3,672,997	152,781 <sup>a</sup>		

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Judicial Department

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
			\$	\$	\$	\$	\$
Anniversary Increases	1,256,394		1,185,209		71,185 <sup>a</sup>		
Workers' Compensation	1,016,598		1,016,598				
Legal Services for 4,227 hours	260,256		260,256				
Payment to Risk Management and Property Funds	606,644		606,644				
Vehicle Lease Payments	76,417		76,417				
Leased Space	559,838		537,638		22,200 <sup>e</sup>		
Lease Purchase	112,766		112,766				
Administrative Purposes	78,275		13,275		65,000 <sup>d</sup>		
Retired Judges	1,392,825		1,392,825				
Appellate Reports Publication	67,100		67,100				
Office of Dispute Resolution	1,222,220				1,082,220 <sup>e</sup> (13.5 FTE)	40,000 <sup>f</sup>	100,000 <sup>g</sup>
Child Support Enforcement	87,272		29,672			57,600(T) <sup>h</sup> (1.0 FTE)	
Collections Investigators	3,204,873				2,683,640 <sup>i</sup> (69.2 FTE)	521,233(T) <sup>j</sup>	
	<u>21,272,715</u>						

<sup>a</sup> These amounts shall be from the Offender Services Fund created in Section 16-11-214 (1) (a), C.R.S., from the Dispute Resolution Fund created in Section 13-22-310 (1), C.R.S., from the Fines Collection Cash Fund pursuant to Section 18-1.3-701 (6), C.R.S., from the Drug Offender Surcharge Fund pursuant to Section 18-19-103 (4), C.R.S., and from the Alcohol and Drug Driving Safety Program Fund created in Section 42-4-1301.3 (4) (a), C.R.S.

<sup>b</sup> These amounts shall be from reserves in the Alcohol and Drug Driving Safety Program Fund created in Section 42-4-1301.3 (4) (a), C.R.S.

<sup>c</sup> This amount shall be from employee payments for parking fees.

<sup>d</sup> This amount shall be from royalties from the sale of pattern jury instructions.

<sup>e</sup> This amount shall be from the Dispute Resolution Fund created in Section 13-22-310 (1), C.R.S.

<sup>f</sup> This amount shall be from reserves in the Dispute Resolution Fund created in Section 13-22-310 (1), C.R.S.

<sup>g</sup> This amount is for a never-married parents program in pilot districts, and mediation for indigent persons statewide, and is shown for informational purposes only.

<sup>h</sup> This amount shall be from federal funds appropriated in the Department of Human Services.

<sup>i</sup> Of this amount, an estimated \$1,900,000 shall be from the Judicial Collection Enhancement Fund pursuant to Section 16-11-101.6 (2), C.R.S., and an estimated \$783,640 shall be from the Fines Collection Cash Fund pursuant to Section 18-1.3-401 (1) (a) (III) (D), C.R.S.

<sup>j</sup> This amount shall be from local Victims and Witness Assistance Law Enforcement (VALE) Boards created in Section 24-4.2-101, C.R.S.

**(C) Judicial Performance**

Personal Services	82,597	82,597 <sup>a</sup>
		(1.0 FTE)
Operating Expenses	<u>478,445</u>	478,445 <sup>a</sup>
	561,042	

<sup>a</sup> This amount shall be from the Judicial Performance Cash Fund, created in Section 13-5.5-107, C.R.S.

**(D) Integrated Information Services**

Personal Services	2,679,749	2,546,506	133,243
		(42.8 FTE)	
Operating Expenses	222,654	172,654	50,000 <sup>a</sup>
Purchase of Services from Computer Center	146,346	146,346	
Multiuse Network Payments	60,348	60,348	
Telecommunications Expenses	350,000	350,000	
Communications Services Payments	6,219	6,219	
Hardware Replacement	1,325,000		1,325,000 <sup>a</sup>
Hardware/Software Maintenance	<u>1,078,094</u>	1,043,094	35,000 <sup>a</sup>
	5,868,410		

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	33,276,843					
<b>(3) TRIAL COURTS</b>						
Trial Court Programs <sup>83</sup>	89,178,524	76,592,597 (1,468.2 FTE)		12,585,927 <sup>a</sup> (86.9 FTE)		
Capital Outlay	61,547	61,547				
Mandated Costs	12,636,707	12,101,707 (25.0 FTE)		535,000 <sup>b</sup>		
District Attorney Mandated Costs <sup>84</sup>	1,911,899	1,911,899				
Sex Offender Surcharge Fund Program	19,665	19,665				
Victim Compensation	9,200,000			9,200,000 <sup>c</sup>		
Victim Assistance	11,100,000			11,100,000 <sup>d</sup>		
Federal Funds and Other Grants	1,041,627			363,000 <sup>b</sup>	383,469 <sup>e</sup> (6.0 FTE)	295,158 <sup>f</sup> (2.5 FTE)
	<u>125,149,969</u>					

<sup>a</sup> Of this amount, \$9,985,927 shall be from the Judicial Stabilization Cash Fund created in Section 13-31-101 (1.5), C.R.S. and \$2,600,000 shall be from various fees and other cost recoveries.

<sup>b</sup> These amounts shall be from various fees, cost recoveries, gifts, grants, and donations.

<sup>c</sup> This amount shall be from the Crime Victim Compensation Funds established in the office of the court administrator of each judicial district pursuant to Section 24-4.1-117, C.R.S. These moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>d</sup> This amount shall be from the Victims and Witnesses Assistance and Law Enforcement Funds established in the office of the court administrator of each judicial district pursuant to Section 24-4.2-103, C.R.S. These moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>e</sup> Of this amount, \$256,890(T) shall be from federal funds appropriated in the Department of Public Safety and the Department of Human Services, and \$126,579 shall be from various fees, cost recoveries, gifts, grants, and donations.

<sup>f</sup> This amount is federal funds and is shown for informational purposes only.

**(4) PROBATION AND RELATED SERVICES<sup>3, 85</sup>**

Personal Services	42,250,117	40,275,175	1,974,942 <sup>a</sup>	
		(732.4 FTE)	(24.0 FTE)	
Operating Expenses	1,913,468	1,755,468	158,000 <sup>b</sup>	
Female Offender Program	239,369			239,369 <sup>c</sup>
				(6.0 FTE)
Sex Offender Intensive Supervision Program	558,497		558,497 <sup>a</sup>	
Offender Services	3,233,940		3,083,940 <sup>d</sup>	150,000(T) <sup>e</sup>
			(23.2 FTE)	(3.0 FTE)
Electronic Monitoring/ Drug Testing	647,193	487,193	160,000 <sup>f</sup>	
Alcohol/Drug Driving Safety Contract	4,597,269		4,399,586 <sup>g</sup>	197,683 <sup>h</sup>
			(86.2 FTE)	(5.6 FTE)
Drug Offender Assessment	875,195		875,195 <sup>i</sup>	
			(11.5 FTE)	
Substance Abuse Treatment	993,600		993,600 <sup>j</sup>	
Victims Grants	842,821			677,821(T) <sup>k</sup>
				(12.3 FTE)
				165,000 <sup>l</sup>
				(5.0 FTE)
S.B. 91-94	1,906,837			1,906,837 <sup>m</sup> (T)
				(49.3 FTE)
Sex Offender Assessment	229,000		202,364 <sup>n</sup>	26,636 <sup>o</sup>

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Genetic Testing	14,500		7,000		7,500 <sup>a</sup>		
Federal Funds and Other Grants	3,688,739				1,190,000 <sup>b</sup>	1,737,985 <sup>a</sup>	760,754
					(2.0 FTE)	(17.8 FTE)	(12.5 FTE)
		61,990,545					

<sup>a</sup> These amounts shall be from the Offender Services Fund pursuant to Section 16-11-214 (1) (a), C.R.S.

<sup>b</sup> Of this amount, \$80,000 shall be from various fees and cost recoveries, and \$78,000 shall be from the Offender Services Fund pursuant to Section 16-11-214 (1) (a), C.R.S.

<sup>c</sup> This amount shall be from reserves in the Drug Offender Surcharge Fund pursuant to Section 18-19-103 (4), C.R.S.

<sup>d</sup> Of this amount, \$3,033,940 shall be from the Offender Services Fund pursuant to Section 16-11-214 (1) (a), C.R.S., and \$50,000 shall be from various fees and cost recoveries.

<sup>e</sup> This amount shall be from federal funds appropriated in the Department of Public Safety, Division of Criminal Justice.

<sup>f</sup> This amount shall be from various fees and cost recoveries.

<sup>g</sup> This amount shall be from the Alcohol and Drug Driving Safety Program Fund created in Section 42-4-1301.3 (4) (a), C.R.S.

<sup>h</sup> This amount shall be from reserves in the Alcohol and Drug Driving Safety Program Fund created in Section 42-4-1301.3 (4) (a), C.R.S.

<sup>i</sup> This amount shall be from the Drug Offender Surcharge Fund pursuant to Section 18-19-103 (4), C.R.S.

<sup>j</sup> Of this amount, \$678,000 shall be from the Offender Services Fund created in Section 16-11-214 (1) (a), C.R.S., and \$315,600 shall be from the Drug Offender Surcharge Fund created in Section 18-19-103 (4), C.R.S.

<sup>k</sup> Of this amount, \$500,000 shall be from grants from local Victims and Witnesses Assistance and Law Enforcement (VALE) Boards pursuant to Section 24-4.2-105 (2.5) (a) (II), C.R.S., and \$177,821 shall be from state Victims Assistance and Law Enforcement grant funds appropriated in the Department of Public Safety, Division of Criminal Justice.

<sup>l</sup> This amount is to provide a model for victims services in probation departments and is shown for informational purposes only.

<sup>m</sup> This amount shall be from the Department of Human Services, Division of Youth Corrections.

<sup>n</sup> Of this amount, \$182,364 shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S., and \$20,000 shall be from various fees and cost recoveries.

<sup>o</sup> This amount shall be from reserves in the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

<sup>p</sup> This amount shall be from various fees, cost recoveries, gifts, grants, and donations.

<sup>q</sup> Of this amount, it is estimated that \$822,563(T) shall be from federal funds from the Department of Public Safety, the Department of Human Services, and the Department of Education, and \$915,422 shall be from various fees, cost recoveries, gifts, grants and donations.

**(5) PUBLIC DEFENDER<sup>86</sup>**

Personal Services <sup>83</sup>	25,316,867	25,253,477	63,390 <sup>a</sup>
		(348.9 FTE)	
Health, Life, and Dental	1,000,281	1,000,281	
Short-term Disability	32,742	32,742	
Salary Survey	597,768	597,768	
Anniversary Increases	250,517	250,517	
Operating Expenses	1,174,576	1,158,826	15,750 <sup>b</sup>
Purchase of Services from Computer Center	13,740	13,740	
Multiuse Network Payments	211,685	211,685	
Vehicle Lease Payments	64,783	64,783	
Capital Outlay	19,458	19,458	
Leased Space/Utilities	2,040,825	2,040,825	
Automation Plan	391,959	391,959	
Contract Services	18,000	18,000	
Mandated Costs	1,398,292	1,398,292	
Grants	<u>62,167</u>		62,167(T) <sup>c</sup>
	32,593,660		

<sup>a</sup> This amount shall be from the Offender Services Fund pursuant to Section 16-11-214 (1) (a), C.R.S.

<sup>b</sup> This amount shall be from training fees.

<sup>c</sup> This amount shall be from federal funds received by the Department of Public Safety, Division of Criminal Justice.

**(6) ALTERNATE DEFENSE COUNSEL<sup>87</sup>**

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 APPROPRIATION FROM
 

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Personal Services <sup>83</sup>	359,789		359,789				
			(3.0 FTE)				
Health, Life, and Dental	8,192		8,192				
Short-term Disability	553		553				
Salary Survey	7,410		7,410				
Anniversary Increases	6,744		6,744				
Operating Expenses	29,630		26,630		3,000 <sup>a</sup>		
Purchase of Services from Computer Center	2,191		2,191				
Leased Space	21,869		21,869				
Conflict of Interest Contracts	10,882,660		10,882,660				
Mandated Costs	<u>1,124,264</u>		1,124,264				
		12,443,302					

<sup>a</sup> This amount shall be from training fees.

**(7) OFFICE OF THE CHILD'S REPRESENTATIVE<sup>88</sup>**

Personal Services	1,521,673		1,521,673				
			(4.0 FTE)				
Health, Life, and Dental	98,151		98,151				
Short-term Disability	1,866		1,866				
Salary Survey	26,866		26,866				
Anniversary Increases	5,708		5,708				
Operating Expenses	130,836		130,836				

Purchase of Services from			
Computer Center	1,131	1,131	
Capital Outlay	14,000	14,000	
Leased Space	122,395	122,395	
CASA Contracts	20,000	20,000	
Training	28,000		28,000 <sup>a</sup>
Court Appointed Counsel	7,730,161	7,730,161	
Mandated Costs	<u>11,228</u>	<u>11,228</u>	
	9,712,015		

<sup>a</sup> This amount shall be from reserves in the Guardian ad Litem Fund, created in Section 13-91-106 (1), C.R.S.

**TOTALS PART VIII**

<b>(JUDICIAL)<sup>1,2</sup></b>	<u>\$288,191,982</u>	<u>\$219,569,027</u>	<u>                    </u>	<u>\$59,858,406</u>	<u>\$7,309,859<sup>a</sup></u>	<u>\$1,454,690</u>
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<sup>a</sup> Of this amount, \$4,990,210 contains a (T) notation.

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

~~1 All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

~~3 Department of Corrections, Management, Executive Director's Office Subprogram, Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division and Division of Youth Corrections, Judicial Department, Probation and Related Services, Department of Public Safety, Division of Criminal Justice, and Department of Transportation, Office of Transportation Safety -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from the Drug Offender Surcharge Fund, the Sex Offender Surcharge Fund, the Persistent Drunk Driver Cash Fund, and the Alcohol and Drug Driving Safety Fund, among other programs.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

83 Judicial Department, Supreme Court/Court of Appeals, Appellate Court Programs; Trial Courts, Trial Court Programs; Public Defender, Personal Services; Alternate Defense Counsel, Personal Services -- In accordance with Section 13-30-104 (3), C.R.S., funding is provided for a one-year increase in judicial compensation, as follows:

	<u>Current Salary</u>	<u>Increase</u>	<u>FY 2004-05 Salary</u>
Chief Justice, Supreme Court	116,117	2,671	118,788
Associate Justice, Supreme Court	113,637	2,614	116,251
Chief Judge, Court of Appeals	111,637	2,568	114,205
Associate Judge, Court of	109,137	2,510	111,647
District Court Judge	104,637	2,407	107,044
County Court Judge	100,137	2,303	102,440

Judicial increases are based upon the percentage salary survey increase received by ALJ III's. Funding is provided to maintain the salary of the Public Defender at the level of an associate judge of the Court Appeals, and to maintain the salary of the Alternate Defense Counsel at the level of a district court judge.

- 84 Judicial Department, Trial Courts, District Attorney Mandated Costs -- District Attorneys in each judicial district shall be responsible for allocations made by the oversight committee created under footnote 133 of the FY 1999-00 Long Bill. Any increases in this line item shall be requested and justified in writing by district attorney representatives, rather than the Judicial Department, through the regular appropriation and supplemental appropriation processes. As part of its annual budget request, the Judiciary is requested to include a report by the District Attorneys on their mandated costs expenditures, and their efforts to control them.
- 85 Judicial Department, Probation and Related Services -- The Judicial Department is requested to provide by November 1 of each year a report on pre-release rates of recidivism and unsuccessful terminations and post-release recidivism rates among offenders in all segments of the probation population, including adult and juvenile intensive supervision, adult and juvenile minimum, medium, and maximum supervision, the female offender program, and the specialized drug offender program. The department is requested to include information about the disposition of pre-release failures and post-release recidivists, including how many offenders are incarcerated (in different kinds of facilities) and how many return to probation as the result of violations.
- 86 Judicial Department, Public Defender -- In addition to the transfer authority provided in Section 24-75-110, C.R.S., up to 2.5 percent of the total Public Defender appropriation may be transferred between line items in the Public Defender's Office.
- 87 Judicial Department, Alternate Defense Counsel -- In addition to the transfer authority provided in Section 24-75-110, C.R.S., up to 1.5 percent of the total Alternate Defense Counsel appropriation may be transferred between line items in the Alternate Defense Counsel's Office.
- 88 Judicial Department, Office of the Child's Representative -- In addition to the transfer authority provided in Section 24-75-110, C.R.S., up to 2.5 percent of the total Office of the Child's Representative's appropriation may be transferred between line items in the Office of Child's Representative.

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

**PART IX****DEPARTMENT OF LABOR AND EMPLOYMENT****(1) EXECUTIVE DIRECTOR'S OFFICE**

Personal Services	11,495,921
	(169.4 FTE)
Health, Life, and Dental	2,499,287
Short-term Disability	93,049
Salary Survey and Senior Executive Service	1,286,607
Performance-based Pay Awards	705,388
Shift Differential	27,287
Workers' Compensation	459,949
Operating Expenses <sup>89</sup>	1,462,886
Legal Services for 7,694 hours	473,720
Purchase of Services from Computer Center	1,418,739
Multiuse Network Payments	110,265
Payment to Risk Management and Property Funds	134,955
Vehicle Lease Payments	122,358
Leased Space	3,306,387
Capitol Complex Leased Space	27,076

Communications Services				
Payments	444			
Utilities	139,959			
Information Technology Asset				
Maintenance	553,627			
Statewide Indirect Cost Assessment	<u>255,458</u>			
	24,573,362	8,008,459 <sup>a</sup>	1,472,952 <sup>b</sup>	15,091,951

<sup>a</sup> Of this amount, it is estimated that \$3,701,751 shall be from the Workers' Compensation Cash Fund pursuant to Section 8-44-112 (7), C.R.S., \$2,594,630 shall be from the Employment Support Fund pursuant to Section 8-77-109, C.R.S., \$822,509 shall be from the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S., \$190,563 shall be from the Boiler Inspection Fund pursuant to Section 9-4-109 (4), C.R.S., and \$699,006 shall be from various cash fund sources.

<sup>b</sup> Of this amount, \$914,636 shall be from reserves in both the Major Medical Insurance Fund pursuant to Section 8-46-202, C.R.S., and the Subsequent Injury Fund pursuant to Section 8-46-101 (1) (b) (I), C.R.S., \$297,933 shall be from reserves in the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S., \$258,547 shall be from reserves in the Unemployment Revenue Fund pursuant to Section 8-77-106, C.R.S., and \$1,836(T) shall be from the Department of Public Health and Environment.

**(2) DIVISION OF EMPLOYMENT AND TRAINING**

**(A) Unemployment Insurance Programs**

Program Costs	29,613,748	775,623 <sup>a</sup>		28,838,125
	(447.1 FTE)			

<sup>a</sup> Of this amount, \$770,623 shall be from the Employment Support Fund pursuant to Section 8-77-109, C.R.S., and \$5,000 shall be from the sale of transcripts.

**(B) Unemployment Insurance Fraud Program<sup>90</sup>**

Program Costs <sup>91</sup>	1,338,539	719,935 <sup>a</sup>	618,604 <sup>b</sup>	
	(26.0 FTE)			

<sup>a</sup> This amount shall be from the Unemployment Revenue Fund pursuant to Section 8-77-106, C.R.S.

<sup>b</sup> This amount shall be from reserves in the Unemployment Revenue Fund pursuant to Section 8-77-106, C.R.S.

**(C) Employment and Training Programs<sup>92</sup>**

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
State Operations <sup>93</sup>	11,637,614				5,433,171 <sup>a</sup> (66.0 FTE)	35,814(T) <sup>b</sup> (0.7 FTE)	6,168,629 (81.8 FTE)
One-Stop County Contracts	8,478,536						8,478,536 (36.0 FTE)
Trade Adjustment Act Assistance	2,300,000						2,300,000
Workforce Investment Act	24,870,164						24,870,164 (53.5 FTE)
	<u>47,286,314</u>						

<sup>a</sup> Of this amount, \$5,346,232 shall be from the Employment Support Fund pursuant to Section 8-77-109, C.R.S., and \$86,939 shall be from the Displaced Homemakers Fund pursuant to Section 8-15.5-108, C.R.S.

<sup>b</sup> This amount shall be from contracts with other government agencies.

**(D) Labor Market Information**

Program Costs	2,542,460				11,625 <sup>a</sup>		2,530,835 (44.2 FTE)
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<sup>a</sup> This amount shall be from the sale of publications.

80,781,061

**(3) DIVISION OF LABOR**

Program Costs	813,602				813,602 <sup>a</sup> (13.5 FTE)		
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<sup>a</sup> This amount shall be from the Employment Support Fund pursuant to Section 8-77-109, C.R.S.

**(4) DIVISION OF OIL AND PUBLIC SAFETY**

Personal Services	3,507,846				
	(53.3 FTE)				
Operating Expenses	<u>316,655</u>				
		3,824,501	2,968,253 <sup>a</sup>	304,861 <sup>b</sup>	551,387

<sup>a</sup> Of this amount, \$1,802,811 shall be from the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S., \$808,446 shall be from the Boiler Inspection Fund pursuant to Section 9-4-109 (4), C.R.S., \$213,173 shall be from the Public Safety Inspection Fund pursuant to Section 8-1-151, C.R.S., and \$143,823 shall be from the Liquefied Petroleum Gas Inspection Fund pursuant to Section 8-20-206.5 (1) (e) (I), C.R.S.

<sup>b</sup> Of this amount, \$296,497 shall be from reserves in the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S., and \$8,364(T) shall be from the Department of Public Health and Environment.

**(5) DIVISION OF WORKERS' COMPENSATION**

**(A) Workers' Compensation**

Personal Services	5,925,021				
	(106.3 FTE)				
Operating Expenses	608,735				
Administrative Law Judge Services	2,133,352				
Physicians Accreditation	165,834				
Utilization Review	76,000				
Immediate Payment	<u>10,000</u>				
		8,918,942	8,382,914 <sup>a</sup>	536,028 <sup>b</sup>	

<sup>a</sup> Of this amount, \$7,774,969 shall be from the Workers' Compensation Cash Fund pursuant to Section 8-44-112 (7), C.R.S., \$239,520 shall be from the Workers' Compensation Self-Insurance Fund pursuant to Section 8-44-202, C.R.S., \$165,834 shall be from the Physicians Accreditation Program Cash Fund pursuant to Section 8-42-101 (3.6) (I), C.R.S., \$138,091 shall be from the Cost Containment Fund pursuant to Section 8-14.5-108, C.R.S., and \$64,500 shall be from the Utilization Review Cash Fund pursuant to Section 8-43-501 (2) (a), C.R.S. Of this amount, \$230,334 is shown for the purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. Such moneys are included for informational purposes as they are continuously appropriated by Sections 8-42-101 (3.6) (I) and 8-43-501 (2) (a), C.R.S.

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

<sup>b</sup> Of this amount, \$415,324 shall be from reserves in the Workers' Compensation Cash Fund pursuant to Section 8-44-112 (7), C.R.S., \$95,704 shall be from reserves in the Cost Containment Fund pursuant to Section 8-14.5-108, C.R.S., \$11,500 shall be from reserves in the Utilization Review Cash Fund pursuant to Section 8-43-501 (2) (a), C.R.S., \$10,000 shall be reserves from the Immediate Payment Fund pursuant to Section 8-44-206 (3) (b) (I), C.R.S., and \$3,500 shall be from reserves in the Workers' Compensation Self-Insurance Fund pursuant to Section 8-44-202, C.R.S. Of this amount, \$11,500 is shown for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. Such moneys are included for informational purposes as they are continuously appropriated by Section 8-43-501 (2) (a), C.R.S.

**(B) Major Medical Insurance and Subsequent Injury Funds**

Personal Services	1,316,866				1,316,866 <sup>a</sup>	
					(22.0 FTE)	
Operating Expenses	123,422				123,422 <sup>a</sup>	
Major Medical Benefits	6,000,000				6,000,000 <sup>b</sup>	
Major Medical Legal Services for 426 hours	26,229				26,229 <sup>b</sup>	
Subsequent Injury Benefits	5,200,000				5,200,000 <sup>c</sup>	
Subsequent Injury Legal Services for 2,400 hours	147,768				147,768 <sup>c</sup>	
Medical Disaster	<u>15,000</u>				15,000 <sup>b</sup>	
	12,829,285					

<sup>a</sup> Of these amounts, \$1,152,231 shall be from reserves in the Major Medical Insurance Fund pursuant to Section 8-46-202, C.R.S., and \$288,057 shall be from reserves in the Subsequent Injury Fund pursuant to Section 8-46-101 (1) (b) (I), C.R.S.

<sup>b</sup> These amounts shall be from reserves in the Major Medical Insurance Fund created in Section 8-46-202, C.R.S. These amounts are included for informational purposes as they are continuously appropriated by Section 8-46-202 (2), C.R.S.

<sup>c</sup> These amounts shall be from reserves in the Subsequent Injury Fund created in Section 8-46-101 (1) (b) (I). These amounts are included for informational purposes as they are continuously appropriated by Section 8-46-101 (1) (b), C.R.S.

21,748,227

**TOTALS PART IX  
(LABOR AND EMPLOYMENT)<sup>1</sup>**

<u>\$131,740,753</u>	<u>\$27,113,582</u>	<u>\$15,797,544<sup>a</sup></u>	<u>\$88,829,627</u>
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<sup>a</sup> Of this amount, \$46,014 contains a (T) notation.

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

~~1 All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

~~89 Department of Labor and Employment, Executive Director's Office, Operating Expenses -- The Department is requested to include estimated costs of computer contract maintenance agreements in its annual budget request. This information is requested in a format that permits comparison, by affected budget line, of ongoing maintenance costs from fiscal year to fiscal year, including actual, estimated, and projected amounts.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~90 Department of Labor and Employment, Division of Employment and Training, Unemployment Insurance Fraud Program --~~

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

~~The Department is requested to include in its annual budget request information on fraud detection and recovery, including, but not limited to, an estimate of the amount of unemployment insurance fraud that may have occurred in FY 2003-04, how much of this fraud was detected, and how much of this fraud was recovered.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

91 Department of Labor and Employment, Division of Employment and Training, Unemployment Insurance Fraud Program, Program Costs -- The Department is requested to provide the Joint Budget Committee an assessment of the performance of the Unemployment Insurance Benefit Overpayment Collections Unit on or before November 1, 2004. This report should include relevant performance measurements, including overpayments collected, and a recommendation to continue, modify, or discontinue the Collections Unit.

~~92 Department of Labor and Employment, Division of Employment and Training, Employment and Training Programs -- The Department is requested to include in its annual budget request information regarding the allocation of the 15 percent Welfare-to-Work Block Grant discretionary funds. Such information should include, but not be limited to, the names of the organizations that receive discretionary funds, the amount of such awards, a description of the organizations' collaboration with the region's One-Stop Job Center, and an explanation of any discretionary funds awarded to community-based organizations that do not collaborate with a One-Stop Job Center.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~93 Department of Labor and Employment, Division of Employment and Training, Employment and Training Programs, State Operations -- It is the intent of the General Assembly that, of this appropriation, \$86,939 be awarded as grants to one stop job centers that provide services to displaced homemakers.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

**PART X  
DEPARTMENT OF LAW**

**(1) ADMINISTRATION**

Personal Services	2,345,788		5,000 <sup>a</sup>	2,340,788(T) <sup>b</sup>	
	(38.7 FTE)				
Health, Life, and Dental	813,024	245,244	51,207 <sup>c</sup>	503,362 <sup>d</sup>	13,211
Short-term Disability	31,765	8,554	1,788 <sup>c</sup>	20,516 <sup>d</sup>	907
Salary Survey for Classified Employees	152,486	58,514	21,563 <sup>c</sup>	61,113 <sup>d</sup>	11,296
Salary Survey for Exempt Employees	361,924	92,068	5,004 <sup>c</sup>	262,257 <sup>d</sup>	2,595
Performance-based Pay Awards for Classified Employees	84,436	32,647	11,757 <sup>c</sup>	34,114 <sup>d</sup>	5,918
Performance-based Pay Awards for Exempt Employees	201,320	44,192	3,153 <sup>c</sup>	152,212 <sup>d</sup>	1,763
Workers' Compensation	38,861	11,698	2,547 <sup>c</sup>	23,661 <sup>d</sup>	955
Operating Expenses	190,000	177,411		12,589(T) <sup>b</sup>	
Administrative Law Judge Services	6,408		6,408 <sup>c</sup>		
Purchase of Services from Computer Center	38,002	38,002			
Payment to Risk Management and Property Funds	105,485	105,485			
Vehicle Lease Payments	45,596	19,145	1,912 <sup>c</sup>	18,909 <sup>d</sup>	5,630
ADP Capital Outlay	66,777		6,489 <sup>c</sup>	60,288 <sup>d</sup>	
Information Technology Asset Maintenance	396,410		38,049 <sup>c</sup>	358,361 <sup>d</sup>	
Leased Space	26,292	4,372	3,583 <sup>c</sup>	18,337 <sup>d</sup>	
Capitol Complex Leased Space	895,529	269,566	58,688 <sup>c</sup>	545,267 <sup>d</sup>	22,008

Ch. 427

Department of Law

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Communications Services						
Payments	888		355		311 <sup>d</sup>	222
Attorney General Discretionary Fund	<u>5,000</u>		5,000			
	5,805,991					

<sup>a</sup> This amount shall be from the Public Utilities Commission under the provisions of Section 6-1-905 (3) (b) (II), C.R.S.

<sup>b</sup> This amount shall be from indirect cost recoveries.

<sup>c</sup> These amounts shall be from various cash fund sources within the department.

<sup>d</sup> Of these amounts, \$2,052,316 shall be from various sources of cash funds exempt and \$6,392 shall be from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund created pursuant to Section 24-22-115 (2) (a), C.R.S. Additionally, \$2,019,942 of these amounts contains a (T) notation.

**(2) LEGAL SERVICES TO STATE AGENCIES<sup>94, 95</sup>**

Personal Services	13,985,683					
	(194.8 FTE)					
Operating and Litigation	798,646					
Indirect Cost Assessment	<u>1,977,894</u>					
	16,762,223			520,000(T) <sup>a</sup>	16,242,223(T) <sup>b</sup>	

<sup>a</sup> This amount shall include funds from the Division of Wildlife in the Department of Natural Resources, the Public Employees' Retirement Association, the State Lottery Division in the Department of Revenue, the Correctional Industries Subprogram in the Department of Corrections, the Colorado Student Loan Program in the Department of Higher Education, Veterans' Nursing Homes in the Department of Human Services, Auraria Higher Education Center Enterprises, Disability Insurance Trust, and the Colorado Student Obligation Bonding Authority.

<sup>b</sup> This amount shall be from various sources of funds appropriated for legal services to state agencies.

**(3) CRIMINAL JUSTICE AND APPELLATE**

Special Prosecutions Unit	1,500,556	772,024 (8.8 FTE)	179,578 <sup>a</sup> (2.0 FTE)	548,954(T) <sup>b</sup> (6.2 FTE)	
Appellate Unit	1,749,865	1,749,865 (26.0 FTE)			
Medicaid Fraud Grant <sup>31</sup>	1,012,115 (11.0 FTE)	253,029(M)			759,086
Capital Crimes Prosecution Unit	335,344	335,344 (4.0 FTE)			
Peace Officers Standards and Training Board Support	1,140,019 (6.0 FTE)		1,140,019 <sup>c</sup>		
Victims Assistance	63,400			63,400(T) <sup>d</sup> (1.0 FTE)	
Indirect Cost Assessment	<u>144,104</u>		81,185 <sup>e</sup>	62,919(T) <sup>f</sup>	
		5,945,403			

<sup>a</sup> These amounts shall be from the State Compensation Insurance Authority.

<sup>b</sup> Of this amount, \$320,223 shall be from the Department of Regulatory Agencies, Division of Securities Cash Fund, and \$228,731 shall be from the Department of Regulatory Agencies, Division of Insurance Cash Fund.

<sup>c</sup> This amount shall be from the P.O.S.T. Board Cash Fund created pursuant to Section 24-31-303 (2) (a) (II) (b), C.R.S.

<sup>d</sup> This amount shall be from the Department of Public Safety, Division of Criminal Justice, Victims Assistance and Law Enforcement Fund.

<sup>e</sup> Of this amount, \$60,889 shall be from the P.O.S.T. Board Cash Fund created pursuant to Section 24-31-303 (2) (a) (II) (b), C.R.S., and \$20,296 shall be from the State Compensation Insurance Authority.

<sup>f</sup> Of this amount, \$37,308 shall be from the Department of Regulatory Agencies, Division of Securities Cash Fund, and \$25,611 shall be from the Department of Regulatory Agencies, Division of Insurance Cash Fund.

**(4) WATER AND NATURAL RESOURCES**

Federal and Interstate Water Unit	394,229	394,229 (5.0 FTE)			
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
Defense of Arkansas River Compact	150,000		95,000			55,000 <sup>a</sup>	
Consultant Expenses	25,000		25,000				
Comprehensive Environmental Response, Compensation and Liability Act (4.8 FTE)	415,052		99,760			315,292(T) <sup>b</sup>	
Comprehensive Environmental Response, Compensation and Liability Act Contracts	600,000					600,000(T) <sup>b</sup>	
Indirect Cost Assessment	<u>48,712</u>					48,712(T) <sup>b</sup>	
		1,632,993					

<sup>a</sup> This amount shall be from reserves in the Attorney Fees and Costs Account created in Section 24-31-108 (2), C.R.S.

<sup>b</sup> These amounts shall be transferred from the Department of Public Health and Environment.

**(5) CONSUMER PROTECTION**

Consumer Protection and Anti-Trust	1,282,099		677,664 (10.5 FTE)		62,746 <sup>a</sup> (1.5 FTE)	541,689 <sup>b</sup> (4.0 FTE)	
Collection Agency Board	172,800 (3.5 FTE)				172,800 <sup>c</sup>		
Uniform Consumer Credit Code (9.5 FTE)	706,543				706,543 <sup>d</sup>		
Indirect Cost Assessment	<u>182,667</u>				142,075 <sup>e</sup>	40,592 <sup>f</sup>	

<sup>a</sup> Of this amount, \$41,962 shall be from the Public Utilities Commission under the provisions of Section 6-1-905 (3) (b) (II), C.R.S., and \$20,784 shall be from the Building Regulation Fund created pursuant to Section 24-32-3309, C.R.S.

<sup>b</sup> Of this amount, \$303,970 shall be from court-awarded settlements, \$157,719 shall be from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund created pursuant to Section 24-22-115 (2) (a), C.R.S., and \$80,000 shall be from custodial funds administered by the Department.

<sup>c</sup> This amount shall be from the Collection Agency Cash Fund pursuant to Section 12-14-136 (1) (a), C.R.S.

<sup>d</sup> This amount shall be from the Uniform Consumer Credit Code Cash Fund pursuant to Section 5-6-204 (1), C.R.S.

<sup>e</sup> Of this amount, \$96,408 shall be from the Uniform Consumer Credit Code Cash Fund pursuant to Section 5-6-204 (1), C.R.S., \$35,519 shall be from the Collection Agency Cash Fund pursuant to Section 12-14-136 (1) (a), C.R.S., and \$10,148 shall be from the Public Utilities Commission under the provisions of Section 6-1-905 (3) (b) (II), C.R.S.

<sup>f</sup> Of this amount, \$20,296 shall be from court-awarded settlements, \$10,148 shall be from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund pursuant to Section 24-22-115 (2) (a), C.R.S., and \$10,148 shall be from custodial funds administered by the Department.

**(6) SPECIAL PURPOSE**

District Attorneys' Salaries	1,298,889	1,298,889	
Trinidad Correctional Facility Construction Litigation	466,200		466,200(T) <sup>a</sup>
Litigation Management and Technology Fund <sup>96</sup>	325,000		325,000 <sup>b</sup>
Statewide HIPAA Legal Services	<u>43,099</u>	43,099	
		2,133,188	

<sup>a</sup> This amount shall be from the Department of Corrections.

<sup>b</sup> This amount shall be from either General Fund fund balance generated by excess earnings in the Legal Services to State Agencies program in FY 2003-04 or from reserves in the Attorney Fees and Costs Account created in Section 24-31-108 (2), C.R.S.

**TOTALS PART X**

<b>(LAW)<sup>1,2</sup></b>	<u>\$34,623,907</u>	<u>\$6,856,156</u>	<u>                    </u>	<u>\$3,222,094<sup>a</sup></u>	<u>\$23,722,066<sup>a</sup></u>	<u>\$823,591</u>
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<sup>a</sup> Of these amounts, \$23,241,019 contains a (T) notation.

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

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

~~1~~ All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

31 Department of Health Care Policy and Financing, Medical Services Premiums; and Department of Law, Criminal Justice and Appellate, Medicaid Fraud Grant -- The General Assembly requests that the Department of Law's Medicaid Fraud Control Unit produce a progress report on the Department's efforts to reduce Medicaid fraud and abuse in Colorado. The report should include: (1) estimates on the total amount of Medicaid fraud and abuse in Colorado; (2) an itemized list of total fines, costs, and restitutions recovered, on a case-by-case basis, attributable to the Medicaid Fraud Control Unit's efforts; (3) an analysis of the time and cost associated with each Medicaid fraud or abuse case prosecuted by the Medicaid Fraud Control Unit; (4) a detailed explanation of the Medicaid Fraud Control Unit's participation in the Operation Restore Trust program; (5) a detailed explanation of the Medicaid Fraud Control Unit's participation in global or national Medicaid fraud settlements, including total awards received due to them; and (6) evidence of the effectiveness of the Medicaid Fraud Control Unit in reducing the amount of Medicaid fraud and abuse in Colorado. The Medicaid Fraud Control Unit is requested to submit the report to the Joint Budget Committee by November 1, 2004.

- 94 Department of Law, Legal Services to State Agencies -- In making this appropriation, it is the intent of the General Assembly that hourly billing rates charged by the Department for legal services to state agencies not exceed \$63.37 per hour for attorneys and not exceed \$53.42 per hour for paralegals, which equates to a blended rate of \$61.57.
- 95 Department of Law, Legal Services to State Agencies -- Funds received by the Department for the provision of legal services shall be expended only if appropriated by the General Assembly.
- 96 Department of Law, Special Purpose, Litigation Management and Technology Fund -- It is the intent of the General Assembly to grant the Department of Law additional flexibility by allowing the Department to use funds appropriated in this line item to address unanticipated state legal needs, which arise during FY 2004-05 as well as information technology decision items approved by the General Assembly that require General Fund or smaller amounts of other funding sources. It is also the intent of the General Assembly that moneys spent from this fund shall not require the appropriation of additional FTE and will not be used for any type of salary increase, promotion, reclassification, or bonus related to any present or future FTE employed by the Department of Law. It is furthermore the intent of the General Assembly that moneys spent from this fund will not be used to offset present or future personal services deficits in any division in the Department. The Department is requested to submit a quarterly report to the Joint Budget Committee detailing the purpose for which moneys from this fund have been expended. Such a report is also requested to be provided with any supplemental requests for additional legal services funding within or outside of the Legal Services to State Agencies program.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>PART XI</b>						
<b>LEGISLATIVE DEPARTMENT</b>						
<b>(1) LEGISLATIVE COUNCIL</b>						
Property Tax Study pursuant to Section 39-1-104 (16), C.R.S.	700,000					
Ballot Analysis	<u>492,322</u>					
	1,192,322	1,192,322				
<b>(2) GENERAL ASSEMBLY</b>						
Workers' Compensation	22,733					
Legal Services for 188 hours	11,575					
Purchase of Services from Computer Center	13,934					
Payment to Risk Management and Property Funds	7,423					
Capitol Complex Leased Space	<u>1,110,220</u>					
	1,165,885	1,165,885				
<b>TOTALS PART XI</b> <b>(LEGISLATIVE)<sup>1,2</sup></b>	<u>\$2,358,207</u>	<u>\$2,358,207</u>				

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

~~1 ----- All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number~~

~~of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

- 2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

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	1,011,417				1,011,417(T) <sup>a</sup> (14.0 FTE)	
Health, Life, and Dental	388,658	192,795		26,465 <sup>b</sup>	94,385 <sup>c</sup>	75,013
Short-term Disability	14,676	5,748		1,946 <sup>b</sup>	3,946 <sup>c</sup>	3,036
Salary Survey and Senior Executive Service	229,655	103,456		28,797 <sup>b</sup>	52,184 <sup>c</sup>	45,218
Performance-based Pay Awards	115,965	57,109		8,197 <sup>b</sup>	24,725 <sup>c</sup>	25,934
Workers' Compensation	31,653	29,446		920 <sup>b</sup>	1,287 <sup>c</sup>	
Operating Expenses	136,565				124,803(T) <sup>a</sup>	11,762
Legal Services for 1,790 hours	110,210	99,925		5,175 <sup>b</sup>	1,180 <sup>c</sup>	3,930
Purchase of Services from Computer Center	11,401	11,401				
Multi-use Network Payments	45,810	25,583		1,865 <sup>b</sup>	3,496 <sup>c</sup>	14,866
Payment to Risk Management and Property Funds	44,189	41,107		1,284 <sup>b</sup>	1,798 <sup>c</sup>	
Vehicle Lease Payments	117,802	99,044			18,758 <sup>c</sup>	
Information Technology Asset Maintenance	104,793	29,913		10,364 <sup>b</sup>	40,192 <sup>c</sup>	24,324
Capitol Complex Leased Space	416,967	284,066		15,167 <sup>d</sup>	50,387(T) <sup>c</sup>	67,347
Leased Space	36,598	13,688			13,457 <sup>c</sup>	9,453

Moffat Tunnel Improvement District	88,250		28,250 <sup>f</sup>	60,000 <sup>g</sup>	
Workforce Development Council	340,395			340,395(T) <sup>h</sup>	
				(4.0 FTE)	
Workforce Improvement Grants	470,000			20,000 <sup>i</sup>	450,000
					(1.0 FTE)
	<u>          </u>	3,715,004			

<sup>a</sup> These amounts shall be from indirect cost recoveries.

<sup>b</sup> These amounts shall be from various sources of cash funds.

<sup>c</sup> Of these amounts \$242,817(T) shall be from the mineral and energy impact grant program, which includes moneys in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S. and moneys in the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S., and \$12,591 shall be from various sources of cash funds exempt.

<sup>d</sup> Of this amount, \$3,671 shall be from the Search and Rescue Fund pursuant to Section 33-1-112.5, C.R.S., \$3,248 shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6, C.R.S., and \$8,248 shall be from the Building Regulation Fund pursuant to Section 24-32-3309, C.R.S.

<sup>e</sup> Of this amount, \$48,955 shall be from the mineral and energy impact grant program, which includes moneys in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S. and moneys in the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S., and \$1,432 shall be from Limited Gaming Funds appropriated to the Department of Revenue.

<sup>f</sup> This amount shall be from the Moffat Tunnel Cash Fund pursuant to Section 32-8-126, C.R.S.

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

<sup>h</sup> This amount shall be from federal funds transferred to the Department of Local Affairs from other state agencies.

<sup>i</sup> This amount shall be from donations.

**(2) PROPERTY TAXATION**

Board of Assessment Appeals	602,056	602,056			
		(15.0 FTE)			
Property Taxation	2,488,840	1,143,978	634,029 <sup>a</sup>	710,833(T) <sup>b</sup>	
		(15.7 FTE)	(11.1 FTE)	(11.7 FTE)	
State Board of Equalization	12,856	12,856			
Indirect Cost Assessment	<u>94,098</u>			94,098(T) <sup>b</sup>	
		3,197,850			

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

<sup>a</sup> This amount shall be from the Property Tax Exemption Fund created in Section 39-2-117(8), C.R.S.

<sup>b</sup> These amounts shall be from the mineral and energy impact grant program, which includes moneys in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S. and moneys in the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S.

**(3) DIVISION OF HOUSING<sup>97</sup>**

(A) Administration

Personal Services	1,203,676	289,319 (4.6 FTE)	68,363 <sup>a</sup> (0.9 FTE)	106,116(T) <sup>b</sup> (1.7 FTE)	739,878 (12.3 FTE)
Operating Expenses	163,565	25,903			137,662
Indirect Cost Assessment	<u>364,872</u>		164,666 <sup>c</sup>	31,208(T) <sup>b</sup>	168,998
	1,732,113				

<sup>a</sup> This amount shall be from the Private Activity Bond Allocations Fund created in Section 24-32-1707(6)(b)(I), C.R.S.

<sup>b</sup> These amounts shall be from the mineral and energy impact grant program, which includes moneys in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S. and moneys in the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S.

<sup>c</sup> This amount shall be from the Building Regulation Fund pursuant to Section 24-32-3309, C.R.S.

(B) Manufactured Buildings Program

Program Costs	674,344		674,344 <sup>a</sup> (8.9 FTE)		
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<sup>a</sup> This amount shall be from the Building Regulation Fund pursuant to Section 24-32-3309, C.R.S.

(C) Affordable Housing Development

Colorado Affordable Housing Construction Grants and Loans	115,000	100,000	15,000 <sup>a</sup>	
Federal Affordable Housing Construction Grants and Loans	9,210,074			9,210,074
Emergency Shelter Program	919,000			919,000
Private Activity Bond Allocation Committee	<u>2,500</u>		2,500 <sup>b</sup>	
	10,246,574			

<sup>a</sup> This amount shall be from gifts, grants and donations.

<sup>b</sup> This amount shall be from the Private Activity Bond Allocations Fund created in Section 24-32-1707 (6) (b) (I), C.R.S.

(D) Rental Assistance

Low Income Rental Subsidies	15,107,000			15,107,000
		27,760,031		

**(4) DIVISION OF LOCAL GOVERNMENT**

(A) Local Government and Community Services

(1) Administration

Personal Services	1,549,114	784,774	11,755 <sup>a</sup>	474,351(T) <sup>b</sup>	278,234
		(11.3 FTE)	(0.2 FTE)	(7.0 FTE)	(3.1 FTE)
Operating Expenses	<u>106,432</u>	43,186		25,146(T) <sup>b</sup>	38,100
	1,655,546				

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

<sup>b</sup> These amounts shall be from the mineral and energy impact grant program, which includes moneys in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S. and moneys in the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S.

(2) Local Government Services

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Local Utility Management Assistance	138,922				138,922 <sup>a</sup> (2.0 FTE)		
Conservation Trust Fund Disbursements	46,300,000					46,300,000 <sup>b</sup>	
Environmental Protection Agency Water/Sewer File Project	50,000						50,000 (0.5 FTE)
	<u>46,488,922</u>						
<sup>a</sup> This amount shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6, C.R.S.							
<sup>b</sup> This amount shall be from the State Lottery Fund pursuant to Section 33-60-104 (1) (a), C.R.S.							
(3) Community Services							
Community Services Block Grant	5,681,920						5,681,920
(4) Waste Tire Fund							
Waste Tire Recycling, Reuse and Removal Grants	2,311,956				2,261,956 <sup>a</sup> (0.5 FTE)	50,000 <sup>b</sup>	
Allocations to the Commission on Higher Education, Advanced Technology Fund	<u>775,000</u>				775,000 <sup>a</sup>		
	3,086,956						

<sup>a</sup> Of these amounts, \$2,325,000 shall be from the Waste Tire Recycling Development Cash Fund pursuant to Section 25-17-202 (3) (A), C.R.S. and \$711,956 shall be from the Processors and End Users of Waste Tires Cash Fund created in Section 25-17-202.5 (1), C.R.S.

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

(B) Field Services				
Program Costs	1,954,180	446,232 (5.2 FTE)	1,206,773(T) <sup>a</sup> (14.2 FTE)	301,175 (4.9 FTE)
Community Development Block Grant (Business and Infrastructure Development)				
	8,672,892			8,672,892
Local Government Mineral and Energy Impact Grants and Disbursements				
	59,000,000	20,000,000 <sup>b</sup>	39,000,000 <sup>c</sup>	
Local Government Limited Gaming Impact Grants				
	6,100,000		6,100,000 <sup>d</sup>	
Search and Rescue Program				
	615,000	505,000 <sup>e</sup> (1.3 FTE)	110,000 <sup>f</sup>	
	<u>76,342,072</u>			

<sup>a</sup> Of this amount, \$1,087,694 shall be from the mineral and energy impact grant program, which includes moneys in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S. and moneys in the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S., \$81,500 shall be from Limited Gaming Funds appropriated to the Department of Revenue, and \$37,579 shall be from funds transferred from the Economic Development Commission in the Governor's Office.

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

<sup>c</sup> Of this amount, \$17,000,000 shall be from reserves in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S. and \$22,000,000 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.

<sup>d</sup> 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.

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

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

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
(C) Office of Emergency Management							
Program Costs	9,283,502		513,659 (3.3 FTE)		5,988 <sup>a</sup>	2,801,547 <sup>b</sup> (4.9 FTE)	5,962,308 (14.8 FTE)

<sup>a</sup> This amount shall be from fees paid for local government emergency training programs.

<sup>b</sup> Of this amount, \$49,118(T) shall be from the mineral and energy impact grant program, which includes moneys in the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S. and moneys in the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S., \$2,747,429 shall be from the Disaster Emergency Fund created pursuant to Section 24-32-2106, C.R.S. and \$5,000 shall be from fees paid for state college and state agency emergency training programs.

(D) Division of Local Government							
Indirect Cost Assessments	775,693				68,206 <sup>a</sup>	312,944(T) <sup>b</sup>	394,543 <sup>c</sup>

<sup>a</sup> Of this amount, \$35,236 shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6, C.R.S., \$20,683 shall be from the Search and Rescue Fund pursuant to Section 33-1-112.5, C.R.S., and \$12,287 shall be from the Waste Tire Recycling Development Cash Fund pursuant to Section 25-17-202 (3), C.R.S.

<sup>b</sup> Of this amount, \$195,626 shall be from reserves in the Local Government Severance Tax Fund created in Section 39-29-110, C.R.S., \$97,813 is anticipated from the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S., and \$19,505 shall be from Limited Gaming Funds appropriated to the Department of Revenue.

<sup>c</sup> Of this amount, \$247,277 is anticipated from the Federal Emergency Management Agency, \$71,856 is anticipated from the Community Development Block Grant, and \$75,410 is anticipated from the Community Services Block Grant.

143,314,611

TOTALS PART XII

(LOCAL AFFAIRS)<sup>1,2</sup>

\$177,987,496

\$4,955,244

\$25,439,159

\$99,200,426<sup>a</sup>

\$48,392,667

<sup>a</sup> Of this amount, \$4,780,406 contains a (T) notation.

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

~~1 All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

~~97 Department of Local Affairs, Division of Housing -- The Division of Housing is requested to provide a report to the Joint Budget Committee by November 1, 2004, 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.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

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

**PART XIII****DEPARTMENT OF MILITARY AND VETERANS AFFAIRS****(1) EXECUTIVE DIRECTOR AND ARMY NATIONAL GUARD**

Personal Services	1,605,190	1,440,507 (24.7 FTE)		3,269 <sup>a</sup> (0.1 FTE)	83,291 <sup>b</sup> (2.0 FTE)	78,123 <sup>c</sup> (0.8 FTE)
Health, Life, and Dental	239,764	76,957			10,706 <sup>b</sup>	152,101 <sup>c</sup>
Short-term Disability	8,221	3,670		6 <sup>a</sup>	568 <sup>b</sup>	3,977 <sup>c</sup>
Salary Survey and Senior Executive Service	107,502	47,032		74 <sup>a</sup>	5,953 <sup>b</sup>	54,443 <sup>c</sup>
Performance-based Pay Awards	54,371	24,358		54 <sup>a</sup>	3,752 <sup>b</sup>	26,207 <sup>c</sup>
Shift Differential	16,278					16,278 <sup>c</sup>
Workers' Compensation	110,697	55,857				54,840 <sup>c</sup>
Operating Expenses	707,608	359,075				348,533 <sup>c</sup>
Information Technology Asset Maintenance	15,447	15,447				
Legal Services for 110 hours	6,773	6,773				
Purchase of Services from Computer Center	7,600	7,600				
Payment to Risk Management and Property Funds	125,791	125,791				
Vehicle Lease Payments	28,806	25,731				3,075 <sup>c</sup>
Leased Space	41,897	41,897				
Capitol Complex Leased Space	94,473	63,028				31,445 <sup>c</sup>

Communications Services					
Payments	9,476	9,476			
Utilities	556,460	415,280			141,180 <sup>e</sup>
Local Armory Incentive Plan	21,841		21,841 <sup>a</sup>		
Distance Learning	3,000		1,000 <sup>d</sup>	2,000 <sup>e</sup>	
Colorado National Guard Tuition Fund <sup>98</sup>	175,803	175,803			
Army National Guard Cooperative Agreement	1,823,642				1,823,642 <sup>e</sup> (17.5 FTE)
Administrative Services	247,158	129,622			117,536 <sup>e</sup> (1.8 FTE)
	<u>                    </u>	<u>                    </u>			
		6,007,798			

<sup>a</sup> These amounts shall be from fees, including armory rental fees.

<sup>b</sup> These amounts shall be from reserves in the Western Slope Military Veterans' Cemetery Fund created in Section 28-5-708 (1) (a), C.R.S.

<sup>c</sup> These amounts are pursuant to agreements with the federal government regarding the operation of the Army National Guard and Air National Guard facilities as well as operations of the Colorado National Guard pursuant to federal directives.

<sup>d</sup> This amount shall be from the Distance Learning Cash Fund created in Section 28-3-108, C.R.S. These moneys are continuously appropriated and included for informational purposes.

<sup>e</sup> This amount shall be from gifts, grants, donations, and reserves in the Department of Military and Veterans Affairs Fund created in Section 28-3-107, C.R.S., and reserves in the Distance Learning Cash Fund created in Section 28-3-108, C.R.S. Moneys from the Department of Military Affairs Fund and the Distance Learning Cash Fund are continuously appropriated and included for informational purposes.

**(2) DIVISION OF VETERANS AFFAIRS**

Veterans Service Operations	501,514	374,875		126,639(T) <sup>a</sup>	
		(6.0 FTE)		(2.0 FTE)	
County Veterans Service Officer					
Payments	86,400			86,400(T) <sup>a</sup>	
Colorado State Veterans Trust Fund	873,298			873,298 <sup>b</sup>	

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Colorado State Veterans Trust Fund Expenditures	655,563				655,563 <sup>c</sup>	
Western Slope Veterans Cemetery <sup>99</sup>	239,651				203,651 <sup>d</sup>	36,000 <sup>e</sup>
	<u>2,356,426</u>				(2.5 FTE)	

<sup>a</sup> These amounts shall be from the Colorado State Veterans Trust Fund Expenditures line item in the Division of Veterans Affairs.

<sup>b</sup> This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104 (1) (f), C.R.S.

<sup>c</sup> Of this amount, \$637,987 shall be from the Colorado State Veterans Trust Fund created in Section 28-5-709 (1) (a), C.R.S. and \$17,576 shall be from interest earned on the balance of the Colorado State Veterans Trust Fund created in Section 28-5-709 (1) (a), C.R.S. Pursuant to Section 28-5-709 (3) (b) (1), this amount reflects spending authority of up to 75 percent of the FY 2004-05 appropriation to the Colorado State Veterans Trust Fund.

<sup>d</sup> This amount shall be from reserves in the Western Slope Military Veterans' Cemetery Fund created in Section 28-5-708 (1) (a), C.R.S.

<sup>e</sup> This amount shall be from the U.S. Department of Veterans Affairs.

### (3) AIR NATIONAL GUARD

Operations and Maintenance Agreement for Buckley/Greeley	1,954,561	428,506(M) (5.4 FTE)			1,526,055 <sup>a</sup> (20.7 FTE)
Buckley Cooperative Agreement	890,351				890,351 <sup>a</sup> (15.0 FTE)
Security for Space Command Facility at Greeley	189,138				189,138 <sup>a</sup> (5.0 FTE)
	<u>3,034,050</u>				

<sup>a</sup> These amounts are pursuant to agreements with the federal government regarding the operation of the Army National Guard and Air National Guard facilities as well as operations of the Colorado National Guard pursuant to federal directives.

**(4) FEDERAL FUNDED PROGRAMS<sup>100</sup>**

Personal Services	66,375,685				
	(1,077.0				
	FTE)				
Operating and Maintenance	29,122,586				
Construction	21,100,000				
Special Programs	<u>128,933</u>				
		116,727,204			116,727,204 <sup>a</sup>

<sup>a</sup> This amount is pursuant to agreements with the federal government regarding the operation of the Army National Guard and Air National Guard facilities as well as operations of the Colorado National Guard pursuant to federal directives.

**(5) CIVIL AIR PATROL**

Personal Services	60,558			
	(1.0 FTE)			
Operating Expenses	9,484			
Repeater Upgrade	20,000			
Aircraft Maintenance	<u>34,900</u>			
		124,942	124,942	

**TOTALS PART XIII**

<b>(MILITARY AND VETERANS AFFAIRS)<sup>1,2</sup></b>	<u>\$128,250,420</u>	<u>\$3,952,227</u>	<u>                    </u>	<u>\$26,244</u>	<u>\$2,051,821<sup>a</sup></u>	<u>\$122,220,128</u>
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<sup>a</sup> Of this amount, \$213,039 contains a (T) notation.

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

~~† All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number~~

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

~~of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

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2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

~~98 Department of Military and Veterans Affairs, Executive Director and Army National Guard, Colorado National Guard Tuition Fund -- The Department is requested to prepare a report demonstrating the effect of representative levels of tuition assistance on Colorado National Guard recruitment and retention efforts. Projections should be supported by actual data regarding recruitment and retention in Colorado and other states. No later than October 1, 2004, the Department is requested to submit a report to the Joint Budget Committee comparing tuition assistance in Colorado and other states to changes in strength numbers. Analysis of this actual data should form the basis for projections of strength numbers based on future potential funding levels for this line item.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

99 Department of Military and Veterans Affairs, Division of Veterans Affairs, Western Slope Veterans Cemetery -- The Department is requested to compile detailed data associated with the daily operations of the Western Slope Veterans Cemetery and the funding required to support those operations. The Department is requested to submit a report summarizing this data to the Joint Budget Committee on October 1, 2004. The report should not only include data concerning the funding of the

operations, but also steps the Department can initiate to: (1) Lower the costs associated with operating the Western Slope Veterans Cemetery and (2) identify revenue sources available to operate the cemetery which can offset the need for any General Fund appropriation in future fiscal years.

100 Department of Military and Veterans Affairs, Federal Funded Programs -- These federal funds are shown for informational purposes. These funds are not to be included in the spending authority for the Department because these funds do not flow through the accounting system of the state. It is the intent of the General Assembly that these programs, funding, and FTE are included to demonstrate the full scope of activities of the Department of Military Affairs.

**PART XIV  
DEPARTMENT OF NATURAL RESOURCES**

**(1) EXECUTIVE DIRECTOR'S OFFICE**

**(A) Administration**

Personal Services	2,958,205		867,041(T) <sup>a</sup>	2,091,164(T) <sup>a</sup>	
	(42.6 FTE)				
Health, Life, and Dental	3,868,316	1,375,658	395,625 <sup>b</sup>	1,786,033 <sup>c</sup>	311,000
Short-term Disability	124,103	41,568	15,216 <sup>b</sup>	57,716 <sup>c</sup>	9,603
Salary Survey and Senior Executive Service	1,772,694	565,132	212,122 <sup>b</sup>	951,860 <sup>c</sup>	43,580
Performance-based Pay Awards	976,567	319,286	118,462 <sup>b</sup>	512,324 <sup>c</sup>	26,495
Shift Differential	26,730	26,730			
Workers' Compensation	2,780,122	503,970	186,843 <sup>b</sup>	2,048,593 <sup>c</sup>	40,716
Operating Expenses	1,253,068		306,612 <sup>b</sup>	941,119 <sup>c</sup>	5,337
Legal Services for 36,686 hours	2,258,757	757,927	362,153 <sup>b</sup>	1,052,263 <sup>c</sup>	86,414
Payment to Risk Management and Property Funds	606,367	170,598	41,580 <sup>b</sup>	386,368 <sup>c</sup>	7,821
Vehicle Lease Payments	2,926,475	832,421	136,059 <sup>b</sup>	1,913,705 <sup>c</sup>	44,290
Leased Space	725,334	414,398	180,253 <sup>b</sup>	107,427 <sup>c</sup>	23,256

Ch. 427

Department of Natural Resources

2551

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Capitol Complex Leased Space	715,150		275,014		253,903 <sup>b</sup>	105,799 <sup>c</sup>	80,434
Communications Services							
Payments	<u>395,179</u>		188,500			206,679 <sup>c</sup>	
	21,387,067						

<sup>a</sup> These amounts shall be from statewide and departmental indirect cost recoveries.

<sup>b</sup> Of these amounts, \$1,517,842 shall be from various sources of cash funds and \$690,986(T) shall be from statewide and departmental indirect cost recoveries.

<sup>c</sup> These amounts shall be from various sources of cash funds exempt.

**(B) Information Technology Services**

Personal Services	1,471,751				1,471,751(T) <sup>a</sup> (14.0 FTE)		
Operating Expenses	19,575				19,575(T) <sup>a</sup>		
Purchase of Services from Computer Center	239,412		10,481		228,931 <sup>b</sup>		
Multiuse Network Payments	868,911		312,174		551,227 <sup>b</sup>		5,510
Information Technology Asset Maintenance	<u>353,429</u>		105,354		176,520 <sup>b</sup>	59,319 <sup>c</sup>	12,236
	2,953,078						

<sup>a</sup> These amounts shall be from statewide and departmental indirect cost recoveries.

<sup>b</sup> Of these amounts, \$781,872 shall be from various sources of cash funds and \$174,806(T) shall be from indirect cost recoveries.

<sup>c</sup> Of this amount, \$32,712 shall be from various sources of cash funds exempt and \$26,607(T) shall be from statewide and departmental indirect cost recoveries.

<b>(C) EPA Wetlands Grant</b>	475,000						475,000
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24,815,145

**(2) MINERALS AND GEOLOGY**

**(A) Coal Land Reclamation**

Program Expenses	1,899,977 (22.0 FTE)	398,995(H) <sup>a</sup>	1,500,982 <sup>b</sup>
Coal Program Support	41,346 (1.0 FTE)	41,346 <sup>a</sup>	
Indirect Cost Assessment	<u>116,875</u> 2,058,198	33,812 <sup>a</sup>	83,063 <sup>b</sup>

<sup>a</sup> These amounts shall be from the Operational Account of the Severance Tax Trust Fund established pursuant to Section 39-29-109 (1) (a) (II), C.R.S.

<sup>b</sup> These amounts shall be from the Office of Surface Mining, and are shown for informational purposes only.

**(B) Inactive Mines**

Program Costs	777,332 (13.6 FTE)		
Mine Site Reclamation <sup>101</sup>	125,000		
Abandoned Mine Safety	111,665 (0.2 FTE)		
Indirect Cost Assessment	<u>102,801</u> 1,116,798	274,771 <sup>a</sup>	842,027

<sup>a</sup> This amount shall be from the Operational Account of the Severance Tax Trust Fund established pursuant to Section 39-29-109 (1) (a) (II), C.R.S.

**(C) Minerals**

Personal Services	1,749,849 (22.9 FTE)
Operating Expenses	122,614

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Department of Natural Resources

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Indirect Cost Assessment	<u>106,904</u>					
	1,979,367			1,891,874 <sup>a</sup>	87,493 <sup>b</sup>	

<sup>a</sup> Of this amount, \$950,000 shall be from the Mined Land Reclamation Fund established pursuant to Section 34-32-127 (1) (a), C.R.S., and \$941,874 shall be from the Operational Account of the Severance Tax Trust Fund established pursuant to Section 39-29-109 (1) (a) (II), C.R.S.

<sup>b</sup> This amount shall be from reserves in the Mined Land Reclamation Fund established pursuant to Section 34-32-127 (1) (a), C.R.S.

**(D) Mines Program**

Colorado and Federal Mine Safety Program	460,906 (5.0 FTE)			273,816 <sup>a</sup>		187,090
Blaster Certification Program	101,410 (1.0 FTE)			21,296(H) <sup>b</sup>		80,114
Indirect Cost Assessment	<u>21,462</u>			6,541 <sup>b</sup>		14,921
	583,778					

<sup>a</sup> Of this amount, \$267,816 shall be from the Operational Account of the Severance Tax Trust Fund established pursuant to Section 39-29-109 (1) (a) (II), C.R.S., and \$6,000 shall be from fees.

<sup>b</sup> These amounts shall be from the Operational Account of the Severance Tax Trust Fund established pursuant to Section 39-29-109 (1) (a) (II), C.R.S.

**(E) Severance Tax Projects**

Shrub Establishment Research	20,000			20,000 <sup>a</sup>		
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<sup>a</sup> This amount shall be from the Operational Account of the Severance Tax Trust Fund established pursuant to Section 39-29-109 (1) (a) (II), C.R.S.

5,758,141

**(3) GEOLOGICAL SURVEY**

Environmental Geology and Geological Hazards Program	2,525,594 (18.2 FTE)	1,174,648 <sup>a</sup>	757,556(T) <sup>b</sup>	593,390
Mineral Resources and Mapping	1,477,526 (11.5 FTE)	957,392 <sup>c</sup>		520,134
Colorado Avalanche Information Center	551,921 (7.3 FTE)	125,949 <sup>d</sup>	401,917 <sup>e</sup>	24,055
Indirect Cost Assessment	<u>28,900</u>			28,900
	4,583,941			

<sup>a</sup> Of this amount, \$832,995 shall be from the Operational Account of the Severance Tax Trust Fund established pursuant to Section 39-29-109 (1) (a) (II), C.R.S., and \$341,653 shall be from fees for geological services.

<sup>b</sup> This amount shall be from the Department of Transportation, other state agencies, and federal indirect cost recoveries.

<sup>c</sup> Of this amount, \$924,705 shall be from the Operational Account of the Severance Tax Trust Fund established pursuant to Section 39-29-109 (1) (a) (II), C.R.S., and \$32,687 shall be from local governments.

<sup>d</sup> Of this amount, \$123,698 shall be from the Operational Account of the Severance Tax Trust Fund established pursuant to Section 39-29-109 (1) (a) (II), C.R.S., \$2,000 shall be from the sale of avalanche products, and \$251 shall be from the Snowmobile Recreation Fund established pursuant to Section 33-14-106, C.R.S.

<sup>e</sup> Of this amount, \$296,000(T) shall be from the Department of Transportation, and \$105,917 shall be from grants and donations.

**(4) OIL AND GAS CONSERVATION COMMISSION<sup>102</sup>**

Program Costs	2,732,859 (33.0 FTE)	2,232,859 <sup>a</sup>	500,000 <sup>b</sup>	
Indirect Cost Assessment	167,273	167,273 <sup>c</sup>		
Underground Injection Program	104,993			104,993 (2.0 FTE)
Plugging and Reclaiming Abandoned Wells	220,000		220,000 <sup>b</sup>	

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Environmental Assistance Projects	180,000				180,000 <sup>b</sup>	
Hearing and Environmental Record Imaging and Indexing System	<u>96,995</u>			96,995 <sup>c</sup>		
	3,502,120					

<sup>a</sup> Of this amount, \$1,320,105 shall be from the Oil and Gas Conservation Fund established pursuant to Section 34-60-122 (5), C.R.S., and \$912,754 shall be from the Operational Account of the Severance Tax Trust Fund established pursuant to Section 39-29-109 (1) (a) (II), C.R.S.

<sup>b</sup> These amounts shall be from the Oil and Gas Environmental Response Fund established pursuant to Section 34-60-124 (1), C.R.S.

<sup>c</sup> These amounts shall be from the Oil and Gas Conservation Fund established pursuant to Section 34-60-122 (5), C.R.S.

**(5) STATE BOARD OF LAND COMMISSIONERS<sup>103</sup>**

Personal Services	2,137,047					
	(33.0 FTE)					
Operating Expenses	233,422					
State Trust Land Evaluations and Trust Asset Management and Analysis	567,509					
Lowry Range Project	197,731					
	(1.0 FTE)					
Document Imaging Project	199,477					
Land Use Planning and Engineering Contract Resources <sup>104</sup>	92,000					
Indirect Cost Assessment	<u>140,657</u>					
	3,567,843			40,000 <sup>a</sup>	3,527,843 <sup>b</sup>	

<sup>a</sup> This amount shall be from the Land Board Trust Administration Fund established pursuant to Section 36-1-145 (2) (a), C.R.S., and is derived from lease rental revenue, timber sales, interest income, and fees.

<sup>b</sup> This amount shall be from the Land Board Trust Administration Fund established pursuant to Section 36-1-145 (2) (a), C.R.S., and is derived from mineral royalties and bonus income.

**(6) PARKS AND OUTDOOR RECREATION<sup>104a</sup>**

**(A) Established State Parks**

Program Costs	16,336,724				
	(226.1 FTE)				
Seasonal Work Program	4,018,931				
Impact Assistance Grants	<u>19,870</u>				
	20,375,525	2,667,589	15,527,976 <sup>a</sup>	1,760,060 <sup>b</sup>	419,900 <sup>c</sup>

<sup>a</sup> Of this amount, \$15,515,481 shall be from the Parks and Outdoor Recreation Cash Fund established pursuant to Section 33-10-111 (1), C.R.S., \$7,437 shall be from the Off-highway Vehicle Recreation Fund established pursuant to Section 33-14.5-106 (1), C.R.S., and \$5,058 shall be from the Snowmobile Recreation Fund established pursuant to Section 33-14-106, C.R.S.

<sup>b</sup> Of this amount, \$813,000 shall be from the Great Outdoors Colorado Board, shown for informational purposes only, and from associated indirect cost recoveries, \$505,806 shall be from Lottery proceeds (including reserves from prior years) and is shown for informational purposes only, \$296,254 shall be from various sources of cash funds exempt, \$100,000(T) shall be from statewide indirect cost recoveries, and \$45,000 shall be from reserves in the Snowmobile Recreation Fund established pursuant to Section 33-14-106, C.R.S.

<sup>c</sup> This amount is anticipated to be received from the United States Bureau of Reclamation through a cost-sharing agreement for the net operating deficit of Paonia, Vega, Rifle Gap, Crawford, and Navajo State parks, and is shown for informational purposes only.

**(B) New State Parks**

Program Costs	826,171				
	(12.5 FTE)				
Seasonal Work Program	<u>205,800</u>				
	1,031,971	164,174	492,797 <sup>a</sup>	375,000 <sup>b</sup>	

<sup>a</sup> This amount shall be from the Parks and Outdoor Recreation Cash Fund established pursuant to Section 33-10-111, C.R.S.

<sup>b</sup> This amount shall be from the Great Outdoors Colorado Board, and is shown for informational purposes only, and from indirect cost recoveries.

## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(C) Great Outdoors Colorado Board Grants</b>						
Land and Water Protection	620,000					
	(1.0 FTE)					
Operations and Maintenance	336,000					
	(2.5 FTE)					
Statewide Programs	1,649,000					
	(5.5 FTE)					
	<u>2,605,000</u>				2,605,000 <sup>a</sup>	
<sup>a</sup> This amount shall be from the Great Outdoors Colorado Board and is shown for informational purposes only.						
<b>(D) Special Purpose</b>						
Snowmobile Program	702,838			702,838 <sup>a</sup>		
River Outfitters Regulation	74,275			74,275 <sup>b</sup>		
Off-highway Vehicle Program	349,275			349,275 <sup>c</sup>		
				(3.0 FTE)		
Federal Grants	380,375					380,375 <sup>d</sup>
S.B. 03-290 Enterprise Fund	200,000				200,000 <sup>e</sup>	
Indirect Cost Assessment	<u>1,092,478</u>			1,003,822 <sup>f</sup>		88,656
	2,799,241					

<sup>a</sup> This amount shall be from the Snowmobile Recreation Fund established pursuant to Section 33-14-106, C.R.S.

<sup>b</sup> This amount shall be from the River Outfitters Cash Fund established pursuant to Section 33-32-111, C.R.S.

<sup>c</sup> This amount shall be from the Off-highway Vehicle Recreation Fund established pursuant to Section 33-14.5-106 (1), C.R.S.

<sup>d</sup> This amount reflects funds anticipated to be received from the United States Coast Guard and is shown for informational purposes only.

<sup>e</sup> This amount shall be from reserves in the Parks and Outdoor Recreation Cash Fund established pursuant to Section 33-10-111 (1), C.R.S.

<sup>f</sup> This amount shall be from the Parks and Outdoor Recreation Cash Fund established pursuant to Section 33-10-111 (1), C.R.S.

26,811,737

**(7) COLORADO WATER CONSERVATION BOARD**

**(A) Administration**

Personal Services	2,544,577		
	(29.0 FTE)		
Operating Expenses	88,655		
Interstate Compacts	284,726		
Western States Water Council Dues	25,000		
River Decision Support Systems	488,553		
	<u>(5.0 FTE)</u>		
	3,431,511	339,777 <sup>a</sup>	3,091,734 <sup>b</sup>

<sup>a</sup> Of this amount, \$296,027(T) shall be from the Wildlife Cash Fund established pursuant to Section 33-1-112 (1), C.R.S., and \$43,750 shall be from the Operational Account of the Severance Tax Trust Fund established pursuant to Section 39-29-109 (1) (a) (II), C.R.S.

<sup>b</sup> This amount shall be from reserves in the Colorado Water Conservation Board Construction Fund established pursuant to Section 37-60-121 (1) (a), C.R.S., and from indirect cost recoveries.

**(B) Special Purpose**

Federal Emergency Management Assistance	86,471		86,471
			(1.0 FTE)
Weather Modification	25,000	25,000 <sup>a</sup>	
Water Conservation Program	172,896		172,896 <sup>b</sup>
			(2.5 FTE)

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Severance Tax Fund	585,000				585,000 <sup>c</sup>		
Platte River Basin Cooperative Agreement	227,462					227,462 <sup>d</sup> (1.0 FTE)	
S.B. 02-87 Colorado Watershed Protection Fund	84,000					84,000 <sup>e</sup>	
Indirect Cost Assessment	<u>336,397</u>					322,673 <sup>b</sup>	13,724
	1,517,226						

<sup>a</sup> This amount shall be from weather modification permit fees pursuant to Section 36-20-113, C.R.S.

<sup>b</sup> These amounts shall be from reserves in the Colorado Water Conservation Board Construction Fund established pursuant to Section 37-60-121 (1) (a), C.R.S.

<sup>c</sup> This amount shall be from the Operational Account of the Severance Tax Trust Fund established pursuant to Section 39-29-109 (1) (a) (II), C.R.S.

<sup>d</sup> This amount shall be from the Fish and Wildlife Resources Fund established pursuant to Section 37-60-121 (6), C.R.S.

<sup>e</sup> This amount shall be from the Colorado Watershed Protection Fund, established pursuant to Section 39-22-2403 (1) C.R.S.

4,948,737

**(8) WATER RESOURCES DIVISION**

Personal Services	16,336,717 (250.6 FTE)	11,042,631		5,278,194 <sup>a</sup>	15,892 <sup>b</sup>
Operating Expenses	1,301,360	719,036		521,555 <sup>a</sup>	60,769 <sup>b</sup>
Interstate Compacts	70,900	70,900			
Republican River Compact Compliance	139,636 (0.5 FTE)	139,636			

Satellite Monitoring System	333,369	235,229	94,443 <sup>e</sup>	3,697 <sup>d</sup>	
	(2.0 FTE)				
Augmentation of Water for Sand and Gravel Extraction	35,000		35,000 <sup>e</sup>		
Dam Emergency Repair	50,000			50,000 <sup>f</sup>	
Federal Grant	87,362				87,362 <sup>g</sup>
River Decision Support Systems	347,520			347,520 <sup>f</sup>	
				(4.0 FTE)	
Indirect Cost Assessment	<u>104,023</u>		42,122 <sup>h</sup>	60,663 <sup>f</sup>	1,238
		18,805,887			

<sup>a</sup> Of these amounts, \$3,713,072 shall be from the Ground Water Management Cash Fund established pursuant to Section 37-80-111.5 (1) (d), C.R.S., \$1,677,381 shall be from the Water Administration Cash Fund established pursuant to Section 37-80-121 (4), C.R.S., \$335,868 shall be from the Well Inspection Cash Fund established pursuant to Section 37-80-111.5, C.R.S., and \$73,428 shall be from other various sources of cash funds, including indirect cost recoveries.

<sup>b</sup> This amount shall be from various sources of cash funds exempt, including indirect cost recoveries.

<sup>c</sup> This amount shall be from the Satellite Monitoring System Cash Fund established pursuant to Section 37-80-111.5 (1) (c), C.R.S.

<sup>d</sup> This amount shall be from reserves in the Satellite Monitoring System Cash Fund established pursuant to Section 37-80-111.5 (1) (c), C.R.S.

<sup>e</sup> This amount shall be from the Gravel Pit Lakes Augmentation Fund established pursuant to Section 37-90-137 (11) (f), C.R.S.

<sup>f</sup> These amounts shall be from reserves in the Colorado Water Conservation Board Construction Fund established pursuant to Section 37-60-121 (1) (a), C.R.S.

<sup>g</sup> This amount reflects funds anticipated to be received from the United States Bureau of Reclamation and from the Federal Emergency Management Agency, and is shown for informational purposes only.

<sup>h</sup> This amount shall be from various sources of cash funds.

**(9) DIVISION OF WILDLIFE**

**(A) Division Operations**

(1) Director's Office Personal Services	1,510,338				
	(18.0 FTE)				
Operating Expenses	401,521				
(2) Biological Programs <sup>104b</sup> Personal Services	16,242,706				

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(235.3 FTE)						
Operating Expenses	9,686,366					
(3) State Fish Hatcheries						
Personal Services	4,416,405					
(93.6 FTE)						
Operating Expenses	3,523,803					
(4) Regional Operations Personal						
Services	15,854,861					
(289.7 FTE)						
Operating Expenses	4,743,690					
(5) Information and Education						
Personal Services	2,261,201					
(36.5 FTE)						
Operating Expenses	2,120,413					
(6) Law Enforcement Personal						
Services	791,319					
(10.3 FTE)						
Operating Expenses	185,635					
(7) Information Technology						
Personal Services	1,383,337					
(18.0 FTE)						
Operating Expenses	1,235,174					
(8) Engineering						
Personal Services	1,644,018					
(21.3 FTE)						

Operating Expenses	157,754		
(9) Support Services Personal Services	2,869,663		
	(41.5 FTE)		
Operating Expenses	<u>1,820,398</u>		
	70,848,602	61,134,066 <sup>a</sup>	9,714,536

<sup>a</sup> Of this amount, \$51,864,066 shall be from the Wildlife Cash Fund established pursuant to Section 33-1-112 (1), C.R.S., \$8,060,000 shall be from the Great Outdoors Colorado Board and is shown for information purposes only, \$550,000 shall be from subscription revenues from Colorado Outdoors Magazine, \$500,000 shall be from voluntary contributions to the Nongame and Endangered Wildlife Cash Fund pursuant to Section 39-22-702 and 703, C.R.S., \$150,000 shall be from cash grants and donations, \$5,000 shall be from the Federal Aid Projects Income Fund, and \$5,000 shall be from the public education donation revenues.

**(B) Special Purpose**

Wildlife Commission Discretionary Fund	250,000		
Game Damage Claims and Prevention	1,050,000		
Special License Fund Projects	20,430		
State Trust Land and Property Leases	889,964		
Instream Flow Program	296,027		
Habitat Partnership Program	1,979,758		
Indirect Cost Assessment	<u>3,224,159</u>		
	7,710,338	7,188,318 <sup>a</sup>	522,020

<sup>a</sup> Of this amount, \$5,188,130 shall be from the Wildlife Cash Fund established pursuant to Section 33-1-112 (1), C.R.S., \$1,979,758 shall be from the Habitat Partnership Cash Fund pursuant to Section 33-1-112 (8) (a), C.R.S., \$15,430 shall be from the raffle and auction of big game licenses pursuant to Section 33-4-116.5, C.R.S., and \$5,000 shall be from the Waterfowl Stamp Fund pursuant to Section 33-4-102.5, C.R.S.

78,558,940

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>TOTALS PART XIV (NATURAL RESOURCES)<sup>1,2</sup></b>	<u>\$171,352,491</u>	<u>\$20,938,406</u>		<u>\$38,353,514<sup>a</sup></u>	<u>\$95,594,928<sup>b</sup></u>	<u>\$16,465,643</u>

<sup>a</sup> This amount includes \$6,204,553 from the Operational Account of the Severance Tax Trust Fund established pursuant to Section 39-29-109 (1) (a) (II), C.R.S., including \$775,200 in the Executive Director's Office which is shown as being from various sources of cash funds, and \$3,520,186 which contains a (T) notation.

<sup>b</sup> Of this amount, \$3,271,327 contains a (T) notation.

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

~~1 All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

101 Department of Natural Resources, Minerals and Geology, Inactive Mines, Mine Site Reclamation -- It is the intent of the General Assembly that these funds shall remain available until completion of the project or the close of FY 2006-07, whichever comes first. At project completion or the end of the three-year period, any unexpended balances shall revert to the Operation

Account of the Severance Tax Trust Fund from which they were appropriated.

~~102 Department of Natural Resources, Oil and Gas Conservation Commission -- It is the intent of the General Assembly that the new resources provided for scanning and indexing will create additional efficiencies in the Division. The Department is requested to provide an estimate of staff savings achieved in its FY 2005-06 budget submission to the General Assembly.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

103 Department of Natural Resources, State Board of Land Commissioners -- The FY 2004-05 appropriation continues the FY 2002-03 and FY 2003-04 refinancing of the State Board of Land Commissioners administrative costs, which allows additional dollars to flow into the State Income Fund for school finance in FY 2004-05. It is the intent of the General Assembly that the refinancing methodology of the State Board of Land Commissioners be reviewed by the Joint Budget Committee to determine the appropriateness of this continued financing methodology in FY 2005-06.

104 Department of Natural Resources, State Board of Land Commissioners, Land Use Planning and Engineering Contract Resources -- It is the intent of the General Assembly that the new resources will result in additional value added benefit for the State's trust lands, including both portfolio enhancement and additional income. The Department is requested to provide information on the portfolio enhancement and additional income generated from this initiative in a January 2005 report to the Joint Budget Committee. This report is requested to provide estimates of this increase in portfolio enhancement and income for FY 2005-06 and through FY 2009-10.

104a Department of Natural Resources, Parks and Outdoor Recreation -- The Department is requested to evaluate the impact of making the Parks and Outdoor Recreation Division an enterprise, including, but not limited to, the benefits of combining Parks and Outdoor Recreation with the Division of Wildlife. Such evaluation is requested to be provided to the Joint Budget Committee, the House Agriculture, Livestock, and Natural Resources Committee and the Senate Agriculture, Natural Resources and Energy Committee no later than October 1, 2004.

104b Department of Natural Resources, Division of Wildlife, Division Operations, Biological Programs -- It is the intent of the General Assembly that no funds be expended for peer reviews unless the associated peer reviewers meet all of the following criteria: (1) have no financial interest in the outcome of the study; (2) have not advocated a specific position on the issue under review previously; and (3) have not received and will not potentially receive funding that is dependent on the study's outcome.

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

**PART XV****DEPARTMENT OF PERSONNEL AND ADMINISTRATION****(1) EXECUTIVE OFFICE<sup>105</sup>**

Personal Services	1,514,702				1,514,702(T) <sup>a</sup>	
(26.0 FTE)						
Health, Life, and Dental	1,255,873			51,622(T) <sup>b</sup>	1,204,251(T) <sup>c</sup>	
Short-term Disability	43,916			2,148(T) <sup>b</sup>	41,768(T) <sup>c</sup>	
Salary Survey and Senior Executive Service	609,695	215,475		16,376(T) <sup>b</sup>	377,844(T) <sup>d</sup>	
Performance-based Pay	354,769	168,515		3,548(T) <sup>b</sup>	182,706(T) <sup>d</sup>	
Shift Differential	92,251				92,251 <sup>c</sup>	
Workers' Compensation	257,322	95,466		2,316(T) <sup>b</sup>	159,540(T) <sup>d</sup>	
Operating Expenses	103,311				103,311(T) <sup>f</sup>	
Legal Services for 3,432 hours	211,308	180,055		5,388(T) <sup>b</sup>	25,865(T) <sup>d</sup>	
Purchase of Services from Computer Center	1,390,871	1,311,591			79,280(T) <sup>d</sup>	
Multiuse Network Payments	586,337				586,337(T) <sup>d</sup>	
Payment to Risk Management and Property Funds	811,349	278,455		7,869(T) <sup>b</sup>	525,025(T) <sup>d</sup>	
Vehicle Lease Payments	145,096	3,629			141,467(T) <sup>d</sup>	
Leased Space	996,271	308,949			687,322(T) <sup>d</sup>	
Capitol Complex Leased Space	1,208,673	542,694		7,251 <sup>e</sup>	658,728(T) <sup>d</sup>	

Communications Services			
Payments	296		296(T) <sup>d</sup>
Test Facility Lease	116,351	116,351	
Employment Security Contract			
Payment	17,400	10,889	6,511(T) <sup>b</sup>
Employees Emeritus Retirement	11,039	11,039	
Health Insurance Portability and			
Accountability Act of 1996 -			
Security Remediation	577,026	96,145	480,881(T) <sup>i</sup>
	<u>(2.0 FTE)</u>		
	10,303,856		

<sup>a</sup> Of this amount, \$1,341,526 shall be from indirect cost recoveries and \$173,176 shall be from user fees from other state agencies.

<sup>b</sup> These amounts shall be from user fees from other state agencies.

<sup>c</sup> Of these amounts, \$798,164 shall be from user fees from other state agencies and \$447,855 shall be from indirect cost recoveries.

<sup>d</sup> These amounts shall be from user fees from other state agencies.

<sup>e</sup> Of this amount, \$77,433(T) shall be from the Department of Personnel Revolving Fund, created in Section 24-30-1108 (1), C.R.S., the Telecommunications Revolving Fund, created in Section 24-30-908 (1) (a), C.R.S., and the Computer Services Revolving Fund, created in Section 24-30-1606 (2), C.R.S., and \$14,818 shall be from the reserve balance of the Public Safety Communications Trust Fund pursuant to Section 24-30-908.5 (1), C.R.S. For informational purposes, funds from the Department of Personnel Revolving Fund and the Telecommunications Revolving Fund originate as user fees transferred from other state agencies.

<sup>f</sup> This amount shall be from indirect cost recoveries.

<sup>g</sup> This amount shall be from the Deferred Compensation Administration Fund pursuant to Section 24-52-102 (5) (a), C.R.S.

<sup>h</sup> Of this amount, \$2,291 shall be from the Department of Human Services, \$1,228 shall be from the Department of Natural Resources, \$922 shall be from the Department of Personnel, \$744 shall be from the Department of Law, \$597 shall be from the Department of Agriculture, \$368 shall be from the Department of Public Health and Environment, \$101 shall be from the Department of Regulatory Agencies, \$88 shall be from the Department of Revenue, \$65 from the Department of Local Affairs, \$62 shall be from the Department of Corrections, \$32 shall be from the Department of Public Safety, and \$13 shall be from the Department of State.

<sup>i</sup> This amount shall be from the Computer Services Revolving Fund, pursuant to Section 24-30-1606 (2), C.R.S. For informational purposes, this amount originates as user fees transferred from other state agencies.

**(2) DIVISION OF HUMAN RESOURCES<sup>23</sup>**

**(A) Human Resource Services**

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 APPROPRIATION FROM
 

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
(1) State Agency Services							
Personal Services	1,822,366						
	(30.7 FTE)						
Operating Expenses	<u>88,462</u>						
	1,910,828					1,910,828(T) <sup>a</sup>	
<sup>a</sup> This amount shall be from indirect cost recoveries.							
(2) Training Services							
Personal Services	170,505			52,075 <sup>a</sup>		118,430(T) <sup>b</sup>	
	(3.0 FTE)						
Operating Expenses	79,573					79,573(T) <sup>b</sup>	
Indirect Cost Assessment	<u>33,476</u>					33,476(T) <sup>b</sup>	
	283,554						
<sup>a</sup> This amount shall be from the sale of job reference manuals and training revenue from non-state agencies.							
<sup>b</sup> These amounts shall be from training revenues from state agencies.							
(3) Colorado State Employees							
Assistance Program							
Personal Services	273,045						
	(4.5 FTE)						
Operating Expenses	37,233						
Indirect Cost Assessment	<u>68,475</u>						
	378,753					378,753(T) <sup>a</sup>	

<sup>a</sup> This amount shall be set forth by the department in the program procedures adopted pursuant to Section 24-50-604 (1) (k) (IV), C.R.S., and may include, but need not be limited to, funds from the Group Benefit Plans Reserve Fund, created in Section 24-50-613 (1), C.R.S., the Risk Management Fund, created in Section 24-30-1510 (1), C.R.S., and any interest derived from said funds.

**(B) Employee Benefits Services**

Personal Services	807,635	215,982 <sup>a</sup>	591,653 <sup>b</sup>
	(11.0 FTE)		
Operating Expenses	51,355	23,574 <sup>a</sup>	27,781 <sup>b</sup>
Utilization Review	40,000		40,000 <sup>b</sup>
Deferred Compensation Plans	182,977	182,977 <sup>a</sup>	
Defined Contribution Plans	6,226	6,226 <sup>c</sup>	
Indirect Cost Assessment	<u>141,154</u>		141,154 <sup>b</sup>
	1,229,347		

<sup>a</sup> These amounts shall be from the Deferred Compensation Administration Fund, pursuant to Section 24-52-102 (5) (a), C.R.S.

<sup>b</sup> These amounts shall be from the Group Benefit Plans Reserve Fund, pursuant to Section 24-50-613 (2), C.R.S. These amounts are counted as cash funds exempt because the funds are generated from employee contributions.

<sup>c</sup> This amount shall be from the Defined Contribution Plan Administration Fund, pursuant to Section 24-52-203 (3) (d), C.R.S.

**(C) Risk Management Services**

Personal Services	558,589		558,589(T) <sup>a</sup>
			(9.0 FTE)
Operating Expenses	57,104		57,104(T) <sup>a</sup>
Audit Expense	63,120		63,120(T) <sup>a</sup>
Legal Services for 31,860 hours	1,961,620		1,961,620(T) <sup>b</sup>
Liability Premiums	10,220,094	1,173,267(T) <sup>c</sup>	9,046,827(T) <sup>b</sup>
Property Premiums	11,586,965	569,726(T) <sup>d</sup>	11,017,239(T) <sup>c</sup>
Workers' Compensation Premiums	35,083,244	155,990	2,953,953(T) <sup>e</sup>
Indirect Cost Assessment	<u>172,154</u>		31,973,301(T) <sup>e</sup>
			172,154(T) <sup>a</sup>

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	59,702,890					

<sup>a</sup> These amounts shall be from the Risk Management Fund, pursuant to Section 24-30-1510 (3), C.R.S., the Self-Insured Property Fund, pursuant to Section 24-30-1510.5 (3), C.R.S., and the State Employee Workers' Compensation Account, pursuant to Section 24-30-1510.7 (2), C.R.S.

<sup>b</sup> These amounts shall be from state agency appropriations to the Risk Management Fund, created pursuant to Section 24-30-1510 (1), C.R.S. For informational purposes, moneys in the fund are continuously appropriated for purposes other than the direct and indirect administrative costs of operating the risk management system.

<sup>c</sup> These amounts shall be from enterprises within state agency appropriations to the Risk Management Fund, created in Section 24-30-1510 (1), C.R.S. For informational purposes, moneys in the fund are continuously appropriated for purposes other than the direct and indirect administrative costs of operating the risk management system.

<sup>d</sup> This amount shall be from enterprises within state agency appropriations to the Self-Insured Property Fund, created in Section 24-30-1510.5 (1), C.R.S. For informational purposes, moneys in the fund are continuously appropriated for purposes other than the direct and indirect administrative costs of operating the risk management system.

<sup>e</sup> This amount shall be from state agency appropriations to the Self-Insured Property Fund, created pursuant to Section 24-30-1510.5 (1), C.R.S. For informational purposes, moneys in the fund are continuously appropriated for purposes other than the direct and indirect administrative costs of operating the risk management system.

<sup>f</sup> This amount shall be from enterprises within state agency appropriations to the State Employee Workers' Compensation Account, established pursuant to Section 24-30-1510.7, C.R.S.

<sup>g</sup> This amount shall be from state agency appropriations to the State Employee Workers' Compensation Account, established pursuant to Section 24-30-1510.7, C.R.S.

63,505,372

**(3) PERSONNEL BOARD**

Personal Services	387,829 (4.8 FTE)	196,531	1,200 <sup>a</sup>	190,098(T) <sup>b</sup>
Operating Expenses	<u>29,033</u>	29,033		

<sup>a</sup> This amount shall be from receipts collected for copies of information and case documentation.

<sup>b</sup> Of this amount, \$189,298 shall be from indirect cost recoveries from other divisions within the Department and \$800 shall be from receipts from state agencies for copies of information and case documentation.

**(4) CENTRAL SERVICES**

**(A) Administration**

Personal Services	635,930		
	(10.0 FTE)		
Operating Expenses	77,427		
Indirect Cost Assessment	<u>1,800,334</u>		
	2,513,691	42,782(T) <sup>a</sup>	2,470,909(T) <sup>b</sup>

<sup>a</sup> This amount shall be from user fees from non-state agencies deposited in the Department of Personnel Revolving Fund, pursuant to Section 24-30-1108 (2), C.R.S., and the Motor Fleet Management Fund, pursuant to Section 24-30-1115 (1), C.R.S.

<sup>b</sup> This amount shall be from user fees from other state agencies deposited in the Department of Personnel Revolving Fund, pursuant to Section 24-30-1108 (2), C.R.S., and the Motor Fleet Management Fund, pursuant to Section 24-30-1115 (1), C.R.S.

**(B) Integrated Document Factory**

(1) Reprographics Services

Personal Services	1,119,230		
	(26.1 FTE)		
Operating Expenses	<u>2,080,722</u>		
	3,199,952	305,456(T) <sup>a</sup>	2,894,496(T) <sup>b</sup>

<sup>a</sup> This amount shall be from user fees from non-state agencies deposited in the Department of Personnel Revolving Fund, pursuant to Section 24-30-1108 (2), C.R.S.

<sup>b</sup> This amount shall be from user fees from other state agencies deposited in the Department of Personnel Revolving Fund, pursuant to Section 24-30-1108 (2), C.R.S.

(2) Document Solutions Group<sup>46</sup>

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 APPROPRIATION FROM
 

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
Personal Services	4,301,221						
	(49.7 FTE)						
Operating Expenses	355,749						
Utilities	10,763						
Indirect Cost Assessment	<u>471,582</u>						
	5,139,315				35,917(T) <sup>a</sup>	5,103,398(T) <sup>b</sup>	

<sup>a</sup> This amount shall be from user fees from non-state agencies deposited in the Department of Personnel Revolving Fund, pursuant to Section 24-30-1108 (2), C.R.S.

<sup>b</sup> This amount shall be from user fees from other agencies deposited in the Department of Personnel Revolving Fund, pursuant to Section 24-30-1108 (2), C.R.S.

## (3) Mail Services

Personal Services	1,079,394						
	(32.0 FTE)						
Operating Expenses	<u>4,821,747</u>						
	5,901,141				697,515(T) <sup>a</sup>	5,203,626(T) <sup>b</sup>	

<sup>a</sup> This amount shall be from user fees from non-state agencies deposited in the Department of Personnel Revolving Fund, pursuant to Section 24-30-1108 (2), C.R.S.

<sup>b</sup> This amount shall be from user fees from other agencies deposited in the Department of Personnel Revolving Fund, pursuant to Section 24-30-1108 (2), C.R.S.

**(C) Fleet Management Program and Motor Pool Services**

Personal Services	741,121						
	(16.0 FTE)						
Operating Expenses	12,305,933						
Vehicle Replacement Lease, Purchase or Lease/Purchase	<u>16,623,921</u>						

29,670,975

2,142,180(T)<sup>a</sup> 27,528,795(T)<sup>b</sup>

<sup>a</sup> This amount shall be from user fees from non-state agencies deposited in the Motor Fleet Management Fund pursuant to Section 24-30-1115, C.R.S. Of this amount, it is estimated that \$1,878,501 shall be from the Division of Wildlife, \$181,492 shall be from user fees from the Colorado State Lottery, and \$82,187 shall be from the Department of Corrections.

<sup>b</sup> This amount shall be from user fees from other agencies deposited in the Motor Fleet Management Fund pursuant to Section 24-30-1115, C.R.S.

**(D) Facilities Maintenance**

(1) Capitol Complex Facilities

Personal Services	2,435,823		
	(55.2 FTE)		
Operating Expenses	1,637,466		
Capitol Complex Repairs	56,520		
Capitol Complex Security	442,011		
Utilities	<u>2,689,354</u>		
	7,261,174		7,261,174(T) <sup>a</sup>

<sup>a</sup> This amount shall be from user fees from other agencies deposited in the Department of Personnel Revolving Fund pursuant to Section 24-30-1108 (2), C.R.S.

(2) Grand Junction State Services Building

Personal Services	42,165		
	(1.0 FTE)		
Operating Expenses	76,873		
Utilities	<u>68,449</u>		
	187,487	5,130(T) <sup>a</sup>	182,357(T) <sup>b</sup>

<sup>a</sup> This amount shall be from user fees from non-state agencies deposited in the Department of Personnel Revolving Fund pursuant to Section 24-30-1108 (2), C.R.S.

<sup>b</sup> This amount shall be from user fees from other agencies deposited in the Department of Personnel Revolving Fund pursuant to Section 24-30-1108 (2), C.R.S.

(3) Camp George West

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Personal Services	58,340						
	(1.0 FTE)						
Operating Expenses	122,102						
Utilities	<u>339,662</u>						
	520,104			48,950(T) <sup>a</sup>		471,154(T) <sup>b</sup>	

<sup>a</sup> This amount shall be from user fees from non-state agencies deposited in the Department of Personnel Revolving Fund pursuant to Section 24-30-1108 (2), C.R.S. For informational purposes, it is estimated that \$35,633 shall be from lease and utility payments transferred from Correctional Industries and \$13,317 shall be from lease and utility payments transferred from other non-state agency occupants of Camp George West.

<sup>b</sup> This amount shall be from user fees from non-state agencies deposited in the Department of Personnel Revolving Fund pursuant to Section 24-30-1108 (2), C.R.S.

54,393,839

**(5) FINANCE AND PROCUREMENT**

**(A) State Controller's Office and Procurement Services**

Personal Services	2,716,492		410,848			2,305,644 <sup>a</sup>	
	(38.0 FTE)						
Operating Expenses	<u>142,176</u>		142,176				
	2,858,668						

<sup>a</sup> Of this amount, \$1,073,582 shall be from rebates received from the Procurement Card Program, \$659,006(T) shall be from statewide indirect cost recoveries from the Department of Transportation pursuant to Section 43-1-113(8) (a), C.R.S., \$255,458(T) shall be from statewide indirect cost recoveries from the Department of Labor and Employment, \$160,078(T) shall be from statewide indirect cost recoveries from the Department of Local Affairs, \$112,520(T) shall be from statewide indirect cost recoveries from the Department of State, \$25,000 shall be from the reserve balance of the Debt Collection Fund created in Section 24-30-202.4 (3) (e), C.R.S., and \$20,000 shall be from the reserve balance of the Supplier Database Cash Fund created in Section 24-102-202.5 (2), C.R.S.

**(B) Supplier Database**

Personal Services	164,123	164,123 <sup>a</sup>	
		(3.5 FTE)	
Operating Expenses	<u>85,799</u>	85,799 <sup>a</sup>	
	249,922		

<sup>a</sup> These amounts shall be from the Supplier Database Cash Fund created in Section 24-102-202.5 (2) (a), C.R.S.

**(C) Collections Services**

Personal Services	758,357		
	(17.0 FTE)		
Operating Expenses	347,585		
Collection of Debts Due to the State	<u>20,702</u>		
	1,126,644	696,399 <sup>a</sup>	430,245(T) <sup>b</sup>

<sup>a</sup> This amount shall be from collection fees assessed to individuals.

<sup>b</sup> This amount shall be from collection receipts previously booked as cash.

**(D) Real Estate Services Program**

Coordination of Capital Construction, Controlled Maintenance Requests, and Building Lease Review	479,925	479,925 (7.0 FTE)	
	4,715,159		

**(6) DIVISION OF INFORMATION TECHNOLOGY**

**(A) Administration**

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Department of Personnel and Administration

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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Personal Services	358,422						
	(6.0 FTE)						
Operating Expenses	<u>6,450</u>						
	364,872					364,872(T) <sup>a</sup>	

<sup>a</sup> This amount shall be from user fees from other state agencies deposited in the Telecommunications Revolving Fund, pursuant to Section 24-30-908 (1) (a), C.R.S., and the Computer Services Revolving Fund, created in Section 24-30-1606 (2), C.R.S.

**(B) Customer Services**

Personal Services	829,429						
	(13.0 FTE)						
Operating Expenses	<u>14,625</u>						
	844,054					844,054(T) <sup>a</sup>	

<sup>a</sup> This amount shall be from user fees from other state agencies deposited in the Telecommunications Revolving Fund, pursuant to Section 24-30-908 (1) (a), C.R.S., and the Computer Services Revolving Fund, created in Section 24-30-1606 (2), C.R.S.

**(C) Order Billing**

Personal Services	594,460						
	(10.0 FTE)						
Operating Expenses	<u>10,750</u>						
	605,210					605,210(T) <sup>a</sup>	

<sup>a</sup> This amount shall be from user fees from other state agencies deposited in the Telecommunications Revolving Fund, pursuant to Section 24-30-908 (1) (a), C.R.S., and the Computer Services Revolving Fund, created in Section 24-30-1606 (2), C.R.S.

**(D) Communications Services**

Personal Services	3,261,450				
	(48.0 FTE)				
Operating Expenses	126,631				
Training	22,000				
Utilities	98,957				
Local Systems Development	71,531				
Indirect Cost Assessment	<u>363,451</u>				
	3,944,020	369,361	333,170(T) <sup>a</sup>	3,169,958 <sup>b</sup>	71,531 <sup>c</sup>

<sup>a</sup> Of this amount, \$206,679 shall be from the Division of Wildlife and \$126,491 shall be from other non-state agencies.

<sup>b</sup> Of this amount, \$2,382,673(T) shall be from user fees from other state agencies, \$721,134 shall be from the reserve balance of the Public Safety Communications Trust Fund pursuant to Section 24-30-908.5, C.R.S., and \$66,151(T) shall be from the Department of Public Health and Environment from unexpended moneys in the Emergency Medical Services Account within the Highway Users Tax Fund that are not distributed to counties pursuant to Section 25-3.5-603 (2), C.R.S.

<sup>c</sup> This amount reflects funds anticipated to be received from the National Oceanic and Atmospheric Administration and is only shown for informational purposes.

**(E) Network Services**

Personal Services	1,363,645				
	(18.0 FTE)				
Operating Expenses	16,085,022				
Telecommunications Audit Expense	250,000				
Toll-free Telephone Access to Members of the General Assembly	<u>25,000</u>				
	17,723,667		1,739,646 <sup>a</sup>	15,984,021 <sup>b</sup>	

<sup>a</sup> This amount shall be from user fees from non-state agencies deposited in the Telecommunications Revolving Fund, pursuant to Section 24-30-908 (1) (a), C.R.S. Of this amount, it is estimated that \$1,200,000 shall be from user fees from non-state agencies, \$377,878(T) from the Division of Wildlife, \$104,337(T) shall be from the Colorado State Lottery and \$57,431(T) shall be from Correctional Industries.

<sup>b</sup> This amount shall be from user fees from other state agencies deposited in the Telecommunications Revolving Fund, pursuant to Section 24-30-908 (1) (a), C.R.S. For informational purposes, of this amount, \$15,709,021(T) shall be from user fees transferred from other state agencies, \$250,000 shall be from refunds from the telecommunications audit, and \$25,000(T) shall be transferred from the Legislative Department.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT		
\$	\$	\$	\$	\$	\$	\$	\$
<b>(F) Computer Services</b>							
Personal Services	2,452,302						
	(41.8 FTE)						
Operating Expenses	6,628,083						
Rental, Lease, or Lease/Purchase of Central Processing Unit	336,034						
Indirect Cost Assessment	<u>701,326</u>						
	10,117,745			28,749 <sup>a</sup>		10,088,996(T) <sup>b</sup>	

<sup>a</sup> This amount shall be from user fees from non-state agencies deposited in the Computer Services Revolving Fund, pursuant to Section 24-30-1606 (2), C.R.S. Of this amount, it is estimated that \$19,851 shall be from various local governments and other sources of cash revenue and \$8,898(T) shall be transferred from the Colorado State Lottery.

<sup>b</sup> This amount shall be from user fees from other state agencies deposited in the Computer Services Revolving Fund, pursuant to Section 24-30-1606 (2), C.R.S.

**(G) Information and Archival Services**

Personal Services	450,851						
	(9.0 FTE)						
Operating Expenses	<u>56,794</u>						
	507,645	388,277		89,024 <sup>a</sup>		30,344(T) <sup>b</sup>	

<sup>a</sup> This amount shall be from user fees from non-state agencies.

<sup>b</sup> This amount shall be from user fees from state agencies.

**(H) Technology Management Unit**

Personal Services	2,586,165						
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	(39.5 FTE)		
Operating Expenses	<u>295,871</u>		
	2,882,036		2,882,036
		36,989,249	

**(7) ADMINISTRATIVE HEARINGS**

Personal Services	2,794,256		
	(39.0 FTE)		
Operating Expenses	348,000		
Indirect Cost Assessment	<u>240,866</u>		
		3,383,122	3,383,122 <sup>a</sup>

<sup>a</sup> Of this amount, \$3,183,122(T) shall be from user fees from state agencies and \$200,000 shall be from reserves of the internal service fund used for Administrative Law Judge Services.

**TOTALS PART XV**

**(PERSONNEL AND ADMINISTRATION)<sup>1,2</sup>**

<u>\$173,707,459</u>	<u>\$8,393,430</u>	<u>\$11,690,338<sup>a</sup></u>	<u>\$153,552,160<sup>a</sup></u>	<u>\$71,531</u>
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<sup>a</sup> Of these amounts, \$159,392,895 contains a (T) notation.

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

~~1 — All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

APPROPRIATION FROM

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

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

~~23 Governor - Lieutenant Governor - State Planning and Budgeting, Office of State Planning and Budgeting, and Department of Personnel and Administration, Division of Humans Resources -- The Department shall comply with the statutory provisions of Section 24-50-110 (1)(d), C.R.S., and is requested to provide other state departments with the information necessary to comply with this statute. The Office of State Planning and Budgeting and the Department of Personnel are requested to work with the departments to improve the timeliness and accuracy of information about state personnel. Improvements, at a minimum, should include: updating personnel information on a centralized computerized data base, accurate reporting of filled FTE positions, number of reclassifications that are approved, turnover rates by agency, tracking of FTE positions funded to FTE positions filled; an accurate count of part-time and temporary FTE positions; and elimination of unused FTE positions. The Department and the Office of State Planning and Budgeting are requested to submit a consolidated statewide personnel report to the General Assembly by September 1, 2004. This report should include, by line item and Department, a summary of vacant positions, the length of time each position has been vacant, and the number of reclassifications that were approved in FY 2003-04.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

46 Department of Health Care Policy and Financing, Department of Human Services Medicaid-Funded Programs, Office of Information Technology Services-Medicaid Funding, Colorado Benefits Management System; Department of Human Services, Office of Information Technology Services, Colorado Benefits Management System; Department of Personnel and Administration, Central Services, Document Solutions Group -- It is the intent of the General Assembly that the Department of Health Care Policy and Financing and the Department of Human Services be allowed to "roll-forward" a total of \$2,453,201 in spending authority related to Personal Responsibility and Work Opportunity Reconciliation Act moneys from FY 2003-04 to be used in FY 2004-05. It is the intent of the General Assembly that these moneys be used to pay the Department of

Personnel and Administration for costs incurred with Colorado Benefits Management System data conversion.

~~105 Department of Personnel and Administration, Executive Office -- The Department of Personnel and Administration is requested to provide a full summary of all funding sources identified in the General Appropriations Act for FY 2004-05. Such information should include any cash fund specifically identified by a statutory citation through letternotes and any internal service fund specifically identified without specific statutory citation through letternotes. This information is requested in the form of the Schedule 11.A and should be submitted with the FY 2005-06 budget request on November 1, 2004.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

**PART XVI  
DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

**(1) ADMINISTRATION AND SUPPORT<sup>106, 107</sup>**

**(A) Administration**

Personal Services	3,867,886		104,365 <sup>a</sup>	3,694,302 <sup>b</sup>	69,219
	(58.5 FTE)				
Retirements	382,500			382,500 <sup>b</sup>	
Health, Life, and Dental	2,546,354	114,724	615,355 <sup>c</sup>	455,532 <sup>d</sup>	1,360,743
Short-term Disability	100,538	5,530	26,059 <sup>c</sup>	20,530 <sup>d</sup>	48,419
Salary Survey and Senior Executive Service	1,428,007	77,292	371,199 <sup>c</sup>	290,252 <sup>d</sup>	689,264
Performance-based Pay Awards	819,569	45,074	212,390 <sup>c</sup>	167,429 <sup>d</sup>	394,676
Shift Differential	11,543				11,543
Workers' Compensation	288,452			288,452 <sup>b</sup>	
Operating Expenses	1,218,392			1,143,392 <sup>b</sup>	75,000
Legal Services for 21,047 hours	1,295,864		82,351 <sup>c</sup>	1,137,832 <sup>b</sup>	75,681

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Administrative Law Judge Services	20,354				20,354 <sup>b</sup>	
Payment to Risk Management and Property Funds	96,294			5,000 <sup>a</sup>	91,294 <sup>b</sup>	
Vehicle Lease Payments	337,537			143,453 <sup>c</sup>	111,050 <sup>e</sup>	83,034
Leased Space	4,765,020				4,751,880 <sup>f</sup>	13,140
Capitol Complex Leased Space	25,683				25,683 <sup>b</sup>	
Communications Services Payments	2,961				2,961 <sup>b</sup>	
Utilities	451,776			13,154 <sup>e</sup>	316,446 <sup>g</sup>	122,176
Building Maintenance and Repair	271,056				271,056 <sup>b</sup>	
Reimbursement for Members of the State Board of Health	3,840	3,840				
	<u>17,933,626</u>					

<sup>a</sup> These amounts shall be from the Stationary Sources Control Fund pursuant to Section 25-7-114.7 (2) (b) (I), C.R.S.

<sup>b</sup> Of these amounts, \$6,835,372(T) shall be from indirect cost recoveries, \$162,500 shall be from private grants and donations, \$28,000 shall be from other state agencies with tobacco settlement programs pursuant to Section 25-1-108.5 (5), C.R.S., \$26,954(T) shall be from Medicaid funds appropriated in the Department of Health Care Policy and Financing, and \$5,000 shall be from the Automobile Inspection and Readjustment Account of the Highway Users Tax Fund pursuant to Section 42-3-134 (26) (a) (I), C.R.S.

<sup>c</sup> These amounts shall be from various sources of cash funds.

<sup>d</sup> This amount shall be from various exempt sources of cash funds.

<sup>e</sup> Of this amount, \$107,550 shall be from various exempt sources of cash funds and \$3,500(T) shall be from indirect cost recoveries.

<sup>f</sup> Of this amount, \$4,551,857(T) shall be from indirect cost recoveries and \$200,023 shall be from the Automobile Inspection and Readjustment Account of the Highway Users Tax Fund pursuant to Section 42-3-134 (26) (a) (I), C.R.S.

<sup>g</sup> Of this amount, \$254,485(T) shall be from indirect cost recoveries and \$61,961 shall be from various exempt sources of cash funds.

**(B) Special Programs**

(1) Environmental Leadership and

Pollution Prevention	879,035	124,912 <sup>a</sup>	49,264 <sup>b</sup>	704,859
	(7.0 FTE)			

<sup>a</sup> This amount shall be from the Pollution Prevention Fund pursuant to Section 25-16.5-109 (1), C.R.S.

<sup>b</sup> This amount shall be from various exempt sources of cash funds.

(2) Indirect Cost Assessment	<u>204,142</u>	51,423 <sup>a</sup>	61,144 <sup>b</sup>	91,575
	1,083,177			

<sup>a</sup> This amount shall be from various sources of cash funds.

<sup>b</sup> This amount shall be from various exempt sources of cash funds.

19,016,803

**(2) CENTER FOR HEALTH AND ENVIRONMENTAL INFORMATION**

**(A) Health Statistics and Vital Records**

Personal Services	2,305,802			
	(47.1 FTE)			
Operating Expenses	115,875			
Indirect Cost Assessment	<u>581,418</u>			
	3,003,095	1,750,955 <sup>a</sup>	191,467 <sup>b</sup>	1,060,673

<sup>a</sup> This amount shall be from the Vital Statistics Records Cash Fund pursuant to Section 25-2-121 (2) (b) (I), C.R.S.

<sup>b</sup> Of this amount, \$48,224 shall be from the Medical Marijuana Program Cash Fund established pursuant to Section 25-1-106 (2) C.R.S., \$3,550(T) shall be from Medicaid funds appropriated in the Department of Health Care Policy and Financing, and \$139,693 shall be from various sources of cash funds exempt.

**(B) Information Technology Services**

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Personal Services	2,023,336				165,318 <sup>a</sup> (0.6 FTE)	1,548,600 <sup>b</sup> (20.9 FTE)	309,418 <sup>c</sup> (9.0 FTE)
Operating Expenses	772,875				101,677 <sup>a</sup>	661,219 <sup>b</sup>	9,979 <sup>c</sup>
Purchase of Services from Computer Center	238,146				38,529 <sup>a</sup>	166,923 <sup>b</sup>	32,694 <sup>c</sup>
Multiuse Network Payments	241,498					241,498 <sup>b</sup>	
Indirect Cost Assessment	<u>140,354</u>				49,853 <sup>a</sup>	17,373 <sup>b</sup>	73,128 <sup>c</sup>
	3,416,209						

<sup>a</sup> These amounts shall be from various sources of cash funds.

<sup>b</sup> Of these amounts, \$2,524,154(T) shall be from indirect cost recoveries, \$96,314 shall be from various exempt sources of cash funds, and \$15,145(T) shall be from Medicaid cash funds exempt transferred from the Department of Health Care Policy and Financing.

<sup>c</sup> These amounts are funds anticipated to be received from various sources of federal funds and are reflected for informational purposes only.

6,419,304

**(3) LABORATORY SERVICES**

**(A) Director's Office**

Personal Services	646,279 (10.0 FTE)				503,370 <sup>a</sup>	38,796 <sup>b</sup>	104,113
Operating Expenses	30,597				22,421 <sup>a</sup>		8,176
Indirect Cost Assessment	<u>1,233,693</u>				1,012,905 <sup>a</sup>	20,951 <sup>b</sup>	199,837
	1,910,569						

<sup>a</sup> Of these amounts, \$200,000 shall be from the Newborn Screening and Genetic Counseling Cash Fund pursuant to Section 25-4-1006 (1), C.R.S., \$50,529 shall be from the Law Enforcement Assistance Fund pursuant to Section 43-4-401, C.R.S., and \$ 1,288,167 shall be from various sources of cash funds.

<sup>b</sup> These amounts shall be from various exempt sources of cash funds.

**(B) Laboratory Services - Chemistry and Microbiology**

Personal Services	3,163,829 (54.6 FTE)	151,062	2,007,027 <sup>a</sup>	206,716 <sup>b</sup>	799,024
Operating Expenses	<u>1,955,407</u>	10,389	1,428,935 <sup>a</sup>	307,078 <sup>b</sup>	209,005
	5,119,236				

<sup>a</sup> Of these amounts, \$1,732,789 shall be from various sources of cash funds, \$1,666,812 shall be from the Newborn Screening and Genetic Counseling Cash Fund pursuant to Section 25-4-1006 (1), C.R.S., and \$36,361 shall be from the Law Enforcement Assistance Fund pursuant to Section 43-4-401, C.R.S.

<sup>b</sup> Of these amounts, \$224,744(T) shall be from funds transferred from the Water Quality Control Division, \$259,741 shall be from various exempt sources of cash funds, and \$29,309 shall be from the Automobile Inspection and Readjustment Account in the Highway Users Tax Fund pursuant to Section 42-3-134 (26 )(a) (I), C.R.S.

**(C) Certification**

Personal Services	630,033 (10.3 FTE)		443,294 <sup>a</sup>		186,739
Operating Expenses	<u>89,602</u>		60,199 <sup>a</sup>		29,403
	719,635				

<sup>a</sup> Of these amounts, \$422,893 shall be from the Law Enforcement Assistance Fund pursuant to Section 43-4-401, C.R.S., and \$80,600 from various sources of cash funds.

7,749,440

**(4) LOCAL HEALTH SERVICES**

**(A) Local Liaison**

Public Health Nurses in areas not served by local health departments	962,731	962,731			
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Environmental Health Specialists in areas not served by local health departments	241,480	241,480				
	1,204,211					
<b>(B) Community Nursing</b>						
Personal Services	425,681	220,418(M)				205,263
	(5.4 FTE)					
Operating Expenses	16,705	16,705				
Indirect Cost Assessment	40,317					40,317
	482,703					
	1,686,914					
<b>(5) AIR QUALITY CONTROL DIVISION</b>						
<b>(A) Administration</b>						
Personal Services	318,120			118,009 <sup>a</sup>	125,788 <sup>b</sup>	74,323 <sup>c</sup>
				(1.6 FTE)	(1.5 FTE)	(1.4 FTE)
Operating Expenses	9,187					9,187 <sup>c</sup>
Indirect Cost Assessment	2,301,653			1,046,550 <sup>d</sup>	790,532 <sup>b</sup>	464,571 <sup>c</sup>
	2,628,960					

<sup>a</sup> This amount shall be from the Stationary Sources Control Fund pursuant to Section 25-7-114.7 (2) (b) (I), C.R.S.

<sup>b</sup> These amounts shall be from the Automobile Inspection and Readjustment Account of the Highway Users Tax Fund pursuant to Section 42-3-134 (26) (a) (I), C.R.S.

<sup>c</sup> These amounts are funds anticipated to be received from the U.S. Environmental Protection Agency and are reflected for informational purposes only.

<sup>d</sup> This amount shall be from various sources of cash funds.

**(B) Technical Services**

(1) Air Quality Monitoring

Personal Services	1,299,536	56,817 <sup>a</sup> (1.8 FTE)	943,640(H) <sup>b</sup> (12.8 FTE)	299,079 <sup>c</sup> (5.1 FTE)
Operating Expenses	112,815		96,458(H) <sup>b</sup>	16,357 <sup>c</sup>
Local Contracts	<u>117,042</u>	10,843 <sup>a</sup>	73,246(H) <sup>b</sup>	32,953 <sup>c</sup>
	1,529,393			

<sup>a</sup> These amounts shall be from the Stationary Sources Control Fund pursuant to Section 25-7-114.7 (2) (b), C.R.S.

<sup>b</sup> These amounts shall be from the Automobile Inspection and Readjustment Account of the Highway Users Tax Fund pursuant to Section 42-3-134 (26) (a) (I), C.R.S.

<sup>c</sup> These amounts shall be from the U.S. Environmental Protection Agency.

(2) Modeling and Analysis

Personal Services	589,736	77,229 <sup>a</sup> (1.4 FTE)	180,177 <sup>b</sup> (2.4 FTE)	332,330 <sup>c</sup> (4.7 FTE)
Operating Expenses	<u>155,207</u>	12,759 <sup>a</sup>	122,256 <sup>b</sup>	20,192 <sup>c</sup>
	744,943			

<sup>a</sup> These amounts shall be from the Stationary Sources Control Fund pursuant to Section 25-7-114.7 (2) (b), C.R.S.

<sup>b</sup> These amounts shall be from the Automobile Inspection and Readjustment Account of the Highway Users Tax Fund pursuant to Section 42-3-134 (26) (a) (I), C.R.S.

<sup>c</sup> These amounts are funds anticipated to be received from the U.S. Environmental Protection Agency and are reflected for informational purposes only.

(3) Visibility and Risk Assessment

Personal Services	404,056	236,192 <sup>a</sup> (2.8 FTE)	73,703 <sup>b</sup> (1.0 FTE)	94,161 <sup>c</sup> (1.6 FTE)
Operating Expenses	<u>30,420</u>			30,420 <sup>c</sup>
	434,476			

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

<sup>a</sup> This amount shall be from the Stationary Sources Control Fund pursuant to Section 25-7-114.7 (2) (b), C.R.S.

<sup>b</sup> This amount shall be from the Automobile Inspection and Readjustment Account of the Highway Users Tax Fund pursuant to Section 42-3-134 (26) (a) (I), C.R.S.

<sup>c</sup> These amounts are funds anticipated to be received from the U.S. Environmental Protection Agency and are reflected for informational purposes only.

**(C) Mobile Sources**

(1) Research and Support

Personal Services	1,495,784				1,295,017(H) <sup>a</sup> (18.4 FTE)	200,767 <sup>b</sup> (2.9 FTE)
Operating Expenses	<u>306,377</u>				288,127(H) <sup>a</sup>	18,250 <sup>b</sup>
	1,802,161					

<sup>a</sup> These amounts shall be from the Automobile Inspection and Readjustment Account of the Highway Users Tax Fund pursuant to Section 42-3-134 (26) (a) (I), C.R.S.

<sup>b</sup> These amounts shall be from the U.S. Environmental Protection Agency.

(2) Inspection and Maintenance

Personal Services	680,786				680,786 <sup>a</sup> (9.8 FTE)	
Operating Expenses	36,638				36,638 <sup>a</sup>	
Diesel Inspection/ Maintenance Program	623,776			175,710 <sup>b</sup> (2.0 FTE)	448,066 <sup>a</sup> (5.0 FTE)	
Mechanic Certification Program	7,000			7,000 <sup>b</sup> (0.1 FTE)		
Local Grants	<u>45,299</u>				45,299 <sup>a</sup>	

1,393,499

<sup>a</sup> These amounts shall be from the Automobile Inspection and Readjustment Account of the Highway Users Tax Fund pursuant to Section 42-3-134 (26) (a) (I), C.R.S.

<sup>b</sup> These amounts shall be from diesel inspection and mechanic certification fees.

**(D) Stationary Sources**

(1) Inventory and Support Services

Personal Services	1,449,942	883,653(H) <sup>a</sup>	566,289 <sup>b</sup>
		(11.4 FTE)	(8.9 FTE)
Operating Expenses	<u>253,481</u>	253,481 <sup>a</sup>	
	1,703,423		

<sup>a</sup> These amounts shall be from the Stationary Sources Control Fund pursuant to Section 25-7-114.7 (2) (b), C.R.S.

<sup>b</sup> This amount shall be from the U.S. Environmental Protection Agency.

(2) Permits and Compliance Assurance

Personal Services	2,756,716	2,065,789 <sup>a</sup>	99,442 <sup>b</sup>	591,485
		(30.5 FTE)		(8.6 FTE)
Operating Expenses	38,092	31,762 <sup>a</sup>		6,330
Local Contracts	<u>563,492</u>	319,114 <sup>a</sup>		244,378
	3,358,300			

<sup>a</sup> These amounts shall be from the Stationary Sources Control Fund pursuant to Section 25-7-114.7 (2) (b), C.R.S.

<sup>b</sup> This amount shall be from reserves in the Stationary Sources Control Fund pursuant to Section 25-7-114.7 (2) (b), C.R.S.

(3) Hazardous and Toxic Control

Personal Services	780,269	631,558 <sup>a</sup>		148,711
		(9.8 FTE)		(2.2 FTE)
Operating Expenses	63,763	63,763 <sup>a</sup>		
Preservation of the Ozone Layer	195,372	133,814 <sup>b</sup>	61,558 <sup>c</sup>	

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
				(2.0 FTE)		
<u>1,039,404</u>						

<sup>a</sup> Of these amounts, \$650,402 shall be from the Stationary Sources Control Fund pursuant to Section 25-7-114.7 (2) (b), C.R.S., and \$44,919 shall be from the Lead Hazard Reduction Cash Fund pursuant to Section 25-5-1106 (2), C.R.S.

<sup>b</sup> This amount shall be from the Ozone Protection Fund pursuant to Section 25-7-135 (1), C.R.S.

<sup>c</sup> Of this amount, \$33,370 shall be from reserves in the Stationary Sources Control Fund pursuant to Section 25-7-114.7 (2) (b), C.R.S., and \$28,188 shall be from reserves in the Automobile Inspection and Readjustment Account of the Highway Users Tax Fund pursuant to Section 42-3-134 (26) (a) (I), C.R.S.

14,634,559

**(6) WATER QUALITY CONTROL DIVISION**

**(A) Administration**

Personal Services	643,311		510,602 <sup>a</sup> (10.5 FTE)		132,709 <sup>b</sup> (1.5 FTE)
Operating Expenses	38,246		20,996 <sup>a</sup>		17,250 <sup>b</sup>
Indirect Cost Assessment	<u>1,719,171</u>		791,985 <sup>c</sup>	41,189 <sup>d</sup>	885,997 <sup>b</sup>
	2,400,728				

<sup>a</sup> These amounts shall be from the Water Quality Control Fund pursuant to Section 25-8-502 (1) (c), C.R.S.

<sup>b</sup> These amounts shall be from the U.S. Environmental Protection Agency.

<sup>c</sup> This amount shall be from various sources of cash funds.

<sup>d</sup> This amount shall be from cash funds exempt revenues that result from Amendment 14, concerning the regulation of commercial hog facilities, which was approved by voters statewide at the 1998 general election.

**(B) Watershed Assessment, Outreach, and Assistance**

Personal Services	2,580,943	503,863 <sup>a</sup>	109,989(T) <sup>b</sup>	1,967,091 <sup>c</sup>
		(7.5 FTE)	(2.3 FTE)	(26.5 FTE)
Operating Expenses	474,761	374,207 <sup>a</sup>	1,675(T) <sup>b</sup>	98,879 <sup>c</sup>
Local Grants and Contracts	<u>2,136,456</u>			2,136,456 <sup>c</sup>
	5,192,160			

<sup>a</sup> This amount shall be from the Water Quality Control Fund pursuant to Section 25-8-502 (1) (c), C.R.S.

<sup>b</sup> These amounts shall be from the Groundwater Protection Fund, pursuant to Section 25-8-205.5 (8), C.R.S., transferred from the Department of Agriculture.

<sup>c</sup> These amounts shall be from the U.S. Environmental Protection Agency.

**(C) Permitting and Compliance Assurance**

Personal Services	2,685,834	2,089,676 <sup>a</sup>	158,692 <sup>b</sup>	437,466 <sup>c</sup>
		(30.5 FTE)	(2.0 FTE)	(4.7 FTE)
Operating Expenses	<u>178,830</u>	144,855 <sup>a</sup>	10,727 <sup>b</sup>	23,248 <sup>c</sup>
	2,864,664			

<sup>a</sup> Of these amounts, \$1,902,991 shall be from the Water Quality Control Fund pursuant to Section 25-8-502 (1) (c), C.R.S., \$179,134 shall be from the Sludge Management Program Fund pursuant to Section 30-20-110.5 (3), C.R.S., and \$152,406 shall be fees collected by the Industrial Pretreatment Program pursuant to Section 25-8-508, C.R.S.

<sup>b</sup> These amounts shall be from cash funds exempt revenues that result from Amendment 14, concerning the regulation of commercial hog facilities, which was approved by voters statewide at the 1998 general election.

<sup>c</sup> These amounts shall be from the U.S. Environmental Protection Agency and are shown for informational purposes only.

**(D) Drinking Water Program**

Personal Services	1,853,655	467,194 <sup>a</sup>		1,386,461 <sup>b</sup>
		(8.6 FTE)		(19.8 FTE)
Operating Expenses	<u>147,900</u>	31,891 <sup>a</sup>		116,009 <sup>b</sup>
	2,001,555			

## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	12,459,107					
<b>(7) HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION</b>						
<b>(A) Administration</b>						
Program Costs	286,898			200,302 <sup>a</sup> (3.1 FTE)	66,241 <sup>b</sup>	20,355 <sup>c</sup> (0.3 FTE)
Legal Services for 6,145 hours	378,348			221,037 <sup>a</sup>	1,847 <sup>d</sup>	155,464 <sup>e</sup>
Cathode Ray Tube Recycling	34,247				34,247 <sup>e</sup>	
Indirect Cost Assessment	<u>2,401,988</u>			961,072 <sup>a</sup>	40,916 <sup>d</sup>	1,400,000 <sup>e</sup>
	3,101,481					

<sup>a</sup> Of these amounts, \$682,316 shall be from various sources of cash funds, \$300,000 shall be from the Radiation Control Fund pursuant to Section 25-11-104 (6) (c), C.R.S., \$186,178 shall be from the Solid Waste Management Fund pursuant to Section 30-20-118(1), C.R.S., \$113,282 shall be from the Hazardous Waste Commission Fund pursuant to Section 25-15-315, C.R.S., \$60,495 shall be from the Hazardous Substance Response Fund pursuant to Section 25-16-104.6 (1) (a), C.R.S., and \$40,140 shall be from the Hazardous Waste Service Fund pursuant to Section 25-15-304, C.R.S.

<sup>b</sup> This amount shall be from reserves in the Hazardous Waste Commission Fund pursuant to Section 25-15-315, C.R.S.

<sup>c</sup> These amounts shall be from the various sources of federal funds and are reflected for informational purposes only.

<sup>d</sup> Of these amounts, \$42,220(T) shall be from the Local Government Severance Tax Fund, created pursuant to Section 39-29-110 (1) (b) (I), C.R.S., transferred from the Department of Local Affairs, and \$543 shall be from gifts, grants, and public or private donations.

<sup>e</sup> This amount shall be from gifts, grants, and public or private donations.

**(B) Hazardous Waste Control Program**

Personal Services	2,556,734	1,295,935 <sup>a</sup>	1,260,799 <sup>b</sup>
		(17.6 FTE)	(17.4 FTE)
Operating Expenses	<u>83,214</u>	44,273 <sup>a</sup>	38,941 <sup>b</sup>
	2,639,948		

<sup>a</sup> These amounts shall be from the Hazardous Waste Service Fund pursuant to Section 25-15-304, C.R.S.

<sup>b</sup> These amounts are anticipated to be received from the U.S. Environmental Protection Agency, the U.S. Department of Defense, and the Agency for Toxic Substances and Disease Registry. The appropriated amounts are reflected for informational purposes only.

**(C) Solid Waste Control Program**

Program Costs	1,565,761	1,491,770 <sup>a</sup>	51,152(T) <sup>b</sup>	22,839 <sup>c</sup>
		(12.4 FTE)	(0.7 FTE)	(0.3 FTE)

<sup>a</sup> Of this amount, \$1,348,380 shall be from the Solid Waste Management Fund pursuant to Section 30-20-118 (1), C.R.S., and \$143,390 shall be from the Hazardous Substance Response Fund pursuant to Section 25-16-104.6 (1) (a), C.R.S.

<sup>b</sup> This amount shall be transferred from the Colorado Department of Transportation.

<sup>c</sup> This amount shall be from various sources of federal funds and is reflected for informational purposes only.

**(D) Uranium Mill Tailings Remedial Action Program**

Program Costs	227,373		182,015(T) <sup>a</sup>	45,358 <sup>b</sup>
			(2.6 FTE)	(0.5 FTE)

<sup>a</sup> This amount shall be from the Local Government Severance Tax Fund, created pursuant to Section 39-29-110 (1) (b) (I), C.R.S., transferred from the Department of Local Affairs.

<sup>b</sup> This amount shall be from the U.S. Department of Energy, and is shown for information purposes only.

**(E) Contaminated Site Cleanups<sup>108</sup>**

Personal Services	4,884,263	994,021 <sup>a</sup>	3,890,242 <sup>b</sup>
		(13.0 FTE)	(29.2 FTE)
Operating Expenses	240,141	48,082 <sup>a</sup>	192,059 <sup>b</sup>

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Contaminated Sites Operation and Maintenance	2,088,864			260,186(H) <sup>a</sup>		1,828,678 <sup>b</sup>
Transfer to the Department of Law for CERCLA Contract Oversight- Related Costs	<u>868,000</u>			868,000 <sup>a</sup>		
	8,081,268					

<sup>a</sup> Of these amounts, \$2,164,289 shall be from the Hazardous Substance Response Fund pursuant to Section 25-16-104.6 (1) (a), C.R.S., and \$6,000 shall be from Colorado Open Records Act fees collected.

<sup>b</sup> These amounts shall be from the U.S. Environmental Protection Agency and the U.S. Department of Defense.

**(F) Rocky Flats Agreement**

Program Costs	1,983,321					1,983,321 (22.1 FTE)
Legal Services for 400 hours	<u>24,628</u>					24,628
	2,007,949					

**(G) Radiation Management**

Personal Services	1,572,836			1,368,364 <sup>a</sup> (18.2 FTE)	23,866 <sup>b</sup>	180,606 (2.3 FTE)
Operating Expenses	<u>219,755</u>			62,269 <sup>a</sup>		157,486
	1,792,591					

<sup>a</sup> These amounts shall be from the Radiation Control Fund pursuant to Section 25-11-104 (6) (c), Colorado Revised Statutes.

<sup>b</sup> This amount shall be from reserves in the Radiation Control Fund pursuant to Section 25-11-104 (6) (c), Colorado Revised Statutes.

19,416,371

**(8) CONSUMER PROTECTION**

Personal Services	1,848,791	939,806 (15.8 FTE)	590,156 <sup>a</sup> (7.5 FTE)	134,803 <sup>b</sup> (2.0 FTE)	184,026 (1.4 FTE)
Operating Expenses	96,244	17,121	51,311 <sup>a</sup>	6,165 <sup>b</sup>	21,647
Indirect Cost Assessment	<u>177,151</u>		145,333 <sup>a</sup>	11,717 <sup>b</sup>	20,101
		2,122,186			

<sup>a</sup> Of these amounts, \$520,944 shall be from the Food Protection Cash Fund established pursuant to Section 25-4-1608 (1), C.R.S., \$196,888 shall be from the Wholesale Food Manufacturing and Storage Protection Cash Fund pursuant to Section 25-5-426 (5), C.R.S., \$58,968 shall be from the Artificial Tanning Device Education Fund pursuant to Section 25-5-1004 (3), C.R.S., and \$10,000 shall be from various sources of cash funds.

<sup>b</sup> Of these amounts, \$75,709(T) shall be from the Department of Corrections, \$66,986 shall be from reserves in the Food Protection Cash Fund established pursuant to Section 25-4-1608 (1), C.R.S., and \$9,990(T) shall be from the Department of Human Services.

**(9) DISEASE CONTROL AND ENVIRONMENTAL EPIDEMIOLOGY DIVISION**

**(A) Administration, General Disease Control and Surveillance**

Personal Services	858,927	367,330 (8.1 FTE)		7,898 <sup>a</sup>	483,699 (6.4 FTE)
Operating Expenses	368,608	249,347	6,441 <sup>b</sup>		112,820
Indirect Cost Assessment	<u>1,936,873</u>			13,449(T) <sup>a</sup>	1,923,424
	3,164,408				

<sup>a</sup> These amounts shall be from various exempt sources of cash funds.

<sup>b</sup> This amount shall be from the sale of rabies vaccines.

**(B) Special Purpose Disease Control Programs**

(1) Immunization

Personal Services	1,214,348	83,528			1,130,820
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT		
\$	\$	\$	\$	\$	\$	\$	
			(1.0 FTE)				(19.0 FTE)
Operating Expenses	<u>7,910,033</u>	413,600					7,496,433
	9,124,381						
(2) Sexually Transmitted Disease, HIV and AIDS							
Personal Services	3,294,275						3,294,275
							(54.6 FTE)
Operating Expenses	<u>4,109,589</u>						4,109,589
	7,403,864						
(3) Ryan White Act <sup>109</sup>							
Personal Services	307,932	24,620					283,312
		(0.4 FTE)					(3.6 FTE)
Operating Expenses	<u>7,669,068</u>	1,307,785					6,361,283
	7,977,000						
(4) Tuberculosis Control and Treatment <sup>110</sup>							
Personal Services	422,788	61,773			94,463(T) <sup>a</sup>		266,552
		(1.2 FTE)			(1.7 FTE)		(3.9 FTE)
Operating Expenses	<u>1,211,242</u>	919,962			207,520(T) <sup>a</sup>		83,760
	1,634,030						

<sup>a</sup> These amounts shall be from federal funds appropriated in the Department of Human Services.

**(C) Environmental Epidemiology**

(1) Birth Defects Monitoring and Prevention

Personal Services	256,720	99,800 (1.7 FTE)	156,920 (2.6 FTE)
Operating Expenses	<u>34,242</u>		34,242
	290,962		

(2) Federal Grants	1,600,000		1,600,000 (15.5 FTE)
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**(D) Emergency Management**

Personal Services	418,299	80,827(T) <sup>a</sup> (1.4 FTE)	337,472 (4.8 FTE)
Operating Expenses	<u>64,533</u>		64,533
	482,832		

<sup>a</sup> This amount shall be a transfer from the Environmental Leadership and Pollution Prevention Program.

(E) New Federal Grants	10,719,876		10,719,876 (42.3 FTE)
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42,397,353

**(10) PREVENTION SERVICES DIVISION**

**(A) Prevention Programs**

(1) Programs and Administration

Personal Services	939,832	112,311 (2.0 FTE)	827,521 (11.7 FTE)
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Department of Public Health and Environment

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 APPROPRIATION FROM
 

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	664,853						664,853
Indirect Cost Assessment	<u>1,056,959</u>					63,460 <sup>a</sup>	993,499
	2,661,644						
<sup>a</sup> This amount shall be from various exempt sources of cash funds.							
(2) Cancer Registry							
Personal Services	538,843		172,303				366,540
			(2.0 FTE)				(8.0 FTE)
Operating Expenses	<u>62,689</u>		29,848				32,841
	601,532						
(3) Chronic Disease and Cancer Prevention Grants <sup>111</sup>	5,187,163						5,187,163 (33.8 FTE)
(4) Suicide Prevention	272,608		272,608				
			(2.0 FTE)				
(5) Tobacco Education and Prevention							
Personal Services	611,834					611,834 <sup>a</sup>	
						(3.0 FTE)	
Operating Expenses	44,998					44,998 <sup>a</sup>	
Tobacco Program Fund	13,099,471					13,099,471 <sup>b</sup>	

Tobacco Cessation and Prevention Grants	12,442,639		12,442,639 <sup>a</sup>
American Legacy Foundation Tobacco Grant	676,135		676,135 <sup>c</sup>
	<u>26,875,077</u>		(4.5 FTE)

<sup>a</sup> These amounts shall be from the Tobacco Program Fund created in Section 25-3.5-807, C.R.S.

<sup>b</sup> This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104 (1) (d), C.R.S.

<sup>c</sup> This amount shall be from the American Legacy Foundation.

**(B) Women's Health - Family Planning<sup>112</sup>**

Personal Services	429,679	412,921 (6.4 FTE)	16,758(T) <sup>a</sup> (0.3 FTE)	
Operating Expenses	3,355	3,355		
Purchase of Services	3,420,990	1,194,235	65,291(T) <sup>a</sup>	2,161,464
Federal Grants	34,881			34,881
	<u>3,888,905</u>			(0.6 FTE)

<sup>a</sup> These amounts shall be from Medicaid funds appropriated in the Department of Health Care Policy and Financing.

**(C) Rural - Primary Care**

State Dental Loan Repayment Fund	199,730		199,730 <sup>a</sup>	
Dental Programs	799,342	535,909 (0.8 FTE)	199,730 <sup>b</sup> (0.2 FTE)	63,703 (1.0 FTE)
Federal Grants	318,697			318,697 (2.5 FTE)
	<u>1,317,769</u>			

## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Personal Services	211,493	211,493				
		(3.2 FTE)				
Operating Expenses	16,769	16,769				
Indirect Cost Assessment	43,078			33,636 <sup>a</sup>	8,332 <sup>b</sup>	1,110
	<u>271,340</u>					

<sup>a</sup> This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104 (1) (b.5), C.R.S.

<sup>b</sup> This amount shall be from the State Dental Loan Repayment Fund created in Section 25-23-104 (1), C.R.S.

**(D) Prevention Partnerships****(1) Interagency Prevention Programs Coordination**

Personal Services	211,493	211,493				
		(3.2 FTE)				
Operating Expenses	16,769	16,769				
Indirect Cost Assessment	43,078			33,636 <sup>a</sup>	8,332 <sup>b</sup>	1,110
	<u>271,340</u>					

<sup>a</sup> This amount shall be from various sources of cash funds.

<sup>b</sup> This amount shall be from various exempt sources of cash funds.

**(2) Tony Grampsas Youth Services Program**

Prevention Services Programs <sup>113</sup>	2,348,545			2,348,545 <sup>a</sup>		
				(1.0 FTE)		

<sup>a</sup> This amount shall be from the unexpended and unencumbered fund balance in the Tobacco Litigation Settlement Cash Fund pursuant to Section 24-22-155 (1), C.R.S.

**(3) Colorado Children's Trust Fund**

Personal Services	111,032			111,032 <sup>a</sup>		
				(1.5 FTE)		
Operating Expenses	448,445			110,445 <sup>a</sup>	238,000 <sup>b</sup>	100,000
	<u>559,477</u>					

<sup>a</sup> These amounts shall be from the Colorado Children's Trust Fund pursuant to Section 19-3.5-106 (1), C.R.S.

<sup>b</sup> This amount shall be from the reserves in the Colorado Children's Trust Fund pursuant to Section 19-3.5-106 (1), C.R.S.

**(E) Family and Community Health**

(1) Maternal and Child Health	4,472,900		4,472,900
			(17.4 FTE)
Indirect Cost Assessment	<u>1,238,361</u>	33,308 <sup>a</sup>	1,205,053
	5,711,261		

<sup>a</sup> This amount shall be from the Newborn Screening and Genetic Counseling Cash Fund pursuant to Section 25-4-1006 (1), C.R.S.

(2) Child, Adolescent, and School Health

Nurse Home Visitor Program Fund	8,914,673	8,914,673 <sup>a</sup>	
Nurse Home Visitor Program	8,914,673	8,914,673 <sup>b</sup>	
		(2.0 FTE)	
Federal Grants	876,682		876,682
	<u>18,706,028</u>		(3.6 FTE)

<sup>a</sup> This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104 (1) (a), C.R.S.

<sup>b</sup> This amount shall be from the Nurse Home Visitor Program Fund created in Section 25-31-107 (2) (b), C.R.S.

(3) Children With Special Needs

(a) Health Care Program for Children with Special Needs

Personal Services	1,196,934	608,622(M)	588,312 <sup>a</sup>
		(12.1 FTE)	(7.4 FTE)
Operating Expenses	100,577	87,577(M)	13,000 <sup>a</sup>
Community-based Case Management	204,529		204,529 <sup>a</sup>
Traumatic Brain Injury Services	139,325	139,325(T) <sup>b</sup>	

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## APPROPRIATION FROM

	ITEM & SUBTOTAL		TOTAL	APPROPRIATION FROM				
	\$	\$		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
Purchase of Services	<u>3,400,221</u>			1,856,473(M)		40,874 <sup>c</sup>		1,502,874 <sup>a</sup>
	5,041,586							

<sup>a</sup> These amounts shall be from the Maternal and Child Health Block Grant and are shown for informational purposes only.

<sup>b</sup> This amount shall be from funds appropriated in the Department of Human Services.

<sup>c</sup> This amount shall be from client fees.

## (b) Genetics Counseling

Personal Services	47,121				47,121 <sup>a</sup>			
					(1.0 FTE)			
Operating Expenses	<u>939,187</u>				939,187 <sup>a</sup>			
	986,308							

<sup>a</sup> These amounts shall be from the Newborn Screening and Genetic Counseling Cash Funds pursuant to Section 25-4-1006 (1), C.R.S.

(4) Department of Education Grant	70,836					70,836(T) <sup>a</sup>		
						(0.4 FTE)		

<sup>a</sup> This amount shall be from federal funds appropriated in the Department of Education.

(5) Federal Grants	681,405						681,405	
							(4.6 FTE)	

## (F) Nutrition Services

Women, Infants, and Children Supplemental Food Grant	52,696,976			52,696,976
				(20.6 FTE)
Child and Adult Care Food Program	24,041,304			24,041,304
	<u>76,738,280</u>			(12.8 FTE)
<b>(G) New Federal Grants</b>	2,397,163			2,397,163
				(5.3 FTE)

154,316,927

**(11) HEALTH FACILITIES DIVISION**

**(A) Licensure**

(1) Health Facilities General Licensure

Personal Services	253,480	251,728 <sup>a</sup>	1,752 <sup>b</sup>
	(5.3 FTE)		
Operating Expenses	4,180	4,180 <sup>a</sup>	
Indirect Cost Assessment	<u>61,029</u>	53,155 <sup>a</sup>	7,874 <sup>b</sup>
	318,689		

<sup>a</sup> Of these amounts, \$238,614 shall be from the Health Facilities General Licensure Cash Fund pursuant to Section 25-3-103.1 (1), C.R.S., and \$70,449 shall be from various sources of cash funds.

<sup>b</sup> These amounts shall be from various exempt sources of cash funds.

(2) Assisted Living Facilities

Personal Services	693,169	85,912	413,339 <sup>a</sup>	193,918 <sup>b</sup>
	(9.9 FTE)			
Operating Expenses	43,811	16,869	26,942 <sup>a</sup>	
Indirect Cost Assessment	<u>112,023</u>		90,053 <sup>a</sup>	21,970 <sup>b</sup>

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 APPROPRIATION FROM
 

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ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	849,003					
<sup>a</sup> These amounts shall be from the Assisted Living Residence Cash Fund pursuant to Section 25-27-107.5, C.R.S. <sup>b</sup> These amounts shall be from reserves in the Assisted Living Residence Cash Fund pursuant to Section 25-27-107.5, C.R.S.						
<b>(3) Medication Administration</b>						
Personal Services	188,909			172,245 <sup>a</sup>	16,664 <sup>b</sup>	
	(0.9 FTE)					
Operating Expenses	1,245			835 <sup>a</sup>	410 <sup>b</sup>	
Indirect Cost Assessment	<u>13,157</u>			10,143 <sup>a</sup>	3,014 <sup>b</sup>	
	203,311					

<sup>a</sup> These amounts shall be from the Medication Administration Cash Fund pursuant to Section 25-1.5-303 (5) (a), C.R.S.

<sup>b</sup> These amounts shall be from reserves in the Medication Administration Cash Fund pursuant to Section 25-1.5-303 (5) (a), C.R.S.

**(B) Medicaid/Medicare Certification Program**

Personal Services	5,569,689				3,044,795(T) <sup>a</sup>	2,524,894
	(92.8 FTE)					
Operating Expenses	553,648				225,763(T) <sup>a</sup>	327,885
Indirect Cost Assessment	<u>1,060,546</u>				535,951(T) <sup>a</sup>	524,595
	7,183,883					

<sup>a</sup> These amounts shall be from Medicaid funds appropriated in the Department of Health Care Policy and Financing.

**(C) Emergency Medical Services**

(1) State EMS Coordination, Planning and Certification Services

Personal Services	787,286		787,286 <sup>a</sup>	
			(11.0 FTE)	
Operating Expenses	57,405		57,405 <sup>a</sup>	
Indirect Cost Assessment	<u>337,026</u>	77,148 <sup>b</sup>	246,312 <sup>a</sup>	13,566
	1,181,717			

<sup>a</sup> These amounts shall be from the Emergency Medical Services Account in the Highway Users Tax Fund pursuant to Section 25-3.5-603 (1) (a), C.R.S.

<sup>b</sup> This amount shall be from the Trauma System Cash Fund pursuant to Section 25-3.5-705 (2), C.R.S.

(2) Improvements to County

Emergency Medical Services	950,817		950,817 <sup>a</sup>	
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<sup>a</sup> This amount shall be from the Emergency Medical Services Account in the Highway Users Tax Fund pursuant to Section 25-3.5-603 (1) (a), C.R.S.

(3) Emergency Medical Services

Grant Program	2,762,976		2,762,976 <sup>a</sup>	
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<sup>a</sup> This amount shall be from the Emergency Medical Services Account in the Highway Users Tax Fund pursuant to Section 25-3.5-603 (1) (a), C.R.S.

(4) Trauma Facility Designation

Personal Services	357,371	357,371 <sup>a</sup>		
		(2.1 FTE)		
Operating Expenses	<u>24,439</u>	24,439 <sup>a</sup>		
	381,810			

<sup>a</sup> These amounts shall be from the Trauma System Cash Fund pursuant to Section 25-3.5-705 (2), C.R.S.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
(5) Air Ambulance Licensure	11,000				11,000 <sup>a</sup> (0.2 FTE)		
<sup>a</sup> This amount shall be from licensure fees deposited in the Fixed-Wing and Rotary-Wing Ambulances Cash Fund pursuant to Section 25-3.5-307 (2) (a), C.R.S.							
(6) Federal Grants	70,358						70,358 (0.4 FTE)
(7) EMS Telecommunication Support	67,756					67,756(T) <sup>a</sup>	
<sup>a</sup> This amount shall be from the Emergency Medical Services Account in the Highway Users Tax Fund pursuant to Section 25-3.5-603, C.R.S.							
(8) Poison Control	1,093,571		1,093,571				
		15,074,891					
<b>TOTALS PART XVI (PUBLIC HEALTH AND ENVIRONMENT)<sup>1, 2</sup></b>		<u>\$295,293,855</u>	<u>\$13,044,693</u>		<u>\$31,810,189</u>	<u>\$80,301,198<sup>a</sup></u>	<u>\$170,137,775</u>

<sup>a</sup> Of this amount, \$19,475,245 contains a (T) notation.

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

~~1 All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

~~106 Department of Public Health and Environment, Administration and Support -- It is the intent of the General Assembly that the Department shall not exceed the total FTE authorization included in the Long Bill, and that any transfer of FTE between divisions within the Department should be limited to federally-funded grants or programs and again should not exceed the total authorized level. Any exception to this policy should be limited to federal funds and should be reported to the Joint Budget Committee, documenting the source and amount of funding, increase in number of FTE, activities to be performed, and anticipated time frame for continued receipt of new funding.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~107 Department of Public Health and Environment, Administration and Support -- The Department is requested to submit a report by October 1, 2004, to the Joint Budget Committee listing all block grants the Department will receive for FY 2004-05 and is expecting to receive for FY 2005-06. The report should also include a description of the grant, and line items in the Long Bill each grant is being used to finance. The report should include all line items with a General Fund appropriation for which block grants could be used.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~108 Department of Public Health and Environment, Hazardous Materials and Waste Management Division, Contaminated Site Cleanups -- The Department is requested to submit a report on its CERCLA program. This report is requested to include detailed expenditures for the program, including out-year estimates by project and associated project financing. The report~~

~~should also include an analysis of long-term funding needs of the State in responding to, litigating, and cleaning up CERCLA sites, including estimated long-term maintenance costs for these sites. The report should also provide information on the Hazardous Substance Response Fund balance and out-year fiscal estimates. This report is requested to be provided to the Joint Budget Committee by no later than November 1, 2004.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

109 Department of Public Health and Environment, Disease Control and Environmental Epidemiology Division, Special Purpose Disease Control Programs, Ryan White Act -- The Department is requested to provide reports to the Joint Budget Committee with regard to the AIDS drug assistance program. The first report should be submitted on or before July 20, 2004, for the immediately preceding three months. Subsequent reports should be submitted on October 20, 2004, January 20, 2005, and April 20, 2005. Reporting should include, but not be limited to: The total and average monthly number of clients served, with a description of the demographic profile of the client population; the total and average monthly costs to provide pharmaceutical products to those clients; the total and average number of individuals on the program's waiting list, with a description of the demographic profile of the waiting list population; a listing of the pharmaceuticals on the formulary, the manufacturer of each product, and the respective average price for a month's supply of each product; the total amount of available funds, including state general fund support, federal Title I and Title II support; and any other source as appropriate.

~~110 Department of Public Health and Environment, Disease Control and Environmental Epidemiology Division, Special Purpose Disease Control Programs, Tuberculosis Control and Treatment -- The Department is requested to provide, with its annual budget submission, a listing of counties which participate in tuberculosis control. Information should include, but not be limited to, the number of patients served for tuberculosis infection and active tuberculosis in each county, the total costs associated with all aspects of treatment and control by county, and a breakout of each revenue source. This information would account for counties' 20-percent match required in Section 25-4-513, C.R.S. This information should be provided for one actual year, the estimate year, and the request year.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~111 Department of Public Health and Environment, Prevention Services Division, Prevention Programs, Chronic Disease and Cancer Prevention Grants -- The General Assembly accepts no obligation to continue funding for these programs when federal funds are no longer available. Any match requirements for these federal grants are to be provided by non-state sources. The General Assembly requests that the Department document the sources of matching funds, which documentation should be submitted to the Joint Budget Committee annually with its budget request, to serve as proof of the required state match for these federal dollars.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

112 Department of Public Health and Environment, Prevention Services Division, Women's Health - Family Planning -- Pursuant to Article V, Section 50, of the Colorado Constitution, no public funds shall be used by the State of Colorado, its agencies or political subdivisions to pay or otherwise reimburse, either directly or indirectly, any person, agency or facility for the performance of any induced abortion, provided however, that the General Assembly, by specific bill, may authorize and appropriate funds to be used for those medical services necessary to prevent the death of either a pregnant woman or her unborn child under circumstances where every reasonable effort is made to preserve the life of each.

~~113 Department of Public Health and Environment, Prevention Services Division, Prevention Partnerships, Tony Grampsas Youth Services Program, Prevention Services Programs -- The Department is requested to submit a report to the Joint Budget Committee on the Tony Grampsas Youth Services Program by November 1, 2005. This report should include the following information for FY 2004-05: (1) Number of applicant organizations and number of organizations receiving funding, (2) names of all applicants and amount applied for by each, (3) numbers of person served each year, (4) characteristics of programs funded (e.g., program goals, characteristics of persons targeted, types of services provided, geographic location of programs funded) (5) amount of grantee funding received from other sources administered by the State and non-State sources per dollar of Tony Grampsas Youth Services Program funding, and (6) general evaluation of program strengths and weaknesses and any recommendations for statutory changes.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

## APPROPRIATION FROM

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

**PART XVII****DEPARTMENT OF PUBLIC SAFETY****(1) EXECUTIVE DIRECTOR'S OFFICE****(A) Administration**

Personal Services	1,950,139				1,950,139 <sup>a</sup> (29.5 FTE)	
Health, Life, and Dental	3,397,984	607,120		142,009 <sup>b</sup>	2,454,666 <sup>c</sup>	194,189
Short-term Disability	102,696	21,594		4,613 <sup>b</sup>	72,618 <sup>d</sup>	3,871
Salary Survey and Senior Executive Service	1,511,041	320,080		61,300 <sup>b</sup>	1,073,965 <sup>c</sup>	55,696
Performance-based Pay Awards	854,626	170,071		34,475 <sup>b</sup>	606,494 <sup>f</sup>	43,586
Shift Differential	219,600	40,578		42,340 <sup>b</sup>	136,682 <sup>g</sup>	
Workers' Compensation	2,033,071				2,033,071(T) <sup>h</sup>	
Operating Expenses	157,857				157,857(T) <sup>h</sup>	
Legal Services for 2,113 hours	130,097				130,097(T) <sup>h</sup>	
Purchase of Services from Computer Center	58,270				58,270(T) <sup>h</sup>	
Multiuse Network Payments	1,275,157	1,232,662			42,495 <sup>i</sup>	
Payment to Risk Management and Property Funds	457,192				457,192 <sup>a</sup>	
Vehicle Lease Payments	33,534			3,427 <sup>b</sup>	30,107(T) <sup>j</sup>	
Leased Space	1,104,587	109,181		30,057 <sup>b</sup>	965,349 <sup>k</sup>	

Capitol Complex Leased Space	886,588		3,087 <sup>b</sup>	883,501 <sup>1</sup>	
Communications Services					
Payments	385,852	15,633	8,017 <sup>b</sup>	359,194 <sup>m</sup>	3,008
Utilities	87,407			87,407 <sup>a</sup>	
Distributions to Local Government	<u>50,000</u>		50,000 <sup>e</sup>		
	14,695,698				

<sup>a</sup> Of these amounts, \$2,357,489(T) shall be from indirect cost recoveries and \$49,842 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S.

<sup>b</sup> These amounts shall be from various sources of cash funds.

<sup>c</sup> Of this amount, \$2,306,670 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$26,288(T) shall be from other state agencies for dispatch services, \$16,475(T) shall be from the capitol complex leased space rent proceeds transferred from the Department of Personnel, and \$105,233 shall be from various sources of cash funds exempt.

<sup>d</sup> Of this amount, \$68,580 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$592(T) shall be from other state agencies for dispatch services, \$91(T) shall be from the capitol complex leased space rent proceeds transferred from the Department of Personnel, and \$3,355 shall be from various sources of cash funds exempt.

<sup>e</sup> Of this amount, \$1,009,126 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$5,125(T) shall be from the capitol complex leased space rent proceeds transferred from the Department of Personnel, and \$59,714 shall be from various sources of cash funds exempt.

<sup>f</sup> Of this amount, \$569,291 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$3,020(T) shall be from the capitol complex leased space rent proceeds transferred from the Department of Personnel, and \$34,183 shall be from various sources of cash funds exempt.

<sup>g</sup> Of this amount, \$121,941 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S. and \$14,741 shall be from various sources of cash funds exempt.

<sup>h</sup> These amounts shall be from indirect cost recoveries from other program administered by the department.

<sup>1</sup> This amount shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S.

<sup>j</sup> Of this amount, \$29,759 shall be from indirect cost recoveries and \$348 shall be from Limited Gaming funds appropriated in the Department of Revenue.

<sup>k</sup> Of this amount, \$464,329 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$445,898(T) shall be from indirect cost recoveries, and \$55,122 shall be from various sources of cash funds exempt.

<sup>l</sup> Of this amount, \$465,064(T) shall be from indirect cost recoveries, \$401,376 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., and \$17,061 shall be from various sources of cash funds exempt.

<sup>m</sup> Of this amount, \$353,749 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S. and \$5,445 shall be from various sources of cash funds exempt.

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 APPROPRIATION FROM
 

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(B) Special Programs</b>						
(1) Witness Protection Program	50,000				50,000 <sup>a</sup>	
<sup>a</sup> This amount shall be from reserves in the Witness Protection Fund, created in Section 24-33.5-106 (6), C.R.S.						
(2) Colorado Integrated Criminal Justice Information System (CICJIS) <sup>114</sup>						
Personal Services	837,263				766,263(T) <sup>a</sup> (11.0 FTE)	71,000
Operating Expenses	326,502	67,892			58,610(T) <sup>a</sup>	200,000
Leased Equipment	24,000				24,000(T) <sup>a</sup>	
	<u>1,187,765</u>					

<sup>a</sup> Of these amounts, \$847,293 shall be from indirect cost recoveries and \$1,580 shall be from moneys in the Federal Elections Assistance Fund created in Section 1-1.5-106 (1), C.R.S.

15,933,463

**(2) COLORADO STATE PATROL<sup>115</sup>**

Colonel, Lt. Colonels, Majors, and Captains	3,167,657		3,167,657 <sup>a</sup>	
			(33.0 FTE)	
Sergeants, Technicians, and Troopers	37,687,950	763,238 <sup>b</sup>	36,924,712 <sup>c</sup>	
		(13.0 FTE)	(570.6 FTE)	
Civilians	4,439,034	53,101 <sup>d</sup>	4,385,933 <sup>c</sup>	
		(2.0 FTE)	(79.5 FTE)	
Retirements	400,000		400,000 <sup>a</sup>	
Overtime	1,122,994	74,137 <sup>b</sup>	1,048,857 <sup>f</sup>	
Operating Expenses	6,624,201	418,598 <sup>b</sup>	6,205,603 <sup>g</sup>	
Vehicle Lease Payments	5,420,566	97,629 <sup>b</sup>	5,263,316 <sup>h</sup>	59,621
Dispatch Services	5,921,903	476,338 <sup>i</sup>	5,439,858 <sup>j</sup>	5,707
		(11.0 FTE)	(123.1 FTE)	
State Patrol Training Academy	2,110,077	75,751 <sup>i</sup>	2,034,326 <sup>k</sup>	
		(1.0 FTE)	(16.0 FTE)	
Safety and Law Enforcement Support	1,758,687	468,914 <sup>b</sup>	1,289,773(T) <sup>l</sup>	
			(1.0 FTE)	
Aircraft Program	651,732	9,880 <sup>b</sup>	641,852 <sup>m</sup>	
			(6.0 FTE)	
Executive and Capitol Complex Security Program	1,981,545	1,242,352	739,193(T) <sup>n</sup>	
		(23.0 FTE)	(13.0 FTE)	
Hazardous Materials Safety Program	980,344	267,098 <sup>o</sup>	713,246 <sup>o</sup>	
		(5.5 FTE)	(6.5 FTE)	
Automobile Theft Prevention Authority	981,480		981,480 <sup>p</sup>	
Victim Assistance	220,152		220,152(T) <sup>q</sup>	

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Counter-drug Program	19,128,806					(5.0 FTE) 19,000,000 <sup>f</sup>	128,806 (2.0 FTE)
Motor Carrier Safety and Assistance Program Grants	2,299,491						2,299,491 (22.0 FTE)
Federal Safety Grants	1,196,035						1,196,035 (3.8 FTE)
Indirect Cost Assessment	<u>6,045,013</u>				143,425 <sup>b</sup>	5,730,098 <sup>s</sup>	171,490
		102,137,667					

<sup>a</sup> These amounts shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S..

<sup>b</sup> Of these amounts, \$849,060 shall be from the E-470 Toll Road Authority, \$473,737 shall be from fees for services to non-state agencies, \$188,068 shall be from the Vehicle Identification Number Inspection Fund, created in Section 42-5-204 (2), C.R.S., \$2,735 shall be from the Division of Wildlife, Department of Natural Resources, and \$462,221 shall be from various sources of cash funds.

<sup>c</sup> Of this amount, \$35,962,764 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$914,417(T) shall be from Limited Gaming funds appropriated in the Department of Revenue, and \$47,531 shall be from various sources of cash funds exempt.

<sup>d</sup> Of this amount, \$29,180 shall be from the E-470 Toll Road Authority and \$23,921 shall be from the Vehicle Identification Number Inspection Fund created in Section 42-5-204 (2), C.R.S.

<sup>e</sup> Of this amount, \$4,337,072 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S. and \$48,861(T) shall be from Limited Gaming funds appropriated in the Department of Revenue.

<sup>f</sup> Of this amount, \$1,023,595 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S. and \$25,262(T) shall be from Limited Gaming funds appropriated in the Department of Revenue.

<sup>g</sup> Of this amount, \$6,082,116 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$111,459(T) shall be from Limited Gaming funds appropriated in the Department of Revenue, and \$12,028 shall be from various sources of cash funds exempt.

<sup>b</sup> Of this amount, \$5,201,479 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S. and \$61,837 shall be from various sources of cash funds exempt.

<sup>i</sup> Of these amounts, \$370,736 shall be from user fees collected from non-state agencies, \$34,517(T) shall be from the Division of Wildlife, Department of Natural Resources, and \$146,836 shall be from various sources of cash funds.

<sup>j</sup> Of this amount, \$4,805,664 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$224,430(T) shall be from the Department of Corrections, \$163,381(T) shall be from the Department of Transportation, \$105,736(T) shall be from Limited Gaming funds appropriated in the Department of Revenue, \$44,647(T) shall be from the Department of Revenue, \$17,021(T) shall be from the Department of Natural Resources, \$5,839(T) shall be from the Department of Higher Education (Adams State College), \$61(T) shall be from the Colorado Bureau of Investigation, and \$73,079 shall be from various sources of cash funds exempt.

<sup>k</sup> Of this amount, \$1,573,201 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S. and \$461,125(T) shall be from user fees collected from other state agencies.

<sup>l</sup> Of this amount, \$1,017,505 shall be from the Department of Transportation and \$272,268 shall be from user fees collected from other state agencies.

<sup>m</sup> Of this amount, \$287,830 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$180,000 shall be from reserves in the Aircraft Engine Fund, and \$174,022(T) shall be from user fees collected from other state agencies.

<sup>n</sup> Of this amount, \$295,925 shall be from indirect cost recoveries, \$247,592 shall be from the capitol complex leased space rent proceeds transferred from the Department of Personnel, and \$195,676 shall be from the Legislative Department.

<sup>o</sup> Of this amount, \$174,933 shall be from the Nuclear Materials Transportation Fund, created in Section 42-20-511, C.R.S., and \$92,165 shall be from the Hazardous Materials Safety Fund, created in Section 42-20-107, C.R.S.

<sup>p</sup> This amount shall be from gifts, grants, or donations credited to the Colorado Auto Theft Prevention Cash Fund pursuant to Section 42-5-112 (4) (a), C.R.S.

<sup>q</sup> This amount shall be from moneys in the Victims Assistance and Law Enforcement Fund appropriated to the Division of Criminal Justice.

<sup>r</sup> This amount shall be from local governments for the purchase of counter-drug equipment from the federal government pursuant to Title 10, Chapter 18, Section 381 U.S.C., and shall be classified as exempt pursuant to Section 24-77-102 (1), C.R.S.

<sup>s</sup> Of this amount, \$5,480,196 shall be from the Highway Users Tax Fund, pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$57,261(T) shall be from other agencies for dispatch services, and \$192,641 shall be from various sources of cash funds exempt.

**(3) OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY**

Personal Services	401,068	84,026	163,709 <sup>a</sup>	153,333(T) <sup>b</sup>	
		(1.0 FTE)	(3.0 FTE)	(3.0 FTE)	
Operating Expenses	180,033	7,677	144,514 <sup>a</sup>	27,842(T) <sup>b</sup>	
Federal Grants	993,652				993,652
					(9.8 FTE)

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Indirect Cost Assessment	<u>224,404</u>			17,541 <sup>a</sup>	11,815(T) <sup>b</sup>	195,048
	1,799,157					

<sup>a</sup> These amounts shall be from the Firefighter and First Responder Certification Fund, the Fire Service Education and Training Fund, the Hazardous Materials Responder Voluntary Certification Fund, the Fire Suppression Cash Fund, the Fireworks Licensing Cash Fund, and other sources of cash funds pursuant to Section 24-33.5-1203, C.R.S.

<sup>b</sup> Of these amounts, \$136,581 shall be from Limited Gaming funds appropriated in the Department of Revenue and \$56,409 shall be from indirect cost recoveries.

**(4) DIVISION OF CRIMINAL JUSTICE<sup>3</sup>**

**(A) Administration**

Personal Services	1,870,626	786,762		347,715 <sup>a</sup>	507,384 <sup>b</sup>	228,765
		(13.5 FTE)		(5.5 FTE)	(6.0 FTE)	(3.5 FTE)
Operating Expenses	205,313	112,893		26,037 <sup>a</sup>	43,141 <sup>c</sup>	23,242
Indirect Cost Assessment	<u>822,806</u>			49,208 <sup>a</sup>	6,951 <sup>d</sup>	766,647
	2,898,745					

<sup>a</sup> These amounts shall be from the Victims Assistance and Law Enforcement Fund created in Section 24-33.5-506, C.R.S.

<sup>b</sup> Of this amount, \$443,759(T) shall be from indirect cost recoveries and \$63,625 shall be from reserves in the Drug Offender Surcharge Fund created in Section 18-19-103 (4), C.R.S.

<sup>c</sup> Of this amount, \$35,451(T) shall be from indirect cost recoveries and \$7,690 shall be from reserves in the Drug Offender Surcharge Fund created in Section 18-19-103 (4), C.R.S.

<sup>d</sup> This amount shall be from reserves in the Drug Offender Surcharge Fund created in Section 18-19-103 (4), C.R.S.

**(B) Victims Assistance**

Federal Victims Assistance and Compensation Grants	8,337,696		8,337,696
State Victims Assistance and Law Enforcement Program	<u>879,178</u>	879,178 <sup>a</sup>	
	9,216,874		

<sup>a</sup> This amount shall be from the Victims Assistance and Law Enforcement Fund created in Section 24-33.5-506, C.R.S.

**(C) Juvenile Justice and Delinquency Prevention**

Juvenile Justice Disbursements	<u>1,087,889</u>		1,087,889
	1,087,889		

**(D) Community Corrections<sup>116, 117</sup>**

Community Corrections Boards Administration <sup>118</sup>	1,453,596	1,453,596	
Transition Programs including standard residential services at an average rate of \$34.70 per day per offender, and specialized substance abuse treatment at an average rate of \$51.05 per day per offender	18,412,499	18,412,499	
Diversion Programs including standard residential services at an average rate of \$34.70 per day per offender, and standard nonresidential services at an average rate of \$4.71 per day per offender	17,705,786	17,705,786	
Transitional Mental Health Bed Differential	221,628	221,628	
Specialized Services	55,000	55,000	
Day Reporting Center	283,605	283,605	

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## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT		
\$	\$	\$	\$	\$	\$	\$	\$
Substance Abuse Treatment Program					838,139 <sup>a</sup>		
	<u>838,139</u>						
	38,970,253						
<b>(E) Crime Control and System Improvement</b>							
State and Local Crime Control and System Improvement Grants	7,527,300						7,527,300
Sex Offender Surcharge Fund Program	152,335				152,335 <sup>a</sup> (1.5 FTE)		
Sex Offender Supervision	276,800		276,800 (3.2 FTE)				
Colorado Regional and Community Policing Institute	61,390					61,390(T) <sup>b</sup>	
Federal Grants	17,666,109						17,666,109 (33.0 FTE)
	<u>25,683,934</u>						

<sup>a</sup> This amount shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

<sup>b</sup> This amount shall be transferred from custodial funds administered by the Peace Officers Standards and Training Board in the Department of Law.

77,857,695

**(5) COLORADO BUREAU OF INVESTIGATION<sup>119</sup>**

**(A) Administration**

Personal Services	308,956	249,677	59,279 <sup>a</sup>		
		(3.0 FTE)	(1.0 FTE)		
Operating Expenses	23,733	12,756	10,977 <sup>a</sup>		
Vehicle Lease Payments	204,563	173,888		21,675(T) <sup>b</sup>	9,000
Federal Grants	824,906				824,906
					(3.0 FTE)
Indirect Cost Assessment	<u>264,467</u>		165,583 <sup>c</sup>	98,884 <sup>d</sup>	
	1,626,625				

<sup>a</sup> These amounts shall be from fingerprint and name check processing fees collected from non-state agencies.

<sup>b</sup> This amount shall be from Limited Gaming funds appropriated in the Department of Revenue.

<sup>c</sup> This amount shall be from various sources of cash funds.

<sup>d</sup> This amount shall be from various sources of cash funds exempt.

**(B) Colorado Crime Information Center (CCIC)**

**(1) CCIC Program Support**

Personal Services	743,486	693,385	50,101 <sup>a</sup>		
		(13.8 FTE)	(1.2 FTE)		
Operating Expenses	<u>200,853</u>	120,866	46,194 <sup>b</sup>	19,933(T) <sup>c</sup>	13,860
	944,339				

<sup>a</sup> This amount shall be from the Sex Offender Registry Fund, created in Section 16-22-110 (7), C.R.S.

<sup>b</sup> Of this amount, \$6,776 shall be from the Sex Offender Registry Fund created in Section 16-22-110 (7), C.R.S. and \$39,418 shall be from fees collected from non-state agencies.

<sup>c</sup> This amount shall be from fees collected from other state agencies.

**(2) Identification**

Personal Services	2,532,823	1,020,382	1,206,695 <sup>a</sup>	305,746(T) <sup>b</sup>	
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 APPROPRIATION FROM
 

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	3,912,259		(22.3 FTE) 244,011		(21.4 FTE) 1,711,288 <sup>a</sup>	(4.6 FTE) 1,956,960(T) <sup>b</sup>	
Lease/Lease Purchase Equipment	<u>578,989</u>				332,480 <sup>a</sup>	246,509(T) <sup>b</sup>	
	7,024,071						

<sup>a</sup> These amounts shall be from fingerprint and name check processing fees collected from non-state agencies.

<sup>b</sup> These amounts shall be from fingerprint and name check processing fees collected from other state agencies.

## (3) Information Technology

Personal Services	1,100,327		1,053,624 (16.0 FTE)		46,703 <sup>a</sup> (1.0 FTE)		
Operating Expenses	<u>1,330,572</u>		646,406		663,614 <sup>b</sup>	20,552 <sup>c</sup>	
	2,430,899						

<sup>a</sup> This amount shall be from fees collected from the Sex Offender Registry Fund, created in Section 16-22-110 (7), C.R.S.

<sup>b</sup> Of this amount, \$617,803 shall be from fingerprint and name check processing fees collected from non-state agencies and \$45,811 shall be from the Sex Offender Registry Fund, created in Section 16-22-110 (7), C.R.S.

<sup>c</sup> This amount shall be from various sources of cash funds exempt.

## (C) Laboratory Services

Personal Services	4,187,782		4,187,782 (58.5 FTE)				
Operating Expenses	1,313,960		1,280,794			33,166 <sup>a</sup>	

Lease/Lease Purchase Equipment	<u>353,796</u>	353,796
	5,855,538	

<sup>a</sup> Of this amount, \$18,328(T) shall be from moneys in the Victims Assistance and Law Enforcement Fund appropriated to the Division of Criminal Justice and \$14,838 shall be from the Offender Identification Fund, created in Section 24-33.5-415.6 (1), C.R.S.

**(D) Investigative Services**

Personal Services	2,654,046	2,042,542	611,504(T) <sup>a</sup>
		(26.0 FTE)	(7.0 FTE)
Operating Expenses	<u>211,249</u>	160,232	51,017(T) <sup>a</sup>
	2,865,295		

<sup>a</sup> These amounts shall be from Limited Gaming funds appropriated in the Department of Revenue.

**(E) State Point of Contact - National Instant Criminal Background Check Program**

Personal Services	1,150,949	998,382	152,567 <sup>a</sup>
		(22.0 FTE)	(4.4 FTE)
Operating Expenses	<u>399,693</u>	344,057	55,636 <sup>a</sup>
	1,550,642		

22,297,409

<sup>a</sup> These amounts shall be from permit application fees collected pursuant to Section 18-12-205, C.R.S.

**TOTALS PART XVII**

**(PUBLIC SAFETY)<sup>1,2</sup>**                      \$220,025,391    \$56,810,015                      \$10,346,927    \$110,761,835<sup>a</sup>    \$42,106,614

<sup>a</sup> Of this amount, \$15,182,236 contains a (T) notation, and \$74,508,126 is from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S.

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

APPROPRIATION FROM

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

~~1 All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

~~(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)~~

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

~~3 Department of Corrections, Management, Executive Director's Office Subprogram; Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division and Division of Youth Corrections; Judicial Department, Probation and Related Services; Department of Public Safety, Division of Criminal Justice; and Department of Transportation, Office of Transportation Safety -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from the Drug Offender Surcharge Fund, the Sex Offender Surcharge Fund, the Persistent Drunk Driver Cash Fund, and the Alcohol and Drug Driving Safety Fund, among other programs.~~

~~(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)~~

~~114 Department of Public Safety, Executive Director's Office, Special Programs, Colorado Integrated Criminal Justice Information System (CICJIS) -- It is the intent of the General Assembly that with this appropriation the Colorado Bureau of Investigation in the Department of Public Safety, the Judicial Department, the Department of Corrections, the Division of Youth Corrections in the Department of Human Services, and the Colorado District Attorneys' Council should be able to improve the Colorado Integrated Criminal Justice Information System to achieve a match between felony court filings and the initial charges in at least ninety percent of the cases by December 31, 2004 and maintain at least a ninety percent match rate annually.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~115 Department of Public Safety, Colorado State Patrol -- The Department is requested to submit to the Joint Budget Committee a detailed summary of FTE assigned to the field and to special programs on a semi-annual basis beginning on July 15, 2004. Each semi-annual report should include comparative information about the historical assignment of all uniformed positions, vacant positions, State Patrol Academy graduates, employee turnover (including service and disability retirements), and trooper deployment. In addition, for the annual budget request submission, the budget forms should include specific expenditures from the consolidated operating expenses line, and for any consolidated program lines, sufficient detail to allow personal services calculation for Option 8 purposes, including PERA and Medicare detail.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

116 Department of Public Safety, Division of Criminal Justice, Community Corrections -- Appropriations for community corrections programs are based on assumptions that providers of community corrections programs will collect client fees of up to \$17 per day for residential programs and up to \$3 per day for nonresidential programs. Pursuant to its authority to administer and execute contracts under section 17-27-108, C.R.S., the Division of Criminal Justice is requested to ensure that every reasonable effort is made to achieve such collections.

117 Department of Public Safety, Division of Criminal Justice, Community Corrections -- It is the intent of the General Assembly that the Division of Criminal Justice be authorized to roll forward up to two percent of the FY 2004-05 General Fund appropriations for residential and non-residential community corrections programs for transition offenders and diversion offenders to FY 2005-06.

~~118 Department of Public Safety, Division of Criminal Justice, Community Corrections, Community Corrections Boards Administration -- Pursuant to section 17-27-108, C.R.S., the division may authorize up to 4.0 percent of the appropriation for community corrections programs to offset the administrative cost of community corrections boards. The division of criminal justice is encouraged to provide less funding to boards that do not promptly submit their bills to the division for community placements. The division is also encouraged to provide less funding to boards that do not utilize their allocation of resources~~

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

and to those that have a low acceptance rate for offenders referred to their programs.

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~119 Department of Public Safety, Colorado Bureau of Investigation — It is the intent of the General Assembly that the \$303,125 in operating costs associated with the Robotics/LIMS DNA database and casework laboratories that was allocated by the Governor from one-time federal funds received by Colorado pursuant to the federal "Jobs and Growth Tax Relief Reconciliation Act of 2003", is not assumed or guaranteed to be appropriated as continuation funding beginning in FY 2005-06.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

**PART XVIII  
DEPARTMENT OF REGULATORY AGENCIES**

**(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES<sup>120</sup>**

Personal Services	3,523,984	3,500		3,520,484(T) <sup>a</sup> (53.0 FTE)	
Health, Life, and Dental	1,211,392	33,551	1,064,621 <sup>b</sup>	113,220(T) <sup>a</sup>	
Short-term Disability	47,162	1,454	40,190 <sup>b</sup>	5,518(T) <sup>a</sup>	
Salary Survey and Senior Executive Service	648,354	19,212	552,385 <sup>b</sup>	76,757(T) <sup>a</sup>	
Performance-based Pay Awards	377,166	11,091	325,470 <sup>b</sup>	40,605(T) <sup>a</sup>	
Workers' Compensation	80,904	2,547	70,738 <sup>b</sup>	6,401(T) <sup>a</sup>	1,218 <sup>c</sup>

Operating Expenses	214,549	3,689	101,745 <sup>b</sup>	109,115(T) <sup>a</sup>	
Legal Services for 84,767 hours	5,219,105	45,008	4,986,863 <sup>b</sup>	71,175(T) <sup>a</sup>	116,059 <sup>c</sup>
Administrative Law Judge Services	250,650	5,850	240,040 <sup>b</sup>	4,760(T) <sup>a</sup>	
Purchase of Services from Computer Center	62,070	1,390	46,510 <sup>b</sup>	14,170(T) <sup>a</sup>	
Multiuse Network Payments	3,239		2,090 <sup>b</sup>	1,149(T) <sup>a</sup>	
Payment to Risk Management and Property Funds	95,577	2,976	79,805 <sup>b</sup>	10,750(T) <sup>a</sup>	2,046 <sup>c</sup>
Vehicle Lease Payments	223,265		223,265 <sup>b</sup>		
Information Technology Asset Maintenance	463,332		270,021 <sup>b</sup>	193,311(T) <sup>a</sup>	
Leased Space	2,399,793	102,493	1,942,677 <sup>b</sup>	324,551(T) <sup>a</sup>	30,072 <sup>c</sup>
Capitol Complex Leased Space	1,086		1,086 <sup>b</sup>		
Hardware/Software Maintenance	659,002	800	399,600 <sup>b</sup>	258,602(T) <sup>a</sup>	
CoverColorado <sup>121</sup>	<u>3,515,251</u>		12,710 <sup>d</sup>	3,502,541 <sup>e</sup>	
		18,995,881			

<sup>a</sup> Of these amounts, it is estimated that \$4,651,735 shall be from indirect cost recoveries, \$42,824 shall be from the Department of Public Health and Environment, \$41,309 shall be from the Department of Health Care Policy and Financing, and \$14,700 shall be from other departments for sunset reviews.

<sup>b</sup> These amounts shall be from various cash sources within the Department.

<sup>c</sup> These amounts shall be from the Equal Employment Opportunity Commission, the Department of Housing and Urban Development, and the Health Information Counseling and Assistance Grant Program, and are included for informational purposes only.

<sup>d</sup> This amount shall be from interest earned on the CoverColorado Cash Fund created in Section 10-8-530 (2), C.R.S.

<sup>e</sup> Of this amount, it is estimated that \$1,993,866 shall be from interest earned on the Unclaimed Property Trust Fund created in Section 38-13-116.5 (1) (a), C.R.S., and \$1,508,675 shall be from reserves in the CoverColorado Cash Fund created in Section 10-8-530 (2), C.R.S.

**(2) DIVISION OF BANKING**

Personal Services	2,563,701
	(38.5 FTE)
Operating Expenses	270,547

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Board Meeting Costs	11,500					
Indirect Cost Assessment	<u>422,788</u>					
	3,268,536			3,268,536 <sup>a</sup>		

<sup>a</sup> This amount shall be from the Division of Banking Cash Fund created in Section 11-102-403, C.R.S.

**(3) CIVIL RIGHTS DIVISION**

Personal Services	1,401,697	751,274 (14.0 FTE)		211,318(T) <sup>a</sup> (2.0 FTE)	439,105 <sup>b</sup> (9.0 FTE)
Operating Expenses	123,905	37,380			86,525 <sup>b</sup>
Hearings Pursuant to Complaint	6,000	5,000			1,000 <sup>b</sup>
Commission Meeting Costs	21,000	5,174			15,826 <sup>b</sup>
Indirect Cost Assessment	<u>37,624</u>				37,624 <sup>b</sup>
	1,590,226				

<sup>a</sup> This amount shall be from indirect cost recoveries.

<sup>b</sup> These amounts shall be from the Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development, and are included for informational purposes only.

**(4) OFFICE OF CONSUMER COUNSEL**

Personal Services	708,989 (7.0 FTE)				
Operating Expenses	55,572				
Indirect Cost Assessment	<u>76,871</u>				
	841,432			841,432 <sup>a</sup>	

<sup>a</sup> This amount shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S.

**(5) DIVISION OF FINANCIAL SERVICES**

Personal Services	781,351		
	(11.0 FTE)		
Operating Expenses	72,763		
Indirect Cost Assessment	<u>120,797</u>		
		974,911	974,911 <sup>a</sup>

<sup>a</sup> This amount shall be from the Division of Financial Services Cash Fund created in Section 11-40-106 (2), C.R.S.

**(6) DIVISION OF INSURANCE**

Personal Services	5,005,983		
	(76.5 FTE)		
Operating Expenses	377,972		
Senior Health Counseling Program	344,000		
	(2.0 FTE)		
PIP Exam Program	100,000		
Insurance Fraud Prosecution	283,493		
Indirect Cost Assessment	<u>854,514</u>		
		6,965,962	6,607,937 <sup>a</sup>
			358,025 <sup>b</sup>

<sup>a</sup> Of this amount, \$6,469,269 shall be from the Division of Insurance Cash Fund created in Section 10-1-103 (3), C.R.S., \$100,000 shall be from reimbursements from insurance companies for travel expenses, \$20,524 shall be from the Multiple Employer Welfare Arrangement Cash Fund created in Section 10-16-902 (6), C.R.S., and \$18,144 shall be from the Commission on Mandated Health Insurance Benefits Cash Fund created in Section 10-16-103.3 (8), C.R.S. Reimbursement moneys are shown for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution and are continuously appropriated under Section 10-1-204 (9), C.R.S.

<sup>b</sup> This amount shall be from the Health Information Counseling and Assistance Program and is included for informational purposes only.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT		
\$	\$	\$	\$	\$	\$	\$	\$
<b>(7) PUBLIC UTILITIES COMMISSION</b>							
Personal Services	6,955,767						
	(92.7 FTE)						
Operating Expenses	388,660						
Expert Testimony	25,000						
Disabled Telephone Users Fund Payments	3,268,475						
Transfer to Reading Services for the Blind Cash Fund	93,800						
Transfer to Commission for the Deaf and Hard of Hearing Cash Fund	25,000						
Low Income Telephone Assistance	377,265						
Indirect Cost Assessment	<u>1,017,986</u>						
	12,151,953			11,188,518 <sup>a</sup>		963,435 <sup>b</sup>	

<sup>a</sup> Of this amount, it is estimated that \$6,021,291 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S., \$3,187,549 shall be from the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S., \$1,531,674 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., \$377,265 shall be from the Low-Income Telephone Assistance Fund created in Section 40-3.4-108 (2) (a), C.R.S., and \$70,739 shall be from the Colorado High Cost Administration Fund created in Section 40-15-208 (3), C.R.S. Of this amount, \$3,187,549 is shown for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. Such moneys are included for informational purposes as they are continuously appropriated by Section 40-17-104 (1), C.R.S.

<sup>b</sup> Of this amount, it is estimated that \$501,793 shall be from reserves in the Public Utilities Commission Fixed Utilities Fund created in Section 40-2-114, C.R.S., \$276,580 shall be from reserves in the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S., \$115,245 shall be from reserves in the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., and \$69,817 shall be from reserves in the Colorado High Cost Administration Fund created in Section 40-15-208 (3), C.R.S.

**(8) DIVISION OF REAL ESTATE**

Personal Services	2,366,750		
	(37.0 FTE)		
Operating Expenses	183,923		
Commission Meeting Costs	21,925		
Hearings Pursuant to Complaint	4,427		
CBI/FBI Record Checks	161,950		
Payments from the Real Estate Recovery Fund	538,028		
Indirect Cost Assessment	<u>406,316</u>		
		3,683,319	3,683,319 <sup>a</sup>

<sup>a</sup> Of this amount, \$3,145,291 shall be from the Division of Real Estate Cash Fund created in Section 12-61-111.5 (2) (b), C.R.S., and \$538,028 shall be from the Real Estate Recovery Fund created in Section 12-61-301 (1), C.R.S.

**(9) DIVISION OF REGISTRATIONS**

Personal Services	9,300,481		
	(157.4 FTE)		
Operating Expenses	1,231,413		
Hearings Pursuant to Complaint	307,075		
Payments to Department of Health Care Policy and Financing	12,844		
Indirect Cost Assessment	<u>3,197,834</u>		
		14,049,647	12,062,367 <sup>a</sup> 1,987,280(T) <sup>b</sup>

<sup>a</sup> This amount shall be from the Division of Registrations Cash Fund created in Section 24-34-105 (2) (b) (I), C.R.S.

<sup>b</sup> Of this amount, it is estimated that \$1,491,307 shall be from indirect cost recoveries, \$252,450 shall be from the Department of Public Health and Environment, and \$243,523 shall be from the Department of Health Care Policy and Financing.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(10) DIVISION OF SECURITIES</b>						
Personal Services	1,563,188					
	(20.0 FTE)					
Operating Expenses	45,557					
Hearings Pursuant to Complaint	34,836					
Board Meeting Costs	5,746					
Securities Fraud Prosecution	387,531					
Indirect Cost Assessment	<u>219,630</u>					
	2,256,488			2,256,488 <sup>a</sup>		

<sup>a</sup> This amount shall be from the Division of Securities Cash Fund created in Section 11-51-707 (2), C.R.S.

**TOTALS PART XVIII**

<b>(REGULATORY AGENCIES)<sup>1,2</sup></b>	<u>\$64,778,355</u>	<u>\$1,032,389</u>	<u>                    </u>	<u>\$51,243,324</u>	<u>\$11,415,142<sup>a</sup></u>	<u>\$1,087,500</u>
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<sup>a</sup> Of this amount, \$6,949,166 contains a (T) notation.

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

~~1. All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

~~120 Department of Regulatory Agencies, Executive Director's Office and Administrative Services -- The Department is requested to submit a report to the Joint Budget Committee by October 1, 2006 on the Office of Expedited Settlement within the Division of Registrations. The report shall include quantitative measures that can be used to assess the program and a recommendation, based on those measures, to continue, modify or discontinue the program.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

121 Department of Regulatory Agencies, Executive Director's Office and Administrative Services, CoverColorado -- The Director's Office is requested by the General Assembly to provide a report to the Joint Budget Committee on July first and on January first that updates the enrollment, revenue, expenditure, and fund balance projections for the CoverColorado program. These projections should include anticipated assessments to insurers, enrollment numbers and fund balance for June 30 of the next three fiscal years.

**PART XIX  
DEPARTMENT OF REVENUE**

**(1) EXECUTIVE DIRECTOR'S OFFICE**

Personal Services	2,901,579 (41.5 FTE)	1,471,672	496,663 <sup>a</sup>	933,244 <sup>b</sup>
Health, Life, and Dental	3,032,236	1,927,759	178,834 <sup>c</sup>	925,643 <sup>d</sup>
Short-term Disability	100,796	64,360	5,926 <sup>c</sup>	30,510 <sup>d</sup>

## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Salary Survey and Senior Executive Service	1,363,702	876,274		85,423 <sup>c</sup>	402,005 <sup>d</sup>	
Performance-based Pay Awards	839,522	491,493		61,302 <sup>c</sup>	286,727 <sup>d</sup>	
Shift Differential	167,289	39,504		9,113 <sup>c</sup>	118,672 <sup>d</sup>	
Workers' Compensation	1,012,049	678,758		47,044 <sup>c</sup>	286,247 <sup>d</sup>	
Operating Expenses	674,729	437,353		65,982 <sup>c</sup>	171,394 <sup>d</sup>	
Legal Services for 8,720 hours	536,891	359,807		168,153 <sup>c</sup>	8,931 <sup>d</sup>	
Purchase of Services from Computer Center	3,355,541	3,355,541				
Multiuse Network Payments	1,398,096	325,715		54,372 <sup>c</sup>	1,018,009 <sup>d</sup>	
Payment to Risk Management and Property Funds	223,542	128,803		11,900 <sup>c</sup>	82,839 <sup>d</sup>	
Vehicle Lease Payments	290,500	133,538		65,554 <sup>c</sup>	91,408 <sup>d</sup>	
Leased Space	1,439,762	1,367,848		26,333 <sup>c</sup>	45,581 <sup>d</sup>	
Capitol Complex Leased Space	1,516,553	1,163,652		95,749 <sup>c</sup>	257,152 <sup>d</sup>	
Communications Services Payments	38,939	10,762		15,979 <sup>c</sup>	12,198 <sup>d</sup>	
Lease Purchase - 1881 Pierce Street	796,183			176,989 <sup>c</sup>	619,194 <sup>d</sup>	
Utilities	<u>120,059</u>	56,303			63,756 <sup>d</sup>	
	19,807,968					

<sup>a</sup> Of this amount, \$962 shall be from various sources of cash funds. The remainder shall be from the following funds for the purpose of indirect cost recoveries: \$269,023(T) shall be from the State Lottery Fund pursuant to Section 24-35-210, C.R.S., \$83,588 shall be from the Auto Dealers License Fund pursuant to Section 12-6-123, C.R.S., \$75,935 shall be from the Liquor Enforcement Division and State Licensing Authority Cash Fund pursuant to Section 24-35-401, C.R.S., and \$67,155 shall be from the Racing Cash Fund pursuant to Section 12-60-205, C.R.S.

<sup>b</sup> Of this amount, \$5,853 shall be from various sources of cash funds exempt including \$2,024 from the Highways Users Tax Fund. The remainder shall be from the following funds for the purpose of indirect cost recoveries: \$378,227 shall be from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$205,005 shall be from the Colorado State Titling and Registration Account pursuant to Section 42-1-211 (2), C.R.S., \$189,201(T) shall be from the Limited Gaming Fund pursuant to Section 12-47.1-701, C.R.S., \$86,086 shall be from the Driver's License Administrative Revocation Account pursuant to Section 42-2-132 (4) (b), C.R.S., \$45,426 shall be from the AIR Account pursuant to Section 42-3-134 (26) (b), C.R.S., and \$23,446 shall be from the Motorist Insurance Identification Account pursuant to Section 42-3-134 (26) (d) (I), C.R.S.

<sup>c</sup> Of these amounts, \$142,730 shall be from the Liquor Enforcement Division and State Licensing Authority Cash Fund pursuant to Section 24-35-401, C.R.S., \$139,150 shall be from the Auto Dealers License Fund pursuant to Section 12-6-123, C.R.S., \$46,825 shall be from the Racing Cash Fund pursuant to Section 12-60-205, C.R.S., and \$739,948 shall be from various sources of cash funds.

<sup>d</sup> Of these amounts, \$1,098,379 shall be from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$483,376 shall be from the Colorado State Titling and Registration Account; pursuant to Section 42-1-211 (2), C.R.S., \$269,023(T) shall be from the Limited Gaming Fund pursuant to Section 12-47.1-701, C.R.S., \$122,846(T) shall be from the State Lottery Fund pursuant to Section 24-35-210, C.R.S., \$80,578 shall be from the AIR Account pursuant to Section 42-3-134 (26) (b), C.R.S., \$56,114 shall be from Driver's License Administrative Revocation Account pursuant to Section 42-2-132 (4) (b), C.R.S., \$6,999 shall be from the Motorist Insurance Identification Account pursuant to 42-3-134 (26) (d) (I), C.R.S., \$863(T) shall be from Tobacco Education, Prevention, and Cessation Program grants transferred from the Department of Public Health and Environment under Section 25-3.5-804, C.R.S., and \$2,302,088 shall be from various sources of cash funds exempt. Of the amount appropriated from the Highway Users Tax Fund, \$6,203 is exempt from the statutory limit pursuant to Section 43-4-201 (3) (a) (V), C.R.S.

**(2) CASH AND DOCUMENT PROCESSING DIVISION**

Personal Services	5,211,080	4,380,406	449,802 <sup>a</sup>	380,872 <sup>b</sup>
	(122.2 FTE)			
Seasonal Tax Processing	396,633	396,633		
Operating Expenses	3,514,617	3,333,787		180,830 <sup>c</sup>
Pueblo Data Entry Center Payments	1,642,240	1,639,233	571 <sup>d</sup>	2,436 <sup>e</sup>
Microfilm	<u>344,039</u>	344,039		
	11,108,609			

<sup>a</sup> This amount shall be from the following funds shall be for the purpose of indirect cost recoveries: \$302,879 from the Trade Name Registration Fund pursuant to Section 24-35-301 (3) (a), C.R.S., \$66,278 from the Auto Dealers License Fund pursuant to Section 12-6-123, C.R.S., \$49,866 from the Liquor Enforcement Division and State Licensing Authority Cash Fund pursuant to Section 24-35-401, C.R.S., \$14,277 from the Racing Cash Fund pursuant to Section 12-60-205, C.R.S., \$6,652 from the Waste Tire Recycling Development Cash Fund pursuant to Section 25-17-202 (3) (a), C.R.S., \$5,038 from the Aviation Fund pursuant to Section 43-10-109 (1), C.R.S., and \$4,812(T) from the State Lottery Fund pursuant to Section 24-35-210, C.R.S.

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

<sup>b</sup> This amount shall be from the following funds shall be for the purpose of indirect cost recoveries: \$325,611 from the Colorado State Titling and Registration Account pursuant to Section 42-1-211 (2), C.R.S., \$22,281 (T) from the Limited Gaming Fund pursuant to Section 12-47.1-701, C.R.S., \$17,068 from the Driver's License Administrative Revocation Account pursuant to Section 42-2-132 (4) (b), C.R.S., and \$15,912 from the AIR Account pursuant to Section 42-3-134 (26) (b), C.R.S.

<sup>c</sup> Of this amount, \$86,945 shall be from the Identification Security Fund pursuant to Section 42-1-220 (1), C.R.S., \$49,942 shall be from the Outstanding Judgments and Warrants Account as administered under the provisions of Section 42-2-118 (3) (c), C.R.S., and \$43,943 shall be from the Colorado State Titling and Registration Account pursuant to Section 42-1-211 (2), C.R.S.

<sup>d</sup> This amount shall be from the Family Resource Centers Fund pursuant to Section 39-22-2503 (1), C.R.S.

<sup>e</sup> This amount shall be from various sources of cash funds exempt.

**(3) INFORMATION TECHNOLOGY DIVISION<sup>122</sup>**

**(A) Systems Support**

Personal Services	5,745,986 (81.6 FTE)	4,505,719		319,201 <sup>a</sup>	921,066 <sup>b</sup>	
Operating Expenses	727,090	727,090				
Programming Costs for 2004 Session Legislation <sup>123</sup>	95,695 (2.2 FTE)	16,744			78,951 <sup>c</sup>	
	<u>6,568,771</u>					

<sup>a</sup> This amount shall be from the following funds for the purpose of indirect cost recoveries: \$138,440 shall be from the Liquor Enforcement Division and State Licensing Authority Cash Fund pursuant to Section 24-35-401, C.R.S., \$70,508 shall be from the Trade Name Registration Fund pursuant to Section 24-35-301 (3) (a), C.R.S., \$63,685 shall be from the Racing Cash Fund pursuant to Section 12-60-205, C.R.S., \$35,979 (T) shall be from the State Lottery Fund pursuant to Section 24-35-210, C.R.S., \$5,585 shall be from the Waste Tire Recycling Development Cash Fund pursuant to Section 25-17-202 (3) (a), C.R.S., and \$5,004 shall be from the Aviation Fund pursuant to Section 43-10-109, C.R.S.

<sup>b</sup> This amount shall be from the following funds for the purpose of indirect cost recoveries: \$461,170 shall be from the Driver's License Administrative Revocation Account pursuant to Section 42-2-132 (4) (b), C.R.S., \$209,728 shall be from the Colorado State Titling and Registration Account pursuant to Section 42-1-211 (2), C.R.S., \$122,825 shall be from the Outstanding Judgments and Warrants Account, \$117,090 shall be from the AIR Account pursuant to Section 42-3-134 (26) (b), C.R.S., and \$10,253(T) shall be from the Limited Gaming Fund pursuant to Section 12-47.1-701, C.R.S.

<sup>c</sup> This amount shall be from various sources of cash funds exempt.

**(B) Colorado State Titling and Registration System**

Personal Services	2,131,071		2,131,071 <sup>a</sup>
			(31.5 FTE)
Operating Expenses	2,585,465		2,585,465 <sup>a</sup>
CSTRS Rewrite Project Personal Services	345,906		345,906 <sup>a</sup>
			(5.0 FTE)
	<u>5,062,442</u>		

<sup>a</sup> These amounts shall be from the Colorado State Titling and Registration Account pursuant to Section 42-1-211 (2), C.R.S.

11,631,213

**(4) TAXATION BUSINESS GROUP**

**(A) Administration**

Personal Services	462,886	462,886
		(6.0 FTE)
Operating Expenses	<u>14,500</u>	14,500
	477,386	

**(B) Taxation and Compliance Division**

Personal Services	13,214,303	13,029,282	24,103 <sup>a</sup>	160,918(T) <sup>b</sup>
	(217.4 FTE)			
Operating Expenses	637,761	637,761		

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Department of Revenue

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## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Joint Audit Program	131,244	131,244				
Joint Federal/State Motor Fuel Tax	30,415					30,415
Mineral Audit Program	1,199,301				41,814(T) <sup>c</sup>	1,157,487 <sup>d</sup>
	<u>(11.0 FTE)</u>					
	15,213,024					

<sup>a</sup> Of this amount, \$12,669 shall be from the Aviation Fund pursuant to Section 43-10-109, C.R.S., \$5,736 shall be from the Waste Tire Recycling Development Cash Fund pursuant to Section 25-17-202 (3) (a), C.R.S., and \$5,698 shall be from the Trade Name Registration Fund pursuant to Section 24-35-301 (3) (a), C.R.S.

<sup>b</sup> This amount shall be from the Mineral Audit Program for indirect cost recoveries.

<sup>c</sup> Of this amount, \$41,314 shall be from the State Land Board Trust Administration Fund pursuant to Section 36-1-145 (2) (a), C.R.S., and \$500 shall be from the Oil and Gas Conservation Fund pursuant to Section 34-60-122 (5), C.R.S. Both of these funds are administered through the Department of Natural Resources.

<sup>d</sup> Included in this amount is \$160,918 of indirect cost recoveries.

**(C) Taxpayer Service Division**

Personal Services	3,928,633	3,448,324	480,309 <sup>a</sup>
	(74.2 FTE)		
Operating Expenses	<u>418,069</u>	418,069	
	4,346,702		

<sup>a</sup> This amount shall be from the following funds for the purpose of indirect cost recoveries: \$468,636 shall be from the Trade Name Registration Fund pursuant to Section 24-35-301 (3) (a), C.R.S., \$8,734 shall be from the Aviation Fund pursuant to Section 43-10-109, C.R.S., and \$2,939 shall be from the Waste Tire Recycling Development Cash Fund pursuant to Section 25-17-202 (3) (a), C.R.S.

**(D) Tax Conferee**

Personal Services	776,424	776,424
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		(9.0 FTE)
Operating Expenses	<u>15,102</u>	15,102
	791,526	

**(E) Special Purpose**

Cigarette Tax Rebate	15,400,000	15,400,000 <sup>a</sup>	
Old Age Heat and Fuel and Property Tax Assistance Grant	16,000,000	16,000,000 <sup>a</sup>	
Alternative Fuels Rebate	<u>310,601</u>		310,601 <sup>b</sup>
	31,710,601		

<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. They are continuously appropriated by a permanent statute or constitutional provision and 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.

<sup>b</sup> This amount shall be from the Alternative Fuels Rebate Fund pursuant to Section 39-33-105, C.R.S.

52,539,239

**(5) MOTOR VEHICLE BUSINESS GROUP**

**(A) Administration**

Personal Services	663,387	455,498	7,089 <sup>a</sup>	200,800 <sup>b</sup>
	(8.0 FTE)			
Operating Expenses	<u>60,904</u>	60,904		
	724,291			

<sup>a</sup> Of this amount, \$5,671 shall be from the Hazardous Materials Safety Fund pursuant to Section 42-20-107, C.R.S., and \$1,418 shall be from the Nuclear Materials Transportation Fund pursuant to Section 42-20-511, C.R.S.

<sup>b</sup> Of this amount, \$189,458 shall be from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., and \$11,342 shall be from the Motorist Insurance Identification Account pursuant to Section 42-3-134 (26) (d) (I), C.R.S.

**(B) Motor Vehicle Division**

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Personal Services	12,954,873 (324.6 FTE)		5,203,630		1,340 <sup>a</sup>	7,749,903 <sup>b</sup>	
Operating Expenses	1,254,296		1,249,057		2,000 <sup>c</sup>	3,239 <sup>d</sup>	
Drivers License Documents	3,478,361		2,814,140			664,221 <sup>d</sup>	
License Plate Ordering	<u>4,909,869</u>				4,909,869 <sup>e</sup>		
	22,597,399						

<sup>a</sup> This amount shall be from the Auto Dealers License Fund pursuant to Section 12-6-123, C.R.S., for indirect cost recoveries.

<sup>b</sup> Of this amount, \$6,919,424 shall be from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S. The remainder shall be from the following funds for the purpose of indirect cost recoveries: \$244,992 shall be from the Driver's License Administrative Revocation Account pursuant to Section 42-2-132 (4) (b), C.R.S., \$241,438 shall be from the Outstanding Judgments and Warrants Account as administered under the provisions of Section 42-2-118 (3) (c), C.R.S., \$230,261 shall be from the Colorado State Titling and Registration Account pursuant to Section 42-1-211 (2), C.R.S., \$58,223 shall be from the Penalty Assessment Account as administered under the provisions of Section 42-1-217 (2), C.R.S., and \$55,565 shall be from the AIR Account pursuant to Section 42-3-134 (26) (b), C.R.S.

<sup>c</sup> This amount shall be from the Persistent Drunk Driver Cash Fund pursuant to Section 42-3-130.5 (1), C.R.S.

<sup>d</sup> These amounts shall be from the Identification Security Fund pursuant to Section 42-1-220 (1), C.R.S.

<sup>e</sup> This amount shall be from the License Plate Cash Fund pursuant to Section 42-3-113 (6), C.R.S.

**(C) Vehicle Emissions**

Personal Services	906,001				906,001 <sup>a</sup> (15.5 FTE)
Operating Expenses	<u>154,729</u>				154,729 <sup>a</sup>
	1,060,730				

<sup>a</sup> These amounts shall be from the AIR Account pursuant to Section 42-3-134 (26) (b), C.R.S.

**(D) Titles**

Personal Services	1,446,826	1,446,826 <sup>a</sup>
		(38.5 FTE)
Operating Expenses	<u>197,389</u>	197,389 <sup>a</sup>
	1,644,215	

<sup>a</sup> These amounts shall be from the Colorado State Titling and Registration Account pursuant to Section 42-1-211 (2), C.R.S.

**(E) Motorist Insurance Identification Database Program**

Personal Services	1,583,275	1,583,275 <sup>a</sup>
		(8.0 FTE)
Operating Expenses	<u>16,500</u>	16,500 <sup>a</sup>
	1,599,775	

<sup>a</sup> These amounts shall be from the Motorist Insurance Identification Account pursuant to Section 42-3-134 (26) (d) (I), C.R.S.

27,626,410

**(6) MOTOR CARRIER SERVICES DIVISION**

Personal Services	6,785,752	514,247	60,047 <sup>a</sup>	6,211,458 <sup>b</sup>
	(138.7 FTE)			
Operating Expenses	492,671	38,920	500 <sup>c</sup>	453,251 <sup>b</sup>
Fuel Tracking System	479,526			479,526 <sup>d</sup>
				(1.5 FTE)
Controlled Maintenance - Fixed and Mobile Ports	83,784			83,784 <sup>b</sup>
Motor Carrier Safety Assistance Program	618,947			618,947
				(8.5 FTE)

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## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Hazardous Materials Permitting Program	180,100			180,100 <sup>a</sup> (4.0 FTE)		
	<u>8,640,780</u>					

<sup>a</sup> Of this amount, \$38,219 shall be from the Nuclear Materials Transportation Fund pursuant to Section 42-20-511, C.R.S., and \$21,828 shall be from the Aviation Fund for indirect cost recoveries pursuant to Section 43-10-109, C.R.S.

<sup>b</sup> These amounts shall be from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S.

<sup>c</sup> This amount shall be from the Nuclear Materials Transportation Fund pursuant to Section 42-20-511, C.R.S.

<sup>d</sup> This amount shall be from the Highway Users Tax Fund and is exempt from the statutory limit on Highway Users Tax Fund appropriations pursuant to Section 43-4-201 (3) (a) (V), C.R.S.

<sup>e</sup> This amount shall be from the Hazardous Materials Safety Fund pursuant to Section 42-20-107, C.R.S.

**(7) ENFORCEMENT BUSINESS GROUP****(A) Administration**

Personal Services	436,709 (6.0 FTE)	29,456		249,113 <sup>a</sup>	158,140 <sup>b</sup>
Operating Expenses	<u>10,880</u>	734		6,206 <sup>a</sup>	3,940 <sup>b</sup>
	447,589				

<sup>a</sup> These amounts shall be from the following funds for the purpose of indirect cost recoveries: \$91,432 shall be from the Auto Dealer License Fund pursuant to Section 12-6-123, C.R.S., \$81,945 shall be from the Liquor Enforcement Division and State Licensing Authority Cash Fund pursuant to Section 24-35-401, C.R.S., and \$81,942 shall be from the Racing Cash Fund pursuant to Section 12-60-205, C.R.S.

<sup>b</sup> These amounts shall be from the following funds for the purpose of indirect cost recoveries: \$103,507 shall be from the Driver's License Administrative Revocation Account pursuant to Section 42-2-132 (4) (b), C.R.S., and \$58,573(T) shall be from the Limited Gaming Fund pursuant to Section 12-47.1-701, C.R.S.

**(B) Limited Gaming Division**

Personal Services	5,107,276	
	(72.0 FTE)	
Workers' Compensation	54,108	
Operating Expenses	667,667	
Legal Services for 2,720 hours	167,470	
Payment to Risk Management and Property Funds	11,329	
Vehicle Lease Payments	88,836	
Leased Space	54,384	
Lease Purchase - 1881 Pierce Street	195,666	
Licensure Activities	181,497	
Investigations	263,964	
Payments to Other State Agencies	2,429,848	
Distribution to Gaming Cities and Counties	21,366,345	
Indirect Cost Assessment	<u>408,222</u>	
	30,996,612	30,996,612 <sup>a</sup>

<sup>a</sup> This amount shall be from the Limited Gaming Fund pursuant to Section 12-47.1-701, C.R.S. These moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

**(C) Liquor Enforcement Division**

Personal Services	1,343,363	1,343,363 <sup>a</sup>
		(19.0 FTE)
Operating Expenses	<u>51,323</u>	51,323 <sup>a</sup>
	1,394,686	

<sup>a</sup> These amounts shall be from the Liquor Enforcement Division and State Licensing Authority Cash Fund pursuant to Section 24-35-401, C.R.S.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(D) Tobacco Enforcement Program</b>						
Personal Services	393,746 (7.0 FTE)	139,037			254,709(T) <sup>a</sup>	
Operating Expenses	<u>27,943</u>	5,563			22,380(T) <sup>a</sup>	
	421,689					

<sup>a</sup> These amounts are Tobacco Education, Prevention, and Cessation Program grants transferred from the Department of Public Health and Environment under Section 25-3.5-804, C.R.S.

**(E) Division of Racing Events**

Personal Services	1,444,452			1,444,452 <sup>a</sup> (19.0 FTE)		
Operating Expenses	97,845			97,845 <sup>a</sup>		
Laboratory Services	104,992			104,992 <sup>a</sup>		
Commission Meeting Costs	1,200			1,200 <sup>a</sup>		
Racetrack Applications	25,000			25,000 <sup>b</sup>		
Purses and Breeders Awards	<u>1,106,142</u>			1,106,142 <sup>c</sup>		
	2,779,631					

<sup>a</sup> These amounts shall be from the Racing Cash Fund pursuant to Section 12-60-205, C.R.S.

<sup>b</sup> This amount shall be from application fees pursuant to Section 12-60-506, C.R.S.

<sup>c</sup> This amount shall be from racing tax revenues deposited into the Horse Breeders' and Owners' Awards and Supplemental Purse Fund pursuant to Section 12-60-704, C.R.S.

**(F) Hearings Division**

Personal Services	1,745,088	1,745,088 <sup>a</sup>
		(28.0 FTE)
Operating Expenses	<u>58,276</u>	58,276 <sup>a</sup>
	1,803,364	

<sup>a</sup> These amounts shall be from the Driver's License Administrative Revocation Account pursuant to Section 42-2-132 (4) (b), C.R.S.

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

Personal Services	1,184,094	1,184,094 <sup>a</sup>
		(21.2 FTE)
Operating Expenses	<u>55,768</u>	55,768 <sup>a</sup>
	1,239,862	

<sup>a</sup> These amounts shall be from the Auto Dealers License Fund created pursuant to Section 12-6-123, C.R.S.

39,083,433

**(8) STATE LOTTERY DIVISION**

Personal Services	7,983,034
	(128.0 FTE)
Operating Expenses	1,594,794
Legal Services for 665 hours	40,944
Purchase of Services from Computer Center	8,898
Vehicle Lease Payments	163,666
Payments to Other State Agencies	340,488
Telecommunications	132,471
Travel	119,941
Leased Space	797,239



~~1 All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

~~122 Department of Revenue, Information Technology Division -- The Department of Revenue is requested to consistently reflect additional computer programming costs in fiscal notes for proposed legislation. The Department is requested to meet with the Legislative Council fiscal note staff and the Joint Budget Committee staff in an effort to continually revise and update the policy of reflecting programming costs with regard to legislative bills. The Department is requested to submit, with its November 2004 budget request for FY 2005-06, a memorandum explaining its policy with respect to reflecting additional computer programming costs in fiscal notes for legislation during the 2005 legislative session. The Department is requested to submit a negative supplemental request for any estimated savings associated with implementing legislation enacted during the 2004 legislative session.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

123 Department of Revenue, Information Technology Division, Programming Costs for 2004 Session Legislation -- The Department of Revenue is requested to submit a report to the Joint Budget Committee by June 30, 2004, summarizing the estimated computer programming costs to implement legislation enacted during the 2004 session. These cost estimates should include any economies of scale that may exist because multiple bills passed which affect similar systems. The Department is also requested to submit a report to the Joint Budget Committee by December 31, 2004, summarizing the actual programming costs of bills to implement legislation enacted during the 2004 legislative session.

~~124 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~~

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

~~compensation fee, including any changes in the current bonus or commission compensation schedules, prior to any future contractual agreements made with retailers. Pursuant to concerns raised in the State Auditor's November 2003 Performance Audit of the State Lottery Division regarding retailer compensation, a report is requested by November 1, 2004, which discusses any changes to retailer compensation agreements for FY 2004-05 and demonstrates how the level of these incentives contribute positively or negatively to total sales. If the Division chooses to abide by the compensation agreements from FY 2003-04, the report should also include the rationale for doing so.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

**PART XX**  
**DEPARTMENT OF STATE**

**(1) ADMINISTRATION**

Personal Services	4,058,423
	(87.1 FTE)
Health, Life, and Dental	275,836
Short-term Disability	9,149
Salary Survey and Senior Executive Service	112,906
Performance-based Pay Awards	58,817
Workers' Compensation	3,779
Operating Expenses	564,740
Legal Services for 1,725 hours	106,208

Administrative Law Judge Services	57,291			
Purchase of Services from Computer Center	24,068			
Multiuse Network Payments	71,724			
Payment to Risk Management and Property Funds	18,148			
Vehicle Lease Payments	1,100			
Leased Space	765,397			
Indirect Cost Assessment	112,520			
Discretionary Fund	<u>5,000</u>			
		6,245,106	6,213,209 <sup>a</sup>	31,897

<sup>a</sup> Of this amount, \$5,971,555 shall be from the Department of State Cash Fund created pursuant to Section 24-21-104 (3) (b), C.R.S., and \$241,654 shall be from the Notary Administration Cash Fund created pursuant to Section 12-55-102.5 (1), C.R.S.

**(2) SPECIAL PURPOSE**

Help America Vote Act Program	9,120,572			
	(18.0 FTE)			
Local Election Reimbursement	915,389			
Electronic Filing Grants to Counties	1,500,000			
Initiative and Referendum	500,000			
Master List Distribution Contract	<u>80,000</u>			
		12,115,961	2,995,389 <sup>a</sup>	9,120,572 <sup>b</sup>

<sup>a</sup> Of this amount, \$1,495,389 shall be from the Department of State Cash Fund created pursuant to Section 24-21-104 (3) (b), C.R.S., and \$1,500,000 shall be from the Clerk and Recorder Electronic Filing Technology Fund created pursuant to Section 30-10-422 (1), C.R.S.

<sup>b</sup> This amount shall be from the Federal Elections Assistance Fund created in Section 1-1.5-106 (1), C.R.S. Moneys from the Federal Elections Assistance Fund are included for informational purposes only because they are continuously appropriated by Section 1-1.5-106 (2) (b), C.R.S.

**(3) INFORMATION TECHNOLOGY SERVICES**

Personal Services	1,963,962
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(24.0 FTE)						
Operating Expenses	572,257					
Hardware/Software Maintenance	876,120					
Information Technology Asset Management	<u>445,418</u>					
	3,857,757			3,857,757 <sup>a</sup>		

<sup>a</sup> Of this amount, \$3,707,304 shall be from the Department of State Cash Fund created pursuant to Section 24-21-104 (3) (b), C.R.S., and \$150,453 shall be from the Notary Administration Cash Fund created pursuant to Section 12-55-102.5 (1), C.R.S.

**TOTALS PART XX**

<b>(STATE)<sup>1,2</sup></b>	<u>\$22,218,824</u>	<u>                    </u>	<u>                    </u>	<u>\$13,066,355</u>	<u>\$9,120,572</u>	<u>\$31,897</u>
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**FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

~~1~~ ~~All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

**PART XXI  
DEPARTMENT OF TRANSPORTATION**

**(1) OFFICE OF TRANSPORTATION SAFETY<sup>3</sup>**

Persistent Drunk Driver Program	100,000	100,000 <sup>a</sup>
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<sup>a</sup> This amount shall be from the Persistent Drunk Driver Cash Fund created in Section 42-3-130.5 (1), C.R.S.

**(2) DIVISION OF AERONAUTICS**

Personal Services	467,661	321,299 <sup>a</sup>	146,362 <sup>b</sup>
		(5.0 FTE)	(3.0 FTE)
Health, Life, and Dental	17,577	9,653 <sup>a</sup>	7,924 <sup>b</sup>
Short-term Disability	676	450 <sup>a</sup>	226 <sup>b</sup>
Salary Survey and Senior Executive Service	9,733	6,462 <sup>a</sup>	3,271 <sup>b</sup>
Performance-based Pay Awards	5,297	3,218 <sup>a</sup>	2,079 <sup>b</sup>
Workers' Compensation	2,922	2,922 <sup>a</sup>	
Operating Expenses	67,966	67,966 <sup>a</sup>	
Legal Services for 35 hours	2,155	2,155 <sup>a</sup>	
Vehicle Lease Payments	348	348 <sup>a</sup>	
Leased Space	25,887	25,887 <sup>a</sup>	

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Department of Transportation

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 APPROPRIATION FROM
 

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ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Communications Services Payments	1,530			1,530 <sup>a</sup>		
Indirect Cost Assessment	24,892			24,892 <sup>a</sup>		
Federal Grants and Refunds	165,332					165,332 <sup>b</sup>
Formula Refunds	7,908,134			7,908,134 <sup>c</sup>		
Discretionary Grants	<u>4,132,956</u>			<u>4,132,956<sup>c</sup></u>		
	12,833,066					

<sup>a</sup> These amounts shall be from the Aviation Fund created in Section 43-10-109 (1), C.R.S.

<sup>b</sup> These amounts shall be from grants received from the Federal Aviation Administration.

<sup>c</sup> These amounts shall be from the Aviation Fund created in Section 43-10-109 (1), C.R.S., and are included for informational purposes only as they are continuously appropriated pursuant to Section 43-10-109 (3), C.R.S.

<b>(3) ADMINISTRATION<sup>125</sup></b>	23,086,923				23,086,923 <sup>a</sup>	
					(219.7 FTE) <sup>b</sup>	

<sup>a</sup> Of this amount, \$21,739,671 shall be from the State Highway Fund pursuant to Sections 43-4-205 (5) (a) and 43-1-113, C.R.S., and \$1,347,252(T) shall be funded internally by various cash funds exempt sources in the Department. Included in this total amount is \$405,131 for 6,580 hours of legal services.

<sup>b</sup> Of this number, 204.7 FTE are administrative FTE funded by the State Highway Fund pursuant to Sections 43-4-205 (5) (a) and 43-1-113, C.R.S., and 15.0 FTE are funded internally by various cash funds exempt sources in the Department.

**(4) CONSTRUCTION,  
MAINTENANCE, AND  
OPERATIONS**

756,112,590	51,891,740 <sup>a</sup>	404,800,819 <sup>b</sup>	299,420,031
(3,073.5 FTE)			

<sup>a</sup> Of this amount, \$34,636,771 shall be from miscellaneous department revenues including permit fees and interest earnings, \$14,869,349(L) shall be from funds provided by local governments for highway maintenance and construction projects, \$1,771,000 shall be from the Law Enforcement Assistance Fund pursuant to Section 43-4-401, C.R.S., and \$614,620 shall be from the Motorcycle Operator Safety Training Fund pursuant to Section 43-5-504, C.R.S.

<sup>b</sup> These funds are subject to appropriation by the State Transportation Commission pursuant to Sections 43-1-106 (8) (h) and 43-1-113 (14) (a), C.R.S., and are included here for informational purposes. Of this amount, \$403,091,231 shall be from the State Highway Fund pursuant to Section 43-4-205 (5) (a), C.R.S., and \$1,709,588(T) shall be funded internally by various cash funds exempt sources in the Department. Included in this total amount is \$604,433 for 9,817 hours of legal services and \$157,524 for capitol complex leased space.

**(5) TRANSPORTATION REVENUE  
ANTICIPATION NOTES**

125,000,000	125,000,000 <sup>a</sup>
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<sup>a</sup> This amount represents an estimate of the amount of Transportation Revenue Anticipation Notes (TRANs) proceeds plus interest to be applied to the Strategic Transportation Project Investment Program during FY 2004-05 pursuant to Section 43-4-705, C.R.S. These TRANs shall be repaid from the Department's future federal and state match revenues over the next fifteen to twenty years. The amount is subject to appropriation by the State Transportation Commission pursuant to Section 43-4-706, C.R.S., and is included here for informational purposes only.

**(6) STATEWIDE TOLLING  
ENTERPRISE**

222,432	222,432 <sup>a</sup>
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<sup>a</sup> These funds are subject to appropriation by the Colorado Tolling Enterprise Board pursuant to Section 43-4-804, C.R.S., and are included here for informational purposes. The source of funds for this appropriation shall be the Statewide Tolling Enterprise Operating Fund created in Section 43-4-805, C.R.S.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>TOTALS PART XXI (TRANSPORTATION)<sup>1,2</sup></b>	<u>\$917,355,011</u>			<u>\$64,499,612<sup>a</sup></u>	<u>\$553,110,174<sup>b</sup></u>	<u>\$299,745,225</u>

<sup>a</sup> Of this amount, \$14,869,349 contains an (L) notation.

<sup>b</sup> Of this amount, \$3,056,840 contains a (T) notation.

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

~~1 All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

~~3 Department of Corrections, Management, Executive Director's Office Subprogram, Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division and Division of Youth Corrections, Judicial Department, Probation and Related Services, Department of Public Safety, Division of Criminal Justice, and Department of Transportation, Office of Transportation Safety -- State agencies involved in multi-agency programs requiring separate~~

~~appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from the Drug Offender Surcharge Fund, the Sex Offender Surcharge Fund, the Persistent Drunk Driver Cash Fund, and the Alcohol and Drug Driving Safety Fund, among other programs.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~125 Department of Transportation, Administration -- The Department is requested to complete state budget forms for Administration personal services that provide information for each office or section within the Administration line item. This information should be sufficiently detailed to allow calculation for Option 8 purposes. PERA and Medicare should also be provided by the individual section or office. Additionally, the Department should include subtotals for salary and FTE for each of the offices within the Administration line item information currently supplied.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

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

**PART XXII**  
**DEPARTMENT OF THE TREASURY**

**(1) ADMINISTRATION<sup>126</sup>**

Personal Services	1,097,979
(16.0 FTE)	
Health, Life, and Dental	65,512
Short-term Disability	2,230
Salary Survey and Senior Executive Service	30,709
Performance-based Pay Awards	15,591
Operating Expenses	116,731
Information Technology Asset Maintenance	5,792
Legal Services for 330 hours	20,318
Purchase of Services from Computer Center	3,800
Payment to Risk Management and Property Funds	1,042
Capitol Complex Leased Space	37,631
Third Party Audit Contract Services	600,000
Charter School Facilities	
Financing Services	5,000
Discretionary Fund	<u>5,000</u>

2,007,335	734,675	1,272,660 <sup>a</sup>
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<sup>a</sup> Of this amount, \$646,122 shall be from the principal balance of the Unclaimed Property Trust Fund pursuant to Section 38-13-116.5, C.R.S., \$621,538 shall be from cash management transaction fees assessed by the State Treasurer in accordance with Section 24-36-120, C.R.S., and \$5,000 shall be from the Charter School Financing Administrative Cash Fund in accordance with Section 22-30.5-406 (1) (c), C.R.S. Of the amount from the principal balance of the Unclaimed Property Trust Fund, \$600,000 shall be from revenues that are collected by third party auditors on behalf of the State Treasurer. Moneys from the Charter School Financing Administrative Cash Fund are continuously appropriated and are 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.

**(2) UNCLAIMED PROPERTY PROGRAM**

Personal Services	608,719		
	(9.5 FTE)		
Operating Expenses	196,617		
Leased Space	<u>74,693</u>		
		880,029	880,029 <sup>a</sup>

<sup>a</sup> This amount shall be from the principal balance of the Unclaimed Property Trust Fund pursuant to Section 38-13-116.5, C.R.S.

**(3) FIRE AND POLICE PENSION ASSOCIATION<sup>127</sup>**

Volunteer Firefighter Retirement Plans	3,760,894		
Volunteer Death and Disability	<u>30,000</u>		
		3,790,894	3,790,894 <sup>a</sup>

<sup>a</sup> This amount is included for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. This amount is continuously appropriated by a permanent statute or constitutional provision and is not subject to the limitation on General Fund appropriations as set forth in Section 24-75-201.1, C.R.S.

**(4) APPROPRIATED COUNTIES**

157,940,000	157,940,000 <sup>a</sup>
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**SECTION 3. Capital construction appropriation.** (1) (a) The sums in this section, or so much thereof as may be necessary for the purposes specified, are hereby appropriated out of any funds accrued or accruing to the capital construction fund not otherwise appropriated and out of the cash funds and federal funds specified for construction projects at the respective institutions and agencies enumerated in this section. Except as otherwise provided in particular line items of appropriation, the appropriations made in this section shall become available upon passage and approval of this act and, if any appropriated project is initiated within the fiscal year, the appropriation therefor shall remain available until completion of the project or for a period of three years, whichever comes first, at which time unexpended and unencumbered balances shall revert to the funds from which they were appropriated.

(b) For purposes of section 20 of article X of the state constitution and pursuant to section 24-75-302 (1) (b), Colorado Revised Statutes, the unrestricted year-end balance of the capital construction fund for the 1991-92 fiscal year shall constitute a reserve. Consequently, any moneys credited to the capital construction fund constitutes a reserve increase and therefore constitutes state fiscal year spending, as defined in section 24-77-102 (17) (a), Colorado Revised Statutes, and any moneys transferred or expended from the capital construction fund constitutes a reserve transfer or expenditure which is excluded from state fiscal year spending, as defined in section 24-77-102 (17) (b), Colorado Revised Statutes.

(c) Moneys appropriated in this section from the capital construction fund include the sums transferred from the general fund to the capital construction fund pursuant to section 24-75-218, Colorado Revised Statutes, and section 24-75-302, Colorado Revised Statutes, which sums constitutes state fiscal year spending as defined in section 24-77-102 (17) (a), Colorado Revised Statutes, and one million five hundred eighty thousand dollars (\$1,580,000) in interest earnings for the 2003-04 fiscal year in the capital construction fund pursuant to section 24-75-302 (1), Colorado Revised Statutes, and three million three hundred and four thousand dollars (\$3,304,000) in fund balance, which sums do not constitute state fiscal year spending as defined in section 24-77-102 (17) (b), Colorado Revised Statutes.

(d) In addition to any other appropriation made for the fiscal year beginning July 1, 2004, there is hereby appropriated, out of any moneys received by the state pursuant to the master settlement agreement pursuant to section 23-20-207 (1) (a) (I.5) (A), Colorado Revised Statutes, to the capital construction fund created in section 24-75-302, Colorado Revised Statutes, the sum of one million nine hundred thousand dollars (\$1,900,000). Said appropriation is to comply with section 23-20-136 (3.5) (a), Colorado Revised Statutes, and shall not take effect unless there is a final court decision allowing lease purchase agreements pursuant to H.B. 03-1256 and the amount is due to a lessor for the lease purchase of academic buildings at Fitzsimons in the 2004-05 fiscal year.

(e) Moneys appropriated in this section from cash funds shall constitute state fiscal year spending as defined in section 24-77-102 (17) (a), Colorado Revised Statutes. Moneys appropriated in this section from cash funds exempt do not constitute state fiscal year spending as defined in section 24-77-102 (17) (b), Colorado Revised Statutes.

(2) Except as otherwise specifically noted, appropriations from state funds shall

be reduced by the amount of any funds received from federal, local, private, or other state sources and not appropriated in this act. This restriction shall not apply to any funds received by a state agency or institution of higher education or the Council on the Arts from any state or nonstate source for use in the Art in Public Places program.

(3) Operating and maintenance costs shall be a major consideration in the design and construction of any project involving renovation.

(4) A construction project for which the lowest bid is in excess of the appropriation shall be redesigned to conform to the appropriation and may be commenced if approved under the procedures set forth in this subsection (4). The agency shall submit the redesigned project to the state buildings division of the department of administration or, for higher education projects, to the Colorado commission on higher education, which shall assure that the redesigned project meets the program needs of the agency and the necessary quality of the building. The state buildings division and the Colorado commission on higher education shall report all such analyses to the joint budget committee and to the capital development committee on a regular basis. If the redesigned project is approved by the state buildings division or the Colorado commission on higher education, the project may commence. If the redesigned project is not approved, it shall not be commenced until further action is taken by the general assembly to reauthorize the project.

(5) Expenditures of funds appropriated for capital construction shall be in accord with section 17-24-111, Colorado Revised Statutes, which requires institutions, agencies, and departments to purchase such goods and services as are produced by the division of correctional industries from said division.

(6) **Definitions.** As used in this section:

(a) "Physical planning" includes all fees for survey and site investigation and architectural and engineering services, but no contract for architectural/engineering services shall commit the state to physical planning expenses greater than those which are provided in the appropriation. No funds appropriated for any other purpose shall be expended for physical planning.

(b) "Program plan" or "program planning" relates to a specific project or facility and shall include, but is not limited to, an inventory of amounts and types of space currently available; an analysis of amounts, types, and relative locations of space required for current programs as determined by use of accepted state space standards; an analysis of projected programs and space required; and, if a change in facilities is justified based on analysis, recommendations for demolition, remodeling, or construction, including a detailed budget which relates to a realistic timetable for implementation.

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

**PART I  
DEPARTMENT OF CORRECTIONS**

**(1) CAPITAL CONSTRUCTION**

Correctional Industries, Minor Construction Projects <sup>1</sup>	430,000				430,000 <sup>a</sup>	
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<sup>a</sup> This amount shall be from sales revenues earned by Correctional Industries.

**TOTALS PART I  
(CORRECTIONS)**

\$430,000	_____	_____	_____	_____	\$430,000	_____
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**PART II  
DEPARTMENT OF HIGHER EDUCATION**

**(1) ADAMS STATE COLLEGE**

**(A) Capital Construction**

College Center and Rex Gym Roof Replacement	337,688				337,688 <sup>a</sup>	
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<sup>a</sup> This amount shall be from exempt institutional sources.

**(2) MESA STATE COLLEGE**

**(A) Capital Construction**

Pinon Hall and Mary Rait Hall  
Renovations

465,000

465,000<sup>a</sup>

<sup>a</sup> This amount shall be from exempt institutional sources. It meets the criteria in Section 24-75-303 (3) (a) (II), C.R.S., and is shown here for informational purposes only. Therefore, it shall not be accounted for in the State's Capital Construction Fund and the limitations on encumbrance timeliness and use of internal workforce do not apply.

**(3) WESTERN STATE COLLEGE**

**(A) Capital Construction**

Escalante Resident Hall Complex  
Building Renovations

6,655,626

6,655,626<sup>a</sup>

<sup>a</sup> This amount shall be from exempt institutional sources. It meets the criteria in Section 24-75-303 (3) (a) (II), C.R.S., and is shown here for informational purposes only. Therefore, it shall not be accounted for in the State's Capital Construction Fund and the limitations on encumbrance timeliness and use of internal workforce do not apply.

**(4) COLORADO STATE UNIVERSITY**

**(A) Capital Construction**

Atmospheric Science Chemistry

Addition 2,500,000

2,500,000<sup>a</sup>

Hughes Stadium Expansion 12,949,517

12,949,517<sup>a</sup>

Hughes Stadium Scoreboard

Replacement 1,250,000

1,250,000<sup>b</sup>

Lory Student Center Major

Maintenance and Renovation 3,110,300

3,110,300<sup>b</sup>

Regional Biocontainment

Laboratory 22,461,000

7,079,000<sup>a</sup>

15,382,000

Synthetic Football Practice Field 750,000

750,000<sup>b</sup>

43,020,817

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

<sup>a</sup> These amounts shall be from exempt institutional sources.

<sup>b</sup> These amounts shall be from exempt institutional sources. They meet the criteria in Section 24-75-303(3) (a) (II), C.R.S. and are shown here for informational purposes only. Therefore, they shall not be accounted for in the State's Capital Construction Fund and the limitations on encumbrance timeliness and use of internal workforce do not apply.

**(5) UNIVERSITY OF COLORADO AT BOULDER**

**(A) Capital Construction**

Laboratory for Atmospheric and Space Physics Space Technology Research Center Addition	13,022,000	13,022,000 <sup>a</sup>
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<sup>a</sup> This amount shall be from exempt institutional sources. It meets the criteria in Section 24-75-303(3) (a) (II), C.R.S. and is shown here for informational purposes only. Therefore, it shall not be accounted for in the State's Capital Construction Fund and the limitations on encumbrance timeliness and use of internal workforce do not apply.

**(6) UNIVERSITY OF COLORADO AT COLORADO SPRINGS**

**(A) Capital Construction**

Dormitories	16,000,000	16,000,000 <sup>a</sup>
Science/Engineering Buildings	<u>23,200,000</u>	23,200,000 <sup>b</sup>
	39,200,000	

<sup>a</sup> This amount shall be from exempt institutional sources. It meets the criteria in Section 24-75-303 (3) (a) (II), C.R.S., and is shown here for informational purposes only. Therefore, it shall not be accounted for in the State's Capital Construction Fund and the limitations on encumbrance timeliness and use of internal workforce do not apply.

<sup>b</sup> This amount shall be from exempt institutional sources.

**(7) UNIVERSITY OF COLORADO HEALTH SCIENCES CENTER**

**(A) Capital Construction**

Barbara Davis Center for Childhood				
Diabetes at Fitzsimons	6,442,374		3,221,187 <sup>a</sup>	3,221,187
Building 500 Renovation, Phase 3	9,000,376		9,000,376 <sup>a</sup>	
Fitzsimons, Infrastructure Phase 8	4,357,389		4,357,389 <sup>a</sup>	
Fitzsimons Trust Fund <sup>2</sup>	1,900,000	1,900,000		
Lease Purchase of Academic Facilities at Fitzsimons <sup>2</sup>	<u>1,900,000</u>		1,900,000 <sup>b</sup>	
	23,600,139			

<sup>a</sup> These amounts shall be from exempt institutional sources.

<sup>b</sup> This amount shall be from the Fitzsimons Trust Fund created in Section 23-20-136, C.R.S.

**(8) COLORADO SCHOOL OF MINES**

**(A) Capital Construction**

Student Life Projects	26,500,000		26,500,000 <sup>a</sup>	
Addition to Center for Teaching and Learning Media <sup>3</sup>	<u>2,300,000</u>	2,300,000		
	28,800,000			

<sup>a</sup> This amount shall be from exempt institutional sources. It meets the criteria in Section 24-75-303 (3) (a) (II), C.R.S., and is shown here for informational purposes only. Therefore, it shall not be accounted for in the State's Capital Construction Fund and the limitations on encumbrance timeliness and use of internal workforce do not apply.

**(9) FRONT RANGE COMMUNITY COLLEGE**

**(A) Capital Construction**

Westminster Campus, Expand and Renovate Parking Lots	3,000,000		3,000,000 <sup>a</sup>	
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

<sup>a</sup> This amount shall be from exempt institutional sources. It meets the criteria in Section 24-75-303 (3) (a) (II), C.R.S., and is shown here for informational purposes only. Therefore, it shall not be accounted for in the State's Capital Construction Fund and the limitations on encumbrance timeliness and use of internal workforce do not apply.

**(10) AURARIA HIGHER EDUCATION CENTER**

**(A) Capital Construction**

Parking Structure	17,236,165				17,236,165 <sup>a</sup>	
Tivoli Student Union Revitalization	<u>28,140,774</u>				28,140,774 <sup>a</sup>	
	45,376,939					

<sup>a</sup> These amounts shall be from exempt institutional sources. They meet the criteria in Section 24-75-303(3) (a) (II), C.R.S. and are shown here for informational purposes only. Therefore, they shall not be accounted for in the State's Capital Construction Fund and the limitations on encumbrance timeliness and use of internal workforce do not apply.

**(11) COLORADO HISTORICAL SOCIETY**

**(A) Capital Construction**

Regional Museum Preservation Projects	374,800				374,800 <sup>a</sup>	
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<sup>a</sup> This amount shall be from the State Historical Fund.

**TOTALS PART II**

<b>(HIGHER EDUCATION)</b>	<u>\$203,853,009</u>	<u>                    </u>	<u>\$4,200,000</u>	<u>                    </u>	<u>\$181,049,822</u>	<u>\$18,603,187</u>
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**PART III  
DEPARTMENT OF LABOR AND EMPLOYMENT**

**(1) CAPITAL CONSTRUCTION**

Petroleum Storage Tank Site Cleanup	19,000,000	18,200,000 <sup>a</sup>	800,000
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<sup>a</sup>This amount shall be from the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S.

**TOTALS PART III**

<b>(LABOR AND EMPLOYMENT)</b>	<u>\$19,000,000</u>	<u>\$18,200,000</u>	<u>\$800,000</u>
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**PART IV  
DEPARTMENT OF MILITARY AFFAIRS**

**(1) CAPITAL CONSTRUCTION**

Tenant Upgrades and Network Operations Center Relocation	1,026,000	276,000 <sup>a</sup>	750,000
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<sup>a</sup>This amount shall be from the Real Estate Proceeds Fund created in Section 28-3-106(1) (s) (II), C.R.S.

**TOTALS PART IV**

<b>(MILITARY AFFAIRS)</b>	<u>\$1,026,000</u>	<u>\$276,000</u>	<u>\$750,000</u>
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART V****DEPARTMENT OF NATURAL RESOURCES****(1) DIVISION OF PARKS AND OUTDOOR RECREATION****(A) CAPITAL CONSTRUCTION AND CONTROLLED MAINTENANCE**

Barbour Ponds State Park Renovation	500,000			500,000 <sup>a</sup>	
Business Development Initiatives	300,000			300,000 <sup>a</sup>	
Cherry Creek Concession Enhancements	366,000			366,000 <sup>a</sup>	
Cheyenne Mountain State Park	4,472,000			4,472,000 <sup>a</sup>	
Corps Cost Share Improvements Phase III	4,000,000			2,000,000 <sup>a</sup>	2,000,000
Front Range Trail	400,000			400,000 <sup>a</sup>	
Information Technology System Projects	175,000			175,000 <sup>a</sup>	
Major Repairs, Minor Recreation Improvements	3,000,000			3,000,000 <sup>a</sup>	
New Park Opportunities	500,000			500,000 <sup>a</sup>	
Off-Highway Vehicle Program Grants and Minor New Construction and Renovation	1,470,000			1,200,000 <sup>b</sup>	270,000
Park Improvements and Buffer Acquisitions	340,000			340,000 <sup>a</sup>	

Recreational Trails Volunteer Partnership Program	50,000	50,000 <sup>a</sup>	
Renovation of Bureau of Reclamation State Parks	2,800,000	1,400,000 <sup>a</sup>	1,400,000
Reservoir Enhancements	188,000		188,000
Revenue Enhancements	2,615,000	2,040,000 <sup>a</sup>	575,000
Saint Vrain Corridor	1,740,000	1,740,000 <sup>a</sup>	
State Trails Grant Program	1,250,000	300,000 <sup>a</sup>	950,000
Staunton State Park, Acquisition of Additional Property	450,000	450,000 <sup>a</sup>	
Water Acquisitions/Lease Options and Dam Repairs	600,000	600,000 <sup>a</sup>	
Wildfire Prevention	650,000	250,000 <sup>a</sup>	400,000
	<u>25,866,000</u>		

<sup>a</sup> Of these amounts, \$9,400,000 shall be from the Division of Parks and Outdoor Recreation distribution of Lottery proceeds, \$9,183,000 shall be from Great Outdoors Colorado Board Grants, and \$300,000 shall be from the Highway Users Tax *Fund pursuant to Section 33-10-111 (4), C.R.S.* These amounts are shown for informational purposes only. Lottery proceeds are based on estimates and shown for informational purposes only. As more current projections of Lottery proceeds become available, the Division may make adjustments to the amounts and projects shown here.

<sup>b</sup> This amount shall be from the Off-Highway Vehicle Recreation Fund pursuant to Section 33-14.5-106, C.R.S.

**(2) DIVISION OF WILDLIFE<sup>4</sup>**

**(A) CAPITAL CONSTRUCTION AND CONTROLLED MAINTENANCE**

Cooperative Habitat Improvements	500,000	500,000 <sup>a</sup>	
Dam Maintenance, Repair, and Improvement	78,750	78,750 <sup>a</sup>	
Employee Housing Repairs	137,025	137,025 <sup>a</sup>	
Fish Unit Maintenance and Improvement	862,995	862,995 <sup>a</sup>	
Lake Christine Dam Repairs	400,000	400,000 <sup>a</sup>	
Miscellaneous Small Projects	153,550	153,550 <sup>a</sup>	

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Motorboat Access on Lakes and Streams	618,875				31,500 <sup>a</sup>	587,375
Native Aquatic Species Facility Well Replacement	787,500				787,500 <sup>a</sup>	
Property Acquisition	1,000,000				1,000,000 <sup>a</sup>	
Property Maintenance, Improvement, and Development	238,628				238,628 <sup>a</sup>	
Service Centers Improvements	800,000				800,000 <sup>a</sup>	
Shooting Range Improvements	220,000				60,000 <sup>a</sup>	160,000
Stream and Lake Improvements	386,715				386,715 <sup>a</sup>	
Waterfowl Habitat Projects	200,000				200,000 <sup>b</sup>	
Wetlands Improvement Projects	<u>600,000</u>				600,000 <sup>a</sup>	
	6,984,038					
<b>TOTALS PART V (NATURAL RESOURCES)</b>	<u>\$32,850,038</u>			<u>\$1,200,000</u>	<u>\$25,119,663</u>	<u>\$6,530,375</u>

<sup>a</sup> These amounts shall be from reserves in the Wildlife Cash Fund created in Section 33-1-112, C.R.S.

<sup>b</sup> This amount shall be from waterfowl stamp fees pursuant to Section 33-4-102.5, C.R.S.

**PART VI  
DEPARTMENT OF PERSONNEL**

**(1) CERTIFICATES OF PARTICIPATION PROJECTS**

2002 Issue (Refunding of 1992 Issue)	3,842,650	3,842,650	
Lease Purchase of 1881 Pierce Street Building	<u>1,778,782</u>	982,599	796,183(T) <sup>a</sup>
	5,621,432		

<sup>a</sup> This amount shall be from the Department of Revenue.

**(2) CONTROLLED MAINTENANCE**

Emergency Controlled Maintenance	500,000	248,691	251,309 <sup>a</sup>
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<sup>a</sup> This amount shall be from reserves in the Controlled Maintenance Trust Fund created in Section 24-75-302.5, C.R.S.

**TOTALS PART VI  
(PERSONNEL)**

<u>\$6,121,432</u>	<u>                    </u>	<u>\$5,073,940</u>	<u>                    </u>	<u>\$1,047,492<sup>a</sup></u>	<u>                    </u>
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<sup>a</sup> Of this amount, \$796,183 contains a (T) notation.

**PART VII  
DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

**(1) CAPITAL CONSTRUCTION**

Contaminated Sites Redevelopment Pursuant to H.B. 00-1306	250,000	250,000 <sup>a</sup>
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

<sup>a</sup> This amount shall be from the Hazardous Substance Response Fund pursuant to Section 25-16-104.6, C.R.S.

**TOTALS PART VII  
(PUBLIC HEALTH AND  
ENVIRONMENT)**

	<u>\$250,000</u>				<u>\$250,000</u>	
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**PART VIII  
DEPARTMENT OF REVENUE**

**(1) CAPITAL CONSTRUCTION**

Titling and Registration System	2,227,377				2,227,377 <sup>a</sup>	
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<sup>a</sup> This amount shall be from the Colorado State Titling and Registration Account created in Section 42-1-211 (2), C.R.S.

**TOTALS PART X  
(REVENUE)**

	<u>\$2,227,377</u>				<u>\$2,227,377</u>	
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**GRAND TOTALS  
(CAPITAL CONSTRUCTION)**

	<u>\$265,757,856</u>		<u>\$9,273,940</u>	<u>\$19,400,000</u>	<u>\$210,400,354<sup>a</sup></u>	<u>\$26,683,562</u>
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<sup>a</sup> Of this amount, \$796,183 contains a (T) notation.

**FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 3.

1 Capital Construction, Department of Corrections, Capital Construction, Correctional Industries, Minor Construction Projects -- The Department of Corrections is requested to submit an annual report to the Capital Development and Joint Budget Committees detailing expenditures made from this appropriation.

~~2 Capital Construction, Department of Higher Education, University of Colorado Health Sciences Center, Capital Construction, Fitzsimons Trust Fund, Lease Purchase of Academic Facilities at Fitzsimons -- It is the intent of the General Assembly that the State Controller restrict these funds pending notification by the University of Colorado that there is a final court decision allowing lease purchase agreements pursuant to H.B. 03-1256, and an amount is due to a lessor for the lease purchase of academic buildings at Fitzsimons in the 2004-05 fiscal year.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

~~3 Capital Construction, Department of Higher Education, Colorado School of Mines, Capital Construction, Addition to Center for Teaching and Learning Media -- It is the intent of the General Assembly that the Colorado School of Mines raise the remaining approximately \$4.3 million necessary to complete this project from private donations and sources other than the General Fund.~~

(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)

4 Capital Construction, Department of Natural Resources, Division of Wildlife -- It is the intent of the General assembly that the Division better inform members of the General Assembly regarding the purchase of property and easements. As soon as the Division starts to consider a property acquisition or easement in a given county, the Division is directed to contact all members of the General Assembly who represent any portion of the county where the proposed acquisition or easement is to occur. Such notification shall include the specific location of the property or easement to be acquired, the mechanism for funding the proposal and the justification for seeking the acquisition of easement.

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

**SECTION 4.** Part III (4) (A) of section 2 of chapter 449, Session Laws of Colorado 2003, is amended to read:

Section 2. **Appropriation.**

**PART III  
DEPARTMENT OF EDUCATION**

**(4) SCHOOL FOR THE DEAF AND THE BLIND**

**(A) School Operations<sup>17</sup>**

Personal Services	<del>8,215,408</del>		
	8,188,225		
	(148.2 FTE)		
Operating Expenses	393,520		
Utilities	<del>331,536</del>		
	<u>358,719</u>		
	8,940,464	7,815,768	1,124,696(T) <sup>a</sup>

<sup>a</sup> Of this amount, \$1,064,696 shall be from the State Share of Districts' Total Program Funding and \$60,000 shall be from federal Child Nutrition Act funds appropriated in the Appropriated Sponsored Programs subsection.

**SECTION 5.** Part V (1), (2), (5) (A), (5) (G), and the affected totals of section 2 of chapter 449, Session Laws of Colorado 2003, as amended by section 1 of House Bill 04-1320, enacted at the Second Regular Session of the Sixty-fourth General

Assembly, are amended, and the said (5) (A) is further amended BY THE ADDITION OF A NEW FOOTNOTE, to read:

**Section 2. Appropriation.**

**PART V  
DEPARTMENT OF HEALTH CARE POLICY AND FINANCING**

**(1) EXECUTIVE DIRECTOR'S OFFICE<sup>31, 32</sup>**

Personal Services	12,796,112 <sup>a</sup> (196.6 FTE)	5,623,111(M)	158,611 <sup>b</sup>	7,014,390
Health, Life, and Dental	363,665	161,832(M)	1,951 <sup>c</sup>	199,882
Short-term Disability	16,770	7,338(M)	191 <sup>c</sup>	9,241
Salary Survey and Senior Executive Service	378,592	170,286(M)	3,656 <sup>c</sup>	204,650
Workers' Compensation	36,186	18,093(M)		18,093
Operating Expenses	956,035 <sup>d</sup>	472,387(M)	832 <sup>c</sup>	482,816
Legal Services and Third Party Recovery Legal Services for 13,403 hours	814,768	334,740(M)	65,003 <sup>e</sup>	5,349 <sup>c</sup> 409,676
Health Maintenance Organization Litigation Settlement Payments	27,000,000	13,500,000		13,500,000
Administrative Law Judge Services	660,591	330,296(M)		330,295
Computer Systems Costs	259,342	113,436(M)	16,235(T) <sup>g</sup>	129,671
Payment to Risk Management and Property Funds	78,312	39,156(M)		39,156
Capitol Complex Leased Space	270,502	135,251(M)		135,251
Transfer to the Department of Human Services for Related Administration	58,303	29,152(M)		29,151

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Appropriations

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
			\$	\$	\$	\$	\$
Medicaid Management Information System Contract	18,405,579		4,816,184(M)			149,748 <sup>h</sup>	13,439,647
Health Insurance Portability and Accountability Act of 1996 (HIPAA) Implementation Contract Costs	6,668,084		945,773(M)			83,935 <sup>c</sup>	5,638,376
Health Insurance Portability and Accountability Act of 1996 (HIPAA) Implementation Central State Appropriations	<del>1,008,991</del> 967,789		372,112(M)			<del>8,363<sup>r</sup></del> 7,788 <sup>c</sup>	<del>628,516</del> 587,889
Medicaid Authorization Cards and Identification Cards	846,041		417,693(M)			10,656 <sup>i</sup>	417,692
Department of Public Health and Environment Facility Survey and Certification	3,698,759		927,349(M)				2,771,410
Acute Care Utilization Review	1,309,826		342,529(M)			2,899 <sup>j</sup>	964,398
Long-Term Care Utilization Review	1,668,108		598,813(M)				1,069,295
External Quality Review	812,193		203,048(M)				609,145
Drug Utilization Review	233,025		58,256(M)				174,769
Early and Periodic Screening, Diagnosis, and Treatment Program	<del>2,624,222</del> 2,468,383		<del>1,312,111(M)</del> 1,234,192(M)				<del>1,312,111</del> 1,234,191
Nursing Facility Audits	864,150		432,075(M)				432,075
Hospital and Federally Qualified Health Clinic Audits	250,000		125,000(M)				125,000

Nursing Home Preadmission and Resident Assessments	1,010,040	252,510(M)		757,530
Nurse Aide Certification	310,330	142,321(M)	12,844(T) <sup>k</sup>	155,165
Nursing Home Quality Assessments	26,954	6,738(M)		20,216
Estate Recovery	700,000		350,000 <sup>l</sup>	350,000
Single Entry Point Administration	59,310	29,655(M)		29,655
Single Entry Point Audits	35,340	17,670(M)		17,670
S.B. 97-05 Enrollment Broker	1,162,870	581,435(M)		581,435
H.B. 01-1271 Medicaid Buy-in	<u>37,519</u>			37,519
	<b>85,420,519</b>			
	85,223,478			

<sup>a</sup> For information purposes only, the appropriation includes \$364,418 and 5.5 FTE for the Colorado Benefits Management program and \$361,418 and 6.0 FTE for the staffing costs associated with implementing the Health Insurance Portability and Accountability Act of 1996.

<sup>b</sup> Of this amount, \$128,386 shall be from the Children's Basic Health Plan Trust created in Section 26-19-105, C.R.S., and \$30,225 shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

<sup>c</sup> These amounts shall be from the Children's Basic Health Plan Trust created in Section 26-19-105, C.R.S.

<sup>d</sup> For information purposes only, the appropriation includes \$10,308 for the Colorado Benefits Management Program and \$22,140 for the operating costs associated with implementing the Health Insurance Portability and Accountability Act of 1996.

<sup>e</sup> Of this amount, \$582 shall be from the Children's Basic Health Plan Trust created in Section 26-19-105, C.R.S., and \$250 shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

<sup>f</sup> This amount shall be from third party recoveries.

<sup>g</sup> This amount shall be from the Old Age Pension Fund appropriated in the Department of Human Services.

<sup>h</sup> Of this amount, \$146,867(T) shall be from the Old Age Pension Fund appropriated in the Department of Human Services, \$2,347 shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., and ~~\$324~~ \$534 shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

<sup>i</sup> This amount shall be from the Old Age Pension Health and Medical Care Fund appropriated in the Department of Human Services.

<sup>j</sup> This amount shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

<sup>k</sup> This amount shall be from the Department of Regulatory Agencies.

<sup>l</sup> This amount shall be from estate recoveries.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(2) MEDICAL SERVICES PREMIUMS<sup>33, 34, 35, 36</sup></b>						
Services for <del>35,502</del> 34,147						
Supplemental Security Income						
Adults 65 and Older (SSI 65 +) at						
an average cost of <del>\$17,844.24</del>						
\$18,040.99	<del>633,506,385</del>					
	616,045,849					
Services for <del>5,790</del> 5,539						
Supplemental Income Adults 60 to						
64 Years of Age (SSI 60 - 64) at an						
average cost of <del>\$11,815.43</del>						
\$12,666.07	<del>68,411,331</del>					
	70,157,347					
Services for <del>9,450</del> 9,740 Qualified						
Medicare Beneficiaries (QMBs) and						
Special Low-Income Medicare						
Beneficiaries (SLIMBs) at an						
average cost of <del>\$1,069.95</del> \$923.37	<del>10,111,061</del>					
	8,993,633					
Services for <del>49,658</del> 46,390						
Supplemental Security Income						
Disabled Individuals at an average						
cost of <del>\$11,025.31</del> \$12,254.83	<del>547,495,041</del>					
	568,501,503					

Services for <del>47,215</del> 46,312 Categorically Eligible Low-income Adults at an average cost of <del>\$3,056.39</del> \$3,733.39	<del>144,307,353</del> 172,900,871			
Services for <del>6,303</del> 8,156 Baby Care Program Adults at an average cost of <del>\$5,878.40</del> \$6,060.21	<del>37,051,538</del> 49,427,110			
Services for <del>117</del> 111 S.B. 01S2-12 Breast and Cervical Cancer Treatment Clients at an Average Cost of <del>\$23,410.67</del> \$32,522.27	<del>2,739,049</del> 3,609,972			
Services for <del>190,588</del> 190,265 Eligible Children at an average cost of <del>\$1,570.67</del> \$1,445.20	<del>299,350,422</del> 274,971,808			
Services for <del>13,397</del> 14,652 Foster Children at an average cost of <del>\$2,628.48</del> \$2,974.07	<del>35,213,787</del> 43,576,127			
Services for <del>4,634</del> 4,471 Non-Citizens at an Average Cost of \$11,016.10	<del>38,313,232</del> <u>49,253,002</u>			
		<del>1,816,499,199</del> 1,857,437,222	<del>876,387,967(M)</del> 900,295,639(M)	<del>35,094,100<sup>a</sup></del> 28,160,727 <sup>a</sup>
				<del>905,017,132</del> 928,980,856

<sup>a</sup> Of this amount, ~~\$34,093,240~~ \$26,877,416 represents public funds certified as representing expenditures incurred by public nursing homes and hospitals that are eligible for federal financial participation under the Medicaid program, ~~\$958,682~~ \$1,241,133 shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S., and \$42,178 shall be from the Nursing Home Penalty Cash Fund, created pursuant to section 26-4-505 (3) (a), C.R.S.

## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(5) DEPARTMENT OF HUMAN SERVICES MEDICAID-FUNDED PROGRAMS<sup>41, 42</sup></b>						
<b>(A) Executive Director's Office -</b>						
<b>Medicaid Funding FUNDING<sup>42a</sup></b>	8,078,429		4,039,215(M) <sup>a</sup>			4,039,214
<sup>a</sup> Of this amount, \$28,285 is exempt from the statutory limit on state General Fund appropriation pursuant to Section 24-75-201.1 (1) (a) (III) (A), C.R.S.						
<b>(G) Mental Health and Alcohol and Drug Abuse Services - Medicaid Funding</b>						
Administration	1,316,654		570,126(M)			746,528
Mental Health Community Programs, Medicaid Mental Health Capitation	<del>135,777,547</del> 144,441,193		<del>67,888,774(M)</del> 72,185,009(M)			<del>67,888,773</del> 72,231,273
Other Medicaid Mental Health Payments, Medicaid Mental Health Fee for Service Payments	<del>2,724,423</del> 3,587,207		<del>1,362,212(M)</del> 1,793,604(M)			<del>1,362,211</del> 1,793,603
<del>Mental Health Community Programs, Medicaid Mental Health Services for Breast and Cervical Cancer Patients</del>	<del>71,175</del>				<del>24,911<sup>a</sup></del>	<del>46,264</del>
Goebel Lawsuit	<del>12,119,721</del>		<del>6,059,861(M)</del>			<del>6,059,860</del>
Mental Health Institutes	11,655,586		5,827,794(M)			5,827,792
	<del>3,756,032</del>		<del>1,878,016(M)</del>			<del>1,878,016</del>

Alcohol and Drug Abuse Division, High Risk Pregnant Women Program	5,000,680	2,500,340(M)		2,500,340
	<u>557,208</u>	278,604(M)		278,604
	<del>156,322,760</del>			
	166,558,528			

<sup>a</sup> This amount shall be from the Breast and Cervical Cancer Prevention and Treatment Fund created in Section 26-4-532 (7), C.R.S.

~~555,195,615~~  
565,431,383

**TOTALS PART V  
(HEALTH CARE POLICY AND  
FINANCING)<sup>2, 3, 44a</sup>**

<del>\$2,899,214,743</del>	<del>\$1,209,682,513</del>		\$635,517	<del>\$246,399,430</del>	<del>\$1,442,497,283</del>
<u>\$2,950,191,493</u>	<u>\$1,238,630,150</u>			<u>\$239,465,482<sup>a</sup></u>	<u>\$1,471,460,344</u>

<sup>a</sup> Of this amount, \$551,894 contains an (L) notation, and \$11,697,505 contains a (T) notation.

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

42a DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, DEPARTMENT OF HUMAN SERVICES MEDICAID-FUNDED PROGRAMS, EXECUTIVE DIRECTOR'S OFFICE - MEDICAID FUNDING -- THE APPROPRIATION IN THIS HEALTH CARE POLICY AND FINANCING LINE ITEM CORRESPONDS TO THE MEDICAID FUNDING IN THE DEPARTMENT OF HUMAN SERVICES, EXECUTIVE DIRECTOR'S OFFICE, GENERAL ADMINISTRATION. AS SUCH, THE APPROPRIATION CONTAINS AMOUNTS THAT CORRESPOND TO CENTRALIZED APPROPRIATION AMOUNTS IN THE DEPARTMENT OF HUMAN SERVICES. CONSISTENT WITH THE HEAD NOTES TO THE LONG BILL, THE DEPARTMENT OF HUMAN SERVICES IS ABLE TO TRANSFER THE CENTRALIZED APPROPRIATION TO OTHER APPROPRIATION LINE ITEMS IN THEIR APPROPRIATION BILL. IN ORDER TO AID BUDGET RECONCILIATION BETWEEN THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND THE DEPARTMENT OF HUMAN SERVICES, THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING IS HEREBY AUTHORIZED TO MAKE LINE ITEM TRANSFERS OUT OF THIS APPROPRIATION TO OTHER DEPARTMENT OF HUMAN SERVICES MEDICAID-FUNDED PROGRAMS APPROPRIATIONS IN THIS SECTION (5) IN AMOUNTS EQUAL TO THE CENTRALIZED APPROPRIATION TRANSFERS MADE BY THE DEPARTMENT OF HUMAN SERVICES FOR MEDICAID FUNDED PROGRAMS IN THE

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
DEPARTMENT OF HUMAN SERVICES.						

**SECTION 6.** Part VII (5), (8) (B) (1) (a), (8) (B) (1) (b), (8) (B) (3), (8) (C), (10) (C), and the affected totals of section 2 of chapter 449, Session Laws of Colorado 2003, as amended by section 1 of House Bill 04-1322, enacted at the Second Regular Session of the Sixty-fourth General Assembly, are amended to read:

**Section 2. Appropriation.**

**PART VII  
DEPARTMENT OF HUMAN SERVICES**

**(5) DIVISION OF CHILD WELFARE<sup>67, 68</sup>**

Administration <sup>69</sup>	1,751,129 (19.0 FTE)	1,055,475(M)		59,246(T) <sup>a</sup>	636,408 <sup>b</sup>
Child Welfare Staff Training	788,774	266,586(M)		37,230(L) <sup>c</sup>	484,958 <sup>d</sup>
Foster and Adoptive Parent Recruitment, Training, and Support <sup>70</sup>	324,607 (1.0 FTE)	259,685(M)			64,922 <sup>b</sup>
Child Welfare Services <sup>71, 72</sup>	297,146,824	<del>94,400,471</del> 94,384,782		123,603,070 <sup>e</sup>	<del>79,143,283<sup>f</sup></del> 79,158,972 <sup>f</sup>

Contingency Fee Payment for Federal Revenue Maximization Project	28,337	<del>28,337</del>		
	44,026	44,026		
Family and Children's Programs <sup>73</sup>	44,742,811	36,858,990	3,844,067(L) <sup>f</sup>	4,039,754 <sup>b</sup>
	(3.0 FTE)			
Independent Living Program Promoting Safe and Stable Families Program	1,785,766			1,785,766 <sup>b</sup>
	4,189,087	44,107(M)	1,003,165(L) <sup>f</sup>	3,141,815 <sup>e</sup>
	(2.0 FTE)			
Expedited Permanency Planning Project	1,481,250	1,481,250		
Child Abuse Grant	276,005			276,005 <sup>h</sup>
				(3.0 FTE)
Central Registry of Child Protection	325,109		325,109 <sup>d</sup>	
			(4.5 FTE)	
Implementation of H.B. 03-1211	142,492		142,492 <sup>f</sup>	
			(2.6 FTE)	
	<u>352,982,491</u>			
	352,997,880			

<sup>a</sup> This amount shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing.

<sup>b</sup> These amounts shall be from Title IV-E of the Social Security Act.

<sup>c</sup> These amounts shall be from local funds.

<sup>d</sup> Of this amount, \$255,716 shall be from the Title XX Social Services Block Grant and \$229,242 shall be from Title IV-E of the Social Security Act.

<sup>e</sup> Of this amount, \$77,802,748(T) shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing and \$45,800,322(L) shall be from local funds.

<sup>f</sup> Of this amount, ~~\$52,581,769~~ \$52,597,458 shall be from Title IV-E of the Social Security Act, \$22,690,313 shall be from the Title XX Social Services Block Grant, and \$3,871,201 shall be from various sources of federal funds.

<sup>g</sup> This amount shall be from Title IV-B of the Social Security Act.

<sup>h</sup> This amount shall be from the National Center for Child Abuse.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(8) MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE SERVICES</b>						
<b>(B) Mental Health Community Programs<sup>79, 80</sup></b>						
<b>(1) Medicaid Mental Health Program</b>						
<b>(a) Medicaid Mental Health Capitation<sup>80a</sup></b>						
Capitation Base Payments for <del>336,999</del> 360,483 Estimated Medicaid Eligible Clients <sup>80b</sup>	<del>131,377,205</del> 139,700,057				<del>131,377,205(T)</del> <sup>a</sup> 139,700,057(T) <sup>a</sup>	
MEDICAID MENTAL HEALTH SERVICES FOR BREAST AND CERVICAL CANCER PATIENTS	71,175				71,175(T) <sup>a</sup>	
Mental Health Institute Rate Refinance Adjustment	<del>2,827,880</del> 3,097,499				<del>2,827,880(T)</del> <sup>a</sup> 3,097,499(T) <sup>a</sup>	
Alternatives to Inpatient Hospitalization at the Mental Health Institute at Pueblo	839,039				839,039(T) <sup>a</sup>	
Alternatives to Inpatient Hospitalization at the Mental Health Institute at Fort Logan	427,680				427,680(T) <sup>a</sup>	
Alternatives to The Fort Logan Aftercare Program	<u>305,743</u> <del>135,777,547</del>				305,743(T) <sup>a</sup>	

<sup>1</sup> This amount shall be from the Central Registry Fund established pursuant to Section 19-3-313 (14), C.R.S.

<sup>2</sup> This amount shall be from the Records and Reports Fund established pursuant to Section 19-1-307 (2.5), C.R.S.

<sup>a</sup> These amounts shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing.

**(b) Other Medicaid Mental Health Payments**

Medicaid Mental Health Fee for Service Payments	<del>2,724,423</del> 3,587,207		<del>2,724,423(T)<sup>c</sup></del> 3,587,207(T) <sup>a</sup>
<b>Medicaid Mental Health Services for Breast and Cervical Cancer Patients</b>	<b>71,175</b>		<b>71,175(T)<sup>c</sup></b>
Medicaid Mental Health Child Placement Agency Program	7,440,901		7,440,901(T) <sup>b</sup>
Medicaid Anti-Psychotic Pharmaceuticals <sup>42</sup>	<del>27,768,124</del> <u>29,261,851</u> <del>38,004,623</del> 40,289,959		<del>27,768,124(T)<sup>c</sup></del> 29,261,851(T) <sup>c</sup>

<sup>a</sup> These amounts shall be from Medicaid funds appropriated to the Department of Health Care Policy and Financing.

<sup>b</sup> This amount is shown for informational purposes only and reflects total estimated expenditures which originate as 50 percent General Fund appropriated to the Division of Child Welfare in the Department of Human Services and 50 percent federal funds transferred from the Department of Health Care Policy and Financing.

<sup>c</sup> This amount is shown for informational purposes only and reflects an estimate of the portion of the Medical Services Premiums line item in the Department of Health Care Policy and Financing that is used to purchase anti-psychotic pharmaceuticals.

**(3) Goebel Lawsuit**

Goebel Lawsuit Settlement <sup>81, 82</sup>	<del>18,838,316</del> 18,374,181	6,556,686	<del>12,281,630(T)<sup>c</sup></del> 11,817,495(T) <sup>a</sup>
		(2.0 FTE)	

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(C) Mental Health Institutes<sup>7, 80, 83, 84, 85</sup></b>						
Personal Services	68,763,406					
	(1,184.3 FTE)					
Operating Expenses	7,746,236					
General Hospital Personal Services	2,689,178					
	(36.0 FTE)					
General Hospital Operating Expenses	322,658					
Educational Programs	629,124					
	(15.0 FTE)					
Indirect Cost Assessment	<u>214,279</u>					
	80,364,881	<del>60,862,274</del>		<del>2,181,358<sup>a</sup></del>		<del>17,321,249<sup>b</sup></del>
		58,410,964		2,092,048 <sup>a</sup>		19,861,869 <sup>b</sup>

<sup>a</sup> Of this amount, ~~\$1,839,984~~ \$1,590,342 shall be from patient revenues and ~~\$341,374~~ \$501,706 shall be from school districts and counties for the operation of residential treatment centers.

<sup>b</sup> Of this amount, ~~\$13,790,972~~ \$14,828,613 shall be from patient revenues, ~~\$3,021,325(T)~~ \$4,794,759(T) shall be from the Department of Corrections, ~~\$297,852(T)~~ \$225,282(T) shall be from the Department of Education, \$12,000(T) shall be from Regional Centers, and ~~\$200,000~~ \$1,215 shall be from gifts, grants, and donations for operation of the CIRCLE program. For informational purposes only, of the patient revenues, ~~\$6,076,381(T)~~ \$2,449,315(T) is estimated to be from revenue earned from MEDICAID Mental Health Community Capitation TRANSFERRED FROM THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, ~~\$3,179,962~~ \$5,716,361 is estimated to be from federal and other sources of patient revenues, ~~\$1,207,899(T)~~ \$1,696,470(T) is estimated to be from the Division of Youth Corrections and the Department of Health Care Policy and Financing for the operation of Residential Treatment Centers, and ~~\$3,325,830(T)~~ \$4,966,467(T) is estimated to be from Medicaid funds appropriated to the Department of Health Care Policy and Financing.

350,734,406

361,219,253

**(10) ADULT ASSISTANCE PROGRAMS**

**(C) Other Grant Programs**

Aid to the Needy Disabled State Supplemental Grant Program	1,641,281	1,215,965	425,316 <sup>e</sup>
Aid to the Blind State Supplemental Grant Program for an average	7,237	5,790	1,447(L) <sup>b</sup>
Aid to the Needy Disabled State-only Grant Program	9,599,424	5,621,423	3,978,001 <sup>c</sup>
Burial Reimbursements	508,000	402,985	105,015 <sup>d</sup>
Home Care Allowance	<del>12,712,406</del>		<del>12,712,406(T)</del> <sup>e</sup>
	10,880,411		10,880,411(T) <sup>c</sup>
Adult Foster Care	<del>243,810</del>		<del>243,810(T)</del> <sup>e</sup>
	<u>157,469</u>		157,469(T) <sup>c</sup>
	<u>24,712,158</u>		
	22,793,822		

<sup>a</sup> Of this amount, \$303,991(L) shall be from local funds and \$121,325 shall be from cash funds exempt revenues, including refunds and state revenue intercepts.

<sup>b</sup> This amount shall be from local funds.

<sup>c</sup> Of this amount, \$1,919,885 shall be from federal interim assistance reimbursement payments, \$192,068 shall be from other refunds, and \$1,866,048(L) shall be from local funds.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	<del>129,507,331</del>					
	127,588,995					
<b>TOTALS PART VII</b>						
<b>(HUMAN SERVICES)<sup>2, 3, 97, 98, 99, 100</sup></b>	<u>\$1,863,295,570</u>	<u>\$468,964,911</u>		<u>\$97,454,962</u>	<u>\$780,350,811*</u>	<u>\$516,524,886</u>
	<u>\$1,871,877,770</u>	<u>\$466,513,601</u>		<u>\$97,365,652</u>	<u>\$791,457,942<sup>a</sup></u>	<u>\$516,540,575</u>

<sup>d</sup> Of this amount, \$100,744(L) shall be from local funds and \$4,271 shall be from cash funds exempt revenues, including refunds.

<sup>e</sup> These amounts shall be from the Department of Health Care Policy and Financing.

<sup>a</sup> Of this amount, ~~\$621,603,970~~ \$630,373,487 contains a (T) notation, and \$104,551,049 contains an (L) notation.

**SECTION 7.** Part XV (4) (B) (2) and the affected totals of section 2 of chapter 449, Session Laws of Colorado 2003, as amended by section 1 of House Bill 04-1330, enacted at the Second Regular Session of the Sixty-fourth General Assembly, are amended to read:

Section 2. **Appropriation.**

**PART XV  
DEPARTMENT OF PERSONNEL AND ADMINISTRATION**

**(4) CENTRAL SERVICES**

**(B) Integrated Document Factory**

(2) Document Solutions Group

Personal Services	<del>2,506,306</del>			
	3,113,808			
	(53.0 FTE)			
Operating Expenses	<del>336,846</del>			
	407,321			
Utilities	10,763			
Indirect Cost Assessment	<u>406,381</u>			
	<u>3,260,296</u>	35,917 <sup>a</sup>	<del>3,224,379(T)</del> <sup>b</sup>	
	3,938,273		3,902,356(T) <sup>b</sup>	

<sup>a</sup> This amount shall be from user fees from non-state agencies.

<sup>b</sup> This amount shall be from user fees from state agencies.

~~50,182,495~~  
50,860,472

**TOTALS PART XV**

**(PERSONNEL AND**

**ADMINISTRATION)<sup>2,3</sup>**

<del>\$161,684,611</del>	\$8,384,511	\$10,866,250 <sup>a</sup>	<del>\$142,362,319<sup>a</sup></del>	\$71,531
<u>\$162,362,588</u>			<u>\$143,040,296<sup>a</sup></u>	

<sup>a</sup> Of these amounts, ~~\$146,775,530~~ \$147,453,507 contains a (T) notation.

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

**SECTION 8.** Part XVI (1) (A), (10) (C) (2), and the affected totals of section 2 of chapter 449, Session Laws of Colorado 2003, as amended by section 1 of House Bill 04-1331, enacted at the Second Regular Session of the Sixty-fourth General Assembly, are amended to read:

Section 2. **Appropriation.**

**PART XVI  
DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

**(1) ADMINISTRATION AND SUPPORT<sup>156, 157, 158</sup>**

**(A) Administration**

Personal Services	3,850,587			104,574 <sup>a</sup>	3,676,655(T) <sup>b</sup>	69,358
	(58.2 FTE)					
RETIREMENTS	382,500				382,500 <sup>b</sup>	
Health, Life, and Dental	2,270,889	42,498		652,749 <sup>c</sup>	417,052 <sup>d</sup>	1,158,590
Short-term Disability	95,718	11,973		21,739 <sup>c</sup>	19,459 <sup>e</sup>	42,547
Salary Survey and Senior Executive Service	2,041,479	235,094		327,375 <sup>c</sup>	450,534 <sup>f</sup>	1,028,476
Shift Differential	3,471					3,471
Workers' Compensation	241,308				241,308(T) <sup>b</sup>	
Operating Expenses	1,215,392				1,140,392(T) <sup>b</sup>	75,000
Legal Services for 21,193 hours	1,288,322			89,943 <sup>c</sup>	1,123,951(T) <sup>b</sup>	74,428

Administrative Law Judge Services	19,861		19,861(T) <sup>b</sup>	
Payment to Risk Management and Property Funds	106,674	5,000 <sup>e</sup>	101,674(T) <sup>b</sup>	
Vehicle Lease Payments	213,744	93,138 <sup>e</sup>	66,659 <sup>g</sup>	53,947
Leased Space	4,136,637		4,123,497 <sup>h</sup>	13,140
Capitol Complex Leased Space	25,341		25,341(T) <sup>b</sup>	
Communications Services				
Payments	3,432		3,432 <sup>b</sup>	
Utilities	469,448	13,154 <sup>e</sup>	334,118 <sup>i</sup>	122,176
Building Maintenance and Repair	184,502		184,502(T) <sup>b</sup>	
Reimbursement for Members of the State Board of Health	3,840	3,840		
	<u>16,170,645</u>			
	16,553,145			

<sup>a</sup> This amount shall be from the Stationary Sources Control Fund pursuant to Section 25-7-114.7(2)(b), C.R.S.

<sup>b</sup> Of these amounts, ~~\$6,322,662(T)~~ \$6,705,162(T) shall be from indirect cost recoveries and, \$162,500 shall be from private grants and donations, and \$31,954 shall be from various cash exempt sources.

<sup>c</sup> Of these amounts, \$263,000 shall be from fines and penalties and \$941,198 shall be from various sources of cash funds.

<sup>d</sup> Of this amount, \$166,391(T) shall be from indirect cost recoveries and \$250,661 shall be from various exempt sources of cash funds.

<sup>e</sup> Of this amount, \$18,690(T) shall be from indirect cost recoveries and \$769 shall be from various exempt sources of cash funds.

<sup>f</sup> Of this amount, \$308,126(T) shall be from indirect cost recoveries and \$142,408 shall be from various exempt sources of cash funds.

<sup>g</sup> Of this amount, \$21,774(T) shall be from indirect cost recoveries and \$44,885 shall be from various exempt sources of cash funds.

<sup>h</sup> Of this amount, \$3,917,578(T) shall be from indirect cost recoveries, \$200,023 shall be from the Automobile Inspection and Readjustment Account of the Highway Users Trust Fund pursuant to Section 42-3-134(26)(a)(I), C.R.S., and \$5,896 shall be from various exempt sources of cash funds.

<sup>i</sup> Of this amount, \$272,157(T) shall be from indirect cost recoveries and \$61,961 shall be from various exempt sources of cash funds.

~~+7,027,701~~  
17,410,201

**(10) PREVENTION AND INTERVENTION SERVICES FOR CHILDREN AND YOUTH**

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Appropriations

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(C) Maternal and Child Health</b>						
(2) Child, Adolescent, and School Health						
Private Grants	585,333				585,333 <sup>a</sup>	
					(1.0 FTE)	
Nurse Home Visitor Program Fund	7,577,035				7,577,035 <sup>b</sup>	
Nurse Home Visitor Program	7,577,035				7,577,035 <sup>c</sup>	
					(2.0 FTE)	
NURSE HOME VISITOR PROGRAM CONTINGENCY FEE PAYMENT FOR FEDERAL REVENUE MAXIMIZATION PROJECT						
	81,063	81,063				
Federal Grants <sup>163</sup>	876,682					876,682 (3.6 FTE)
	<u>16,616,085</u>					
	16,697,148					

<sup>a</sup> This amount shall be from grants and donations.

<sup>b</sup> This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104 (1) (a), C.R.S.

<sup>c</sup> This amount shall be from the Nurse Home Visitor Program Fund created in Section 25-31-107 (2) (b), C.R.S.

	<del>115,465,373</del>					
	115,546,436					
<b>TOTALS PART XVI (PUBLIC HEALTH AND ENVIRONMENT)<sup>2,3</sup></b>	<b>\$281,902,937</b>	<b>\$14,946,440</b>		<b>\$27,755,925</b>	<b>\$78,438,272<sup>*</sup></b>	<b>\$160,762,300</b>

\$282,366,500

\$15,027,503

\$78,820,772<sup>a</sup>

<sup>a</sup> Of this amount, \$19,468,256 contains a (T) notation.

**SECTION 9.** Part XVII (2) and the affected totals of section 2 of chapter 449, Session Laws of Colorado 2003, as amended by section 1 of House Bill 04-1332, enacted at the Second Regular Session of the Sixty-fourth General Assembly, are amended to read:

**Section 2. Appropriation.**

**PART XVII  
DEPARTMENT OF PUBLIC SAFETY**

**(2) COLORADO STATE PATROL<sup>169</sup>**

Colonel, Lt. Colonels, Majors, and Captains	3,174,005		3,174,005 <sup>a</sup>	
			(33.0 FTE)	
Sergeants, Technicians, and Troopers	37,326,214	764,768 <sup>b</sup>	36,561,446 <sup>c</sup>	
		(13.0 FTE)	(564.6 FTE)	
Civilians	4,447,930	53,207 <sup>d</sup>	4,394,723 <sup>c</sup>	
		(2.0 FTE)	(79.5 FTE)	
Retirements	400,000		400,000 <sup>a</sup>	
Overtime	1,122,994	74,137 <sup>b</sup>	1,048,857 <sup>f</sup>	
Operating Expenses	6,538,181	399,548 <sup>b</sup>	6,138,633 <sup>g</sup>	
Vehicle Lease Payments	3,462,902	89,573 <sup>b</sup>	3,356,967 <sup>h</sup>	16,362
Dispatch Services	5,897,318	477,293 <sup>i</sup>	5,414,307 <sup>j</sup>	5,718
		(11.0 FTE)	(123.1 FTE)	

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS	
	\$	\$	\$	\$	\$	\$	\$	
State Patrol Training Academy	2,093,026				85,538 <sup>i</sup> (1.0 FTE)	2,007,488 <sup>k</sup> (16.0 FTE)		
Highway Safety Grants	500,000					500,000(T) <sup>l</sup>		
Aircraft Pool	472,399				9,900 <sup>b</sup>	462,499 <sup>m</sup> (6.0 FTE)		
Aircraft Engine Reserve	180,000					180,000(T) <sup>n</sup>		
Capitol and Governor's Security	1,985,284		1,542,016 (23.0 FTE)			443,268(T) <sup>o</sup> (13.0 FTE)		
Highway Road Closure Fund	978,546				461,041 <sup>b</sup>	517,505(T) <sup>l</sup>		
Nuclear Materials Transportation	175,279				175,279 <sup>p</sup> (4.0 FTE)			
Hazardous Materials Routing	635,555				92,350 <sup>q</sup> (1.5 FTE)	543,205 <sup>a</sup> (6.5 FTE)		
Hazardous Materials Equipment	171,000					171,000 <sup>a</sup>		
Vehicle Identification Number Inspections	47,666				47,666 <sup>r</sup>			
AUTOMOBILE THEFT PREVENTION AUTHORITY	158,370					158,370 <sup>w</sup>		
Garage Operations	280,463				7,889 <sup>b</sup>	272,574(T) <sup>s</sup> (1.0 FTE)		
Victim Assistance	223,529					223,529(T) <sup>t</sup> (5.0 FTE)		
Counter-drug Program	2,813,348					2,684,347(L) <sup>u</sup>	129,001 (2.0 FTE)	

Motor Carrier Safety and Assistance				
Program Grants	2,300,284			2,300,284
				(22.0 FTE)
Federal Safety Grants	1,196,035			1,196,035
				(3.8 FTE)
Indirect Cost Assessment	<u>5,066,571</u>	115,287 <sup>b</sup>	4,825,416 <sup>v</sup>	125,868
	<del>81,488,529</del>			
	81,646,899			

<sup>a</sup> These amounts shall be from the Highway Users Tax Fund.

<sup>b</sup> Of these amounts, \$825,336 shall be from the E-470 Toll Road Authority, \$470,950 shall be from fees for services collected from non-state agencies, \$133,810 shall be from the Vehicle Identification Number Inspection Fund pursuant to Section 42-5-204, C.R.S., \$2,735 shall be from the Division of Wildlife, and \$489,312 shall be from various sources of cash funds.

<sup>c</sup> Of this amount, \$35,597,570 shall be from the Highway Users Tax Fund, \$916,323(T) shall be from Limited Gaming funds appropriated in the Department of Revenue, and \$47,553 shall be from various sources of exempt cash funds.

<sup>d</sup> Of this amount, \$29,286 shall be from the E-470 Toll Road Authority, and \$23,921 shall be from the Vehicle Identification Number Inspection Fund pursuant to Section 42-5-204, C.R.S.

<sup>e</sup> Of this amount, \$4,345,764 shall be from the Highway Users Tax Fund, and \$48,959(T) shall be from Limited Gaming funds appropriated in the Department of Revenue.

<sup>f</sup> Of this amount, \$1,023,595 shall be from the Highway Users Tax Fund, and \$25,262(T) shall be from Limited Gaming funds appropriated in the Department of Revenue.

<sup>g</sup> Of this amount, \$6,015,146 shall be from the Highway Users Tax Fund, \$111,459(T) shall be from Limited Gaming funds appropriated in the Department of Revenue, and \$12,028 shall be from various sources of exempt cash funds.

<sup>h</sup> Of this amount, \$3,311,166 shall be from the Highway Users Tax fund, \$44,118 shall be from various sources of exempt cash Funds, and \$1,683 (T) shall be from limited gaming funds appropriated in the department of revenue.

<sup>i</sup> Of these amounts, \$380,523 shall be from user fees collected from non-state agencies, \$34,517(T) shall be from the Division of Wildlife in the Department of Natural Resources, and \$147,791 shall be from various sources of cash funds.

<sup>j</sup> Of this amount, \$4,778,842 shall be from the Highway Users Tax Fund, \$224,430(T) shall be from the Department of Corrections, \$163,381(T) shall be from the Department of Transportation, \$105,736(T) shall be from Limited Gaming funds appropriated in the Department of Revenue, \$44,647(T) shall be from the Department of Revenue, \$17,021(T) shall be from the Department of Natural Resources, \$5,839(T) shall be from the Department of Higher Education (Adams State College), \$61(T) shall be from the Department of Public Safety (Colorado Bureau of Investigation), \$21(T) shall be from the Department of Agriculture, and \$74,329 shall be from various sources of exempt cash funds.

APPROPRIATION FROM

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

<sup>k</sup> Of this amount, \$1,546,363 shall be from the Highway Users Tax Fund, and \$461,125(T) shall be from user fees collected from other state agencies.

<sup>l</sup> These amounts shall be from the Department of Transportation.

<sup>m</sup> Of this amount, \$288,407 shall be from the Highway Users Tax Fund, and \$174,092(T) shall be from user fees collected from other state agencies.

<sup>n</sup> This amount shall be from reserves in the Aircraft Engine Reserve Fund.

<sup>o</sup> Of this amount, \$247,592 shall be from the capitol complex leased space rent proceeds transferred from the Department of Personnel, and \$195,676 shall be from the Legislative Department.

<sup>p</sup> This amount shall be from the Nuclear Materials Transportation Fund pursuant to Section 42-20-511, C.R.S.

<sup>q</sup> This amount shall be from the Hazardous Materials Safety Fund pursuant to Section 42-20-107, C.R.S.

<sup>r</sup> This amount shall be from the Vehicle Identification Number Inspection Fund pursuant to Section 42-5-204, C.R.S.

<sup>s</sup> This amount shall be from user fees collected from other state agencies.

<sup>t</sup> This amount shall be from the Victims Assistance and Law Enforcement Fund appropriated in the Department of Public Safety, Division of Criminal Justice.

<sup>u</sup> This amount shall be from local governments for the purchase of counter-drug equipment from the federal government pursuant to Title 10, Chapter 18, Section 381 U.S.C., and shall be classified as exempt pursuant to Section 24-77-102 (1), C.R.S.

<sup>v</sup> Of this amount, \$4,662,284 shall be from the Highway Users Tax Fund, \$57,261(T) shall be from user agencies for dispatch services, and \$105,871 shall be from various sources of exempt cash funds.

<sup>w</sup> THIS AMOUNT SHALL BE FROM GIFTS, GRANTS, OR DONATIONS CREDITED TO THE COLORADO AUTO THEFT PREVENTION CASH FUND PURSUANT TO SECTION 42-5-112 (4) (a), C.R.S.

**TOTALS PART XVII**

<b>(PUBLIC SAFETY)<sup>2,3</sup></b>	\$195,687,220	\$54,718,733		\$9,487,010 <sup>b</sup>	<del>\$88,309,739</del>	\$43,171,738
	\$195,845,590				\$88,468,109 <sup>a</sup>	

<sup>a</sup> Of this amount, \$13,743,977 contains a (T) notation, \$2,684,347 contains an (L) notation, and \$71,113,744 is from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a), C.R.S.

<sup>b</sup> Of this amount, \$34,517 contains a (T) notation.

**SECTION 10.** Part XX (3) of section 2 of chapter 449, Session Laws of Colorado 2003, as amended by section 1 of House Bill 04-1335, enacted at the Second Regular Session of the Sixty-fourth General Assembly, is amended BY THE ADDITION OF A NEW FOOTNOTE to read:

Section 2. **Appropriation.**

**PART XX  
DEPARTMENT OF STATE**

**(3) INFORMATION TECHNOLOGY SERVICES**

Personal <del>Services</del> SERVICES <sup>184a</sup>	2,853,878	
	(23.0 FTE)	
Operating Expenses	540,576	
Hardware/Software Maintenance	922,232	
Information Technology Asset Management	<u>330,823</u>	
	4,647,509	4,647,509 <sup>a</sup>

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

184a DEPARTMENT OF STATE, DIVISION OF INFORMATION TECHNOLOGY SERVICES -- OF THE AMOUNT APPROPRIATED FOR PERSONAL SERVICES, \$325,000 SHALL REMAIN AVAILABLE FOR EXPENDITURE UNTIL JUNE 30, 2005.

**SECTION 11.** Section 2 (1) of chapter 205, Session Laws of Colorado 2003, as section 2 (1) (d) is amended and section 2 (1) (e) is enacted by House Bill 04-1320, enacted at the Second Regular Session of the Sixty-fourth General Assembly, is amended to read:

Section 2. **Appropriation - adjustments to the 2003 long bill.** (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing for the fiscal year beginning July 1, 2003, shall be adjusted as follows:

(a) The appropriation to the executive director's office, for personal services, is increased by thirty-eight thousand seven hundred ninety-seven dollars (\$38,797) and 1.0 FTE. Of said sum, nineteen thousand three hundred ninety-nine dollars (\$19,399) shall be from ~~cash funds~~ THE GENERAL FUND and nineteen thousand three hundred ninety-eight dollars (\$19,398) shall be from federal funds. ~~The cash funds appropriation shall be from the children's home- and community-based services cash fund created in section 26-4-424 (5), Colorado Revised Statutes.~~

(b) The appropriation to the executive director's office, for operating expenses, is increased by seven thousand five hundred fifty-five dollars (\$7,555). Of said sum, three thousand seven hundred seventy-eight dollars (\$3,778) shall be from ~~cash funds~~ THE GENERAL FUND and three thousand seven hundred seventy-seven dollars (\$3,777) shall be from federal funds. ~~The cash funds appropriation shall be from the children's home- and community-based services cash fund created in section 26-4-424 (5), Colorado Revised Statutes.~~

(c) The ~~general fund~~ appropriation for medical services premiums is decreased by ~~seven hundred seventeen thousand seven hundred nineteen dollars (\$717,719) and the cash funds appropriation for medical services premiums is increased by seven hundred seventeen thousand seven hundred nineteen dollars (\$717,719).~~ ~~The cash funds appropriation shall be from the children's home- and community-based services cash fund created in section 26-4-424 (5), Colorado Revised Statutes.~~ A TOTAL OF ONE HUNDRED EIGHTY-FIVE THOUSAND TWO HUNDRED TWENTY-FOUR DOLLARS (\$185,224). OF SAID SUM, NINETY-TWO THOUSAND SIX HUNDRED TWELVE DOLLARS (\$92,612) SHALL BE FROM THE GENERAL FUND AND NINETY-TWO THOUSAND SIX HUNDRED TWELVE DOLLARS (\$92,612) SHALL BE FROM FEDERAL FUNDS.

(d) THE CASH FUNDS APPROPRIATION FOR MEDICAL SERVICES PREMIUMS IS INCREASED BY ONE HUNDRED EIGHTY-FIVE THOUSAND TWO HUNDRED TWENTY-FOUR DOLLARS (\$185,224). THE CASH FUND APPROPRIATION SHALL BE FROM THE CHILDREN'S HOME- AND COMMUNITY-BASED SERVICES CASH FUND CREATED IN SECTION 26-4-424 (5), COLORADO REVISED STATUTES.

~~(d)~~ (e) The appropriation to the department of human services medicaid-funded programs, services for people with disabilities-medicaid funding, services for families and children-medicaid funding, is decreased by a total of nineteen thousand and eighty dollars (\$19,080). Of said sum, nine thousand five hundred forty dollars (\$9,540) shall be from the general fund and nine thousand five hundred forty dollars (\$9,540) shall be from federal funds.

~~(e)~~ (f) The appropriation to the department of human services medicaid-funded

programs services for people with disabilities-medicaid funding, services for families and children-medicaid funding is increased by nineteen thousand eighty dollars (\$19,080) cash funds. The cash fund appropriation shall be from the children's home- and community-based services cash fund created in section 26-4-424 (5), Colorado Revised Statutes.

**SECTION 12. Repeal.** Section 12 of Chapter 211, Session Laws of Colorado 2003, is repealed as follows:

Section 12. **Appropriation - adjustments to the 2003 long bill.** ~~(1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing for the fiscal year beginning July 1, 2003, shall be adjusted as follows:~~

~~(a) The medical services premiums general fund appropriation is decreased by nine million nine hundred thirty-four thousand dollars (\$9,934,000) and the cash fund appropriation is increased by nine million nine hundred thirty-four thousand dollars (\$9,934,000). The cash fund appropriation shall be from the nursing facility cash fund created in section 26-4-410.2 (2), Colorado Revised Statutes.~~

~~(b) The appropriation for the medical services premiums is increased by thirty million five hundred seventeen thousand and sixteen dollars (\$30,517,016). Of said sum, fifteen million two hundred fifty-eight thousand five hundred eight dollars (\$15,258,508) shall be cash funds and fifteen million two hundred fifty-eight thousand five hundred eight dollars (\$15,258,508) shall be federal funds. The cash fund appropriation shall be from the nursing facility cash fund created in section 26-4-410.2 (2), Colorado Revised Statutes. The appropriation shall be for the nursing facility quality of care grant program established in section 26-4-410.2 (3), Colorado Revised Statutes.~~

~~(c) The cash fund appropriation for other medical services is increased by five million, two hundred fifty-eight thousand, five hundred eight dollars (\$5,258,508). The cash fund appropriation shall be from the nursing facility cash fund established in section 26-4-410.2 (2), Colorado Revised Statutes. The appropriation shall be for the state nursing facility service program established in section 26-15-202, Colorado Revised Statutes.~~

~~(d) The appropriation for the executive director's office is increased by eighty-eight thousand dollars (\$88,000) and 2.0 FTE. Of said sum, sixty-six thousand dollars (\$66,000) shall be cash funds and twenty-two thousand dollars (\$22,000) shall be federal funds. The cash fund appropriation shall be from the nursing facility cash fund established in section 26-4-410.2 (2), Colorado Revised Statutes.~~

**SECTION 13.** Section 2 (2.5) as enacted by section 3 of House Bill 04-1320, enacted at the Second Regular Session of the Sixty-fourth General Assembly, as the said House Bill 04-1320 amended section 2 of chapter 214, Session Laws of Colorado 2003, is amended to read:

Section 2. **Appropriation - adjustments to the 2003 long bill.** (2.5) For the implementation of section 24-50-104 (4) (d) (I), Colorado Revised Statutes, appropriations made in section 2 of ~~chapter 477~~ CHAPTER 449, Session Laws of

Colorado 2003, to the department of health care policy and financing, department of human services medicaid-funded programs, executive director's office-medicare funding, shall be reduced by the sum of two million sixty-nine thousand nine hundred fifty-eight dollars (\$2,069,958). Of said sum, one million thirty-four thousand nine hundred seventy-nine dollars (\$1,034,979) shall be from the general fund and one million thirty-four thousand nine hundred seventy-nine dollars (\$1,034,979) shall be from federal funds.

**SECTION 14.** Section 18 (2), (3), (4), and (5) of chapter 326, Session Laws of Colorado 2003, are amended to read:

Section 18. **Appropriation.** (2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the federal elections assistance fund created in section 1-1.5-106 (1), Colorado Revised Statutes, to the department of state, for the fiscal year beginning July 1, 2003, the sum of ~~one million eight hundred thirty-six thousand four hundred sixty-three dollars (\$1,836,463)~~, SEVEN HUNDRED ELEVEN THOUSAND NINE HUNDRED THIRTY-ONE DOLLARS (\$711,931) AND 4.5 FTE, or so much thereof as may be necessary, for implementation of this act. THESE MONEYS ARE INCLUDED FOR INFORMATIONAL PURPOSES ONLY AS THEY ARE CONTINUOUSLY APPROPRIATED BY PERMANENT STATUTE.

(3) In addition to any other appropriation, there is hereby appropriated, to the department of law, for the fiscal year beginning July 1, 2003, the sum of twenty-six thousand nine hundred ten dollars (\$26,910) and 0.3 FTE, or so much thereof as may be necessary, for the provision of legal services to the department of state related to implementation of this act. Such sum shall be from cash funds exempt received from the department of state out of the ~~appropriation made in subsection (2) of this section~~ CONTINUOUS APPROPRIATION TO THE DEPARTMENT OF STATE FROM THE FEDERAL ELECTIONS ASSISTANCE FUND CREATED IN SECTION 1-1.5-106 (1), COLORADO REVISED STATUTES.

(4) In addition to any other appropriation, there is hereby appropriated, to the department of public safety, for the fiscal year beginning July 1, 2003, the sum of fourteen thousand two hundred twenty dollars (\$14,220), or so much thereof as may be necessary, for the verification of voter registration information related to implementation of this act. Such sum shall be from cash funds exempt received from the department of state out of the ~~appropriation made in subsection (2) of this section~~ CONTINUOUS APPROPRIATION TO THE DEPARTMENT OF STATE FROM THE FEDERAL ELECTIONS ASSISTANCE FUND CREATED IN SECTION 1-1.5-106 (1), COLORADO REVISED STATUTES.

(5) In addition to any other appropriation, there is hereby appropriated, to the department of revenue, for the fiscal year beginning July 1, 2003, the sum of sixty-five thousand dollars (\$65,000), or so much thereof as may be necessary, for the extraction of signature information from the drivers license database related to implementation of this act. Such sum shall be from cash funds exempt received from the department of state out of the ~~appropriation made in subsection (2) of this section~~ CONTINUOUS APPROPRIATION TO THE DEPARTMENT OF STATE FROM THE FEDERAL ELECTIONS ASSISTANCE FUND CREATED IN SECTION 1-1.5-106 (1), COLORADO REVISED STATUTES.

**SECTION 15. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of health care policy and financing, for the fiscal year beginning July 1, 2002, the sum of four million five hundred ninety thousand three hundred six dollars (\$4,590,306), or so much thereof as may be necessary for the payment of overexpenditures of line item appropriations contained in Part V of section 3 of chapter 399, Session Laws of Colorado 2002, as amended by section 7 of chapter 449, Session Laws of Colorado 2003. In accordance with section 24-75-109 (4), Colorado Revised Statutes, all restrictions on funds for Medical Services Premiums, Department of Health Care Policy and Financing, for the 2003-04 fiscal year, attributable to the payment of overexpenditures for the 2002-03 fiscal year, shall be released.

**SECTION 16. Appropriation.** In addition to any other appropriation, there is hereby appropriated, for the fiscal year beginning July 1, 2004, to the department of higher education, governing boards and local district junior colleges, from cash funds exempt tuition revenue, the following sums:

(1) For the trustees of Adams state college, three hundred eighty-four thousand six hundred eleven dollars (\$384,611);

(2) For the trustees of Mesa state college, seven hundred seventy-seven thousand five hundred fifty eight dollars (\$777,558);

(3) For the trustees of Metropolitan state college of Denver, two million six hundred eighty-nine thousand seven hundred seventy dollars (\$2,689,770);

(4) For the trustees of Western state college, five hundred sixty-one thousand two hundred eighty-four dollars (\$561,284);

(5) For the board of governors of the Colorado state university system, nine million six hundred eighty-four thousand three hundred forty dollars (\$9,684,340);

(6) For the trustees of Fort Lewis college, one million four hundred eighty-nine thousand two hundred twenty-two dollars (\$1,489,222);

(7) For the regents of the university of Colorado, twenty-four million nine hundred sixty-one thousand four hundred six dollars (\$24,961,406);

(8) For the trustees of the Colorado school of mines, two million one hundred forty-six thousand seventy-three dollars (\$2,146,073);

(9) For the university of northern Colorado, two million seven hundred seventy thousand two hundred eighty-two dollars (\$2,770,282);

(10) For the state board for community colleges and occupational education state system community colleges, seven million seven hundred seventy thousand nine hundred sixty-nine dollars (\$7,770,969).

**SECTION 17. Effective date.** This act shall take effect upon passage; except that each of subsections 1 through 10 of section 15 of this act shall take effect only

if legislation allowing designation of institutions of higher education as enterprises, as the term is used in Article X of Section 20 of the Colorado constitution, is enacted by the Sixty-fourth General Assembly and becomes law, and the governing board named in the respective subsection designates the institution or group of institutions under its control as an enterprise pursuant to such legislation.

**SECTION 18. 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 in part and vetoed in part: April 26, 2004

**Editor's note:** (1) The following is a reprinting of the Governor's message filed with House Bill 04-1422 when he approved the bill in part and vetoed it in part on April 26, 2004. Markings were made on the bill by the Governor purporting to veto provisions contained in headnotes and footnotes. For the reasons set forth in the letter to the Governor on page 131 of Volume 1 of the 1989 Session Laws of Colorado, the President of the Senate and the Speaker of the House of Representatives expressed their opinion that similar markings made on the 1989 long bill did not constitute valid vetoes. However, the Colorado Supreme Court has held that such purported vetoes are entitled to a presumption of validity. See Romer v. Colorado General Assembly, 810 P.2d 215 (Colo. 1991). In view of this holding, the purported vetoes are reflected in the version of the bill printed on the preceding pages.

(2) The effective date clause in House Bill 04-1422 states that the act takes effect upon passage, except that subsections 1 through 10 of section 15 of the act are to take effect only if legislation allowing designation of institutions of higher education as enterprises, as the term is used in Article X of Section 20 of the Colorado constitution, is enacted by the Sixty-fourth General Assembly and becomes law, and the governing board named in the respective subsections designates the institution or group of institutions under its control as an enterprise pursuant to such legislation. However, section 15 of the act as it passed and was signed into law on April 26, 2004, does not contain any subsections, and section 16 of the act does contain 10 subsections that appear to be the subsections to which the conditional effective date clause refers. The conference committee report, which amended the rerevised version of the bill, added a new section to the bill preceding section 15, thereby causing all of the sections in the bill following the newly added section 10 to be renumbered. The conference committee report failed to include a technical conforming amendment to change the reference in the effective date clause due to the renumbering from section 15 to section 16. To interpret the effective date clause literally would fail to give meaning to the conditions specified in the effective date clause since section 15 contains no subsections, the effectiveness of which would depend on the occurrence of such conditions. Furthermore, such an interpretation would disregard the general assembly's purpose in enacting section 16 of the bill and the general assembly's apparent intent to make the subsections of section 16 effective only upon the occurrence of the specified conditions. For these reasons, it appears reasonable to conclude that if a court is asked to address this circumstance, it would likely conclude that the effective date clause refers to section 16. (See People v. Tacorante, 624 P.2d 1324 (Colo. 1981).)

April 26, 2004

*The Honorable Colorado House of Representatives*

Sixty-Fourth General Assembly  
Second Regular Session  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

I am filing with the Secretary of State the following act:

HOUSE BILL 04-1422, CONCERNING THE PROVISION FOR PAYMENT OF THE EXPENSES OF THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL DEPARTMENTS OF THE STATE OF COLORADO, AND OF ITS AGENCIES AND INSTITUTIONS, FOR AND DURING THE FISCAL YEAR BEGINNING JULY 1, 2004, EXCEPT AS OTHERWISE NOTED.

Approved in part and disapproved in part on April 26, 2004, at 2:34 p.m.

It is my constitutional obligation to review the general appropriations bill and exercise the line item veto when necessary. While I have approved House Bill 04-1422 (the "FY 2004-05 Long Bill") as a whole, I have vetoed headnotes and footnotes within the bill. Pursuant to the Colorado Constitution, I have filed copies of the vetoed items from this bill, with my objections, with the Secretary of State.

Meanwhile, I am concerned that the budget contained in this bill is not balanced because it relies on legislative changes that have not yet been through the entire legislative process. In particular, it relies on \$56.0 million from House Bills 04-1397 and 04-1421, neither of which has been passed. Nonetheless, the paramount task of the General Assembly is to pass a state budget. Therefore, I am signing House Bill 04-1422, with noted line item vetoes, as a starting point to negotiate a balanced budget with the General Assembly in the remaining nine days of the session.

The following text explains my vetoes to the Long Bill.

**VETO AND COMMENT ON HEADNOTES AND FOOTNOTES**

Article IV, Section 12 of the Colorado Constitution allows me to exercise line item vetoes on any bill making appropriations of money, including the general appropriations bill (the "Long Bill"). I have full discretion with regard to the items I choose to veto. I have exercised this power to veto certain portions of the FY 2004-2005 Long Bill that do not meet with my approval.

I vetoed a number of headnotes and footnotes that violate Article III

and/or Article V of the Constitution. Article III provides separation of powers between the executive and legislative branches. While the legislative branch has the authority to appropriate state funds, the executive branch has the inherent responsibility and authority to administer state funds. Therefore, the legislature may not attach conditions in the Long Bill that intrude into the administration of state government. Anderson v. Lamm, 579 P.2d 620 (Colo. 1978); Colorado General Assembly v. Lamm, 704 P.2d 1371 (Colo. 1985). I have vetoed provisions that go beyond appropriating funds and infringe on the executive authority.

In addition, Article V, Section 32 prohibits the legislature from including substantive legislation in the Long Bill. Anderson v. Lamm; Colorado General Assembly v. Lamm. The executive department cannot abide by legislative directives that are in violation of the Colorado Constitution. Accordingly, I have vetoed provisions of substantive legislation in the Long Bill.

Custodial federal funds are not subject to appropriation, rather, they are allocated at the discretion of the executive branch within the constraints established by the federal government. Any reference in the Long Bill to custodial federal funds shall be considered for informational purposes only, and shall not restrict the ability of the executive branch to allocate such funds.

I have lined through the following items, thereby vetoing these provisions:

## **SECTION 1: HEADNOTES**

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1. **Section 1. Definitions - general provisions, headnote (1), pages 1-2:** (1) (a) "Capital outlay" means: (I) Equipment, furniture, motor vehicles, software, and other items that have a useful life of one year or more and that cost less than fifty thousand dollars; (II) Alterations and replacements, meaning major and extensive repair, remodeling, or alteration of buildings, the replacement thereof, or the replacement and renewal of the plumbing, wiring, electrical, fiber optic, heating, and air conditioning systems therein, costing less than fifteen thousand dollars; (III) New structures, meaning the construction of entirely new buildings where the cost will be less than fifteen thousand dollars, including the value of materials and labor, either state-supplied or supplied by contract; (IV) Nonstructural improvements to land, meaning the grading, leveling, drainage, irrigation, and landscaping thereof and the construction of roadways, fences, ditches, and sanitary and storm sewers, where the cost will be less than five thousand dollars. (b) "Capital outlay" does not include those things defined as capital construction by section 24-75-301, Colorado Revised Statutes.

I vetoed this headnote last year. This headnote interferes with the

ability of the executive branch to administer appropriations as provided by Article III of the Colorado Constitution. It is important to preserve the executive authority to administer appropriations in order to allow effective management of the state's business and of the current fiscal situation. In order to provide flexibility for departments to administer the appropriations when providing services to citizens, I am vetoing this headnote. Furthermore, this provision represents substantive legislation and as such is in violation of Article V, Section 32 of the Colorado Constitution. In addition, the dollar amounts listed in this headnote have not been changed since 1977. I will direct the departments to comply with the headnote to the extent feasible, however, to the extent that this headnote hinders the ability of departments to meet the needs of citizens, they will be allowed to spend outside of these definition parameters, provided that such spending will remain within the line item appropriation provided by the General Assembly. Because this headnote violates one or more articles of the state constitution, it is constitutionally void.

2. **Section 1. Definitions - general provisions, headnote (3), pages 2-3:** (3) (a) (I) Except as otherwise provided in paragraph (b) of this subsection, "full time equivalent" or "FTE" means the budgetary equivalent of one permanent position continuously filled full time for an entire fiscal year by elected state officials or by state employees who are paid for at least two thousand eighty hours per fiscal year, with adjustments made to: (A) Include in such time computation any sick, annual, administrative, or other paid leave; and (B) Exclude from such time computation any overtime or shift differential payments made in excess of regular or normal hours worked and any leave payouts upon termination of employment. (II) "Full time equivalent" or "FTE" does not include contractual, temporary, or permanent seasonal positions. (III) As used in this paragraph (a), "state employee" means a person employed by the state, whether or not such person is a classified employee in the state personnel system. (b) For purposes of higher education professional personnel and assistants in resident instruction and professional personnel in organized research and activities relating to instruction, "full time equivalent" or "FTE" means the equivalent of one permanent position continuously filled for a nine-month or ten-month academic year. (c) The maximum limitation on the number of FTE that are allowed for the fiscal year to which this act pertains may comprise any combination of part-time positions or full-time positions so long as the maximum FTE limitation is not exceeded.

I vetoed this headnote last year. The Colorado Supreme Court concluded in 1978 that legislative attempts to administer the appropriation by placing "specific staffing and resource allocation

decisions" in a general appropriations bill were unconstitutional. Anderson v. Lamm, 195 Colo. 437, 579 P.2d 620 (1978). The Supreme Court in so doing recognized that the ability to make staffing decisions is one of the most fundamental components of managing state government. Therefore, this headnote and its references are constitutionally void. Such a headnote inhibits the executive branch's authority to administer the appropriation and is thus unconstitutional. Furthermore, this provision represents substantive legislation and as such is in violation of Article V, Section 32 of the Colorado Constitution.

3. **Section 1. Definitions - general provisions, headnote (4), pages 3-4:** (4) "Health, life, and dental" means the state contribution for group benefits plans pursuant to section 24-50-609, Colorado Revised Statutes. Pursuant to section 24-50-609 (2) (b) (II), Colorado Revised Statutes, the state of Colorado shall contribute an amount necessary to pay one hundred seventy-three dollars and ninety-two cents per month per single employee, two hundred fifty dollars and thirty-nine cents per month per employee with one covered dependent, and three hundred forty-four dollars and thirty-three cents per employee with two or more covered dependents for each employee enrolled in a group benefit plan that includes enrollment in medical benefits. In accordance with section 24-50-104 (4) (d) (II), Colorado Revised Statutes, these contribution amounts shall be effective until December 1, 2004. In accordance with section 24-50-104 (4) (d) (II) and section 24-50-609 (2) (b), Colorado Revised Statutes, commencing on January 1, 2005 the state of Colorado shall contribute an amount necessary to pay one hundred ninety-nine dollars per month per single employee, three hundred twenty-four dollars and forty-four cents per month per employee with one covered dependent, and four hundred forty dollars and ninety-seven cents per employee with two or more covered dependents for each employee enrolled in a group benefit plan that includes enrollment in medical benefits. Funds appropriated for health, life, and dental shall not be expended for any other purpose.

I vetoed this headnote last year. This headnote interferes with the ability of the executive branch to administer appropriations as provided by Article III of the Colorado Constitution. It is important to preserve the executive authority to administer appropriations in order to allow effective management of the state's business. In order to provide flexibility for departments to administer the appropriations when providing services to citizens, I am vetoing this headnote. I will direct the departments to comply with the headnote to the extent feasible, however, to the extent that this headnote hinders the ability of departments to meet the needs of citizens, they will be allowed to spend outside of these definition parameters, provided that such spending will remain within the line item

appropriation provided by the General Assembly. Furthermore, this provision represents substantive legislation and as such is in violation of Article V, Section 32 of the Colorado Constitution. Because this headnote violates one or more articles of the state's constitution, the headnote and its references are constitutionally void.

4. **Section 1. Definitions - general provisions, headnote (6), page 4: (6)**  
"Lease purchase" means the use and acquisition of equipment under an agreement to purchase, pursuant to which payments are made for a period of longer than one year and are subject to annual appropriation. "Lease purchase" may also include payments made under the agreement for the maintenance of the equipment. No funds shall be expended for lease purchases except those specifically appropriated for such purpose. The provisions of this subsection (6) shall not apply to the board of regents of the university of Colorado; the state board of agriculture; the board of trustees of the Colorado school of mines; the board of trustees of the university of northern Colorado; the trustees of the state colleges in Colorado; the state board for community colleges and occupational education (except for administration and the division of occupational education); the board for the Auraria higher education center; the state historical society; the Colorado council on the arts; the division of wildlife; the water conservation board; the county departments of social services; and the low-income energy assistance block grant.

I vetoed this headnote last year. This headnote unconstitutionally interferes with the ability of the executive branch to administer appropriations as provided by Article III of the Colorado Constitution. It is important to preserve the executive authority to administer appropriations in order to allow effective management of the states business. In order to provide flexibility for departments to administer the appropriations when providing services to citizens, I am vetoing this headnote. I will direct the departments to comply with the headnote to the extent feasible, however, to the extent that this headnote hinders the ability of departments to meet the needs of citizens, they will be allowed to spend outside of these definition parameters, provided that such spending will remain within the line item appropriation provided by the General Assembly. Furthermore, this provision represents substantive legislation and as such is in violation of Article V, Section 32 of the Colorado Constitution. Because this headnote violates one or more articles of the state's constitution, the headnote and its references are constitutionally void.

5. **Section 1. Definitions - general provisions, headnote (7), pages 4-5: (7)**  
"Leased space" means the use and acquisition of office facilities and office and parking space pursuant to a rental agreement. No funds shall be expended for

leased space except pursuant to a specific appropriation for such purpose. The provisions of this subsection (7) shall not apply to the board of regents of the university of Colorado; the state board of agriculture; the board of trustees of the Colorado school of mines; the board of trustees of the university of northern Colorado; the trustees of the state colleges in Colorado; the state board for community colleges and occupational education (except for administration and the division of occupational education); the board for the Auraria higher education center; the state historical society; the Colorado council on the arts; the division of wildlife; the water conservation board; the county departments of social services; and the low-income energy assistance block grant.

I vetoed this headnote last year. This headnote interferes with the ability of the executive branch to administer appropriations as provided by Article III of the Colorado Constitution. It is important to preserve the executive authority to administer appropriations in order to allow effective management of the state's business. In order to provide flexibility for departments to administer the appropriations when providing services to citizens, I am vetoing this headnote. I will direct the departments to comply with the headnote to the extent feasible, however, to the extent that this headnote hinders the ability of departments to meet the needs of citizens, they will be allowed to spend outside of these definition parameters, provided that such spending will remain within the line item appropriation provided by the General Assembly. Furthermore, this provision represents substantive legislation and as such is in violation of Article V, Section 32 of the Colorado Constitution. Because this headnote violates one or more articles of the state's constitution, the headnote and its references are constitutionally void.

6. **Section 1. Definitions, headnote (8), page 5:** (8) "Legal services" means the purchase of legal services from the department of law; however, up to ten percent of the amount appropriated for legal services may instead be expended for operating expenses, contractual services, and tuition for employee training. No funds shall be expended for legal services except those specifically appropriated for such purpose. The provision of this subsection (8) shall not apply to the departments of education, higher education, transportation, and the risk management fund in the department of personnel.

I vetoed this headnote last year. This headnote interferes with the ability of the executive branch to administer appropriations as provided by Article III of the Colorado Constitution. Legal services expenditures are not discretionary in protecting the interest of the state and its citizens. Limiting the departments' ability to expend funds for these services would result in ineffective administration of

the government. However, I recognize the need to contain state expenditures for legal services. I will instruct the departments to use all necessary restraint in legal service expenditures and to provide an accurate annual accounting of all legal expenditures to the Joint Budget Committee. Furthermore, this provision represents substantive legislation and as such is in violation of Article V, Section 32 of the Colorado Constitution. Because this headnote violates one or more articles of the state's constitution, the headnote and its references are constitutionally void.

7. **Section 1. Definitions - general provisions, headnote (10), page 5:** (10) "Operating expenses" means: (a) Supplies and materials, meaning items that by their nature are consumable and that have a useful life of less than one year or that, after usage, undergo an impairment of, or a material change in, physical condition, including, but not limited to, books, periodicals, and educational, laboratory, medical, data processing, custodial, postal, office, photographic, and road maintenance supplies and materials; (b) Current charges, meaning charges for items or services not otherwise defined in this section for which a separate appropriation is not made, including, but not limited to, charges for utilities, trash removal, custodial services, telecommunications, data processing, advertising, freight, rentals of equipment and property, storage, parking, minor repair or maintenance, and printing and reproduction, and insurance premiums, dues, subscriptions, casualty losses, commissions, royalties, interest, fees, fines, reimbursements, and payments of prizes, awards, and judgments other than to state employees as compensation; except that no funds appropriated for operating expenses may be expended for vehicle lease payments, leased space, or lease purchase unless otherwise authorized by law; (c) Capital outlay, as defined in subsection (1) of this section. (d) The cost of travel by common carrier or by state-owned or privately owned conveyance and the costs of meals and lodging incident to such travel.

I vetoed this headnote last year. This headnote interferes with the ability of the executive branch to administer appropriations as provided by Article III of the Colorado Constitution. It is important to preserve the executive authority to administer appropriations in order to allow effective management of the state's business. In order to provide flexibility for departments to administer the appropriations when providing services to citizens, I am vetoing this headnote. I will direct the departments to comply with the headnote to the extent feasible, however, to the extent that this headnote hinders the ability of departments to meet the needs of citizens, they will be allowed to spend outside of these definition parameters, provided that such spending will remain within the line item appropriation provided by the General Assembly. Furthermore, this

provision represents substantive legislation and as such is violation of Article V, Section 32 of the Colorado Constitution. Because this headnote violates one or more articles of the state's constitution, the headnote and its references are constitutionally void.

8. **Section 1. Definitions - general provisions, headnote (11), page 6: (11)** "Personal services" means: (a) All salaries and wages, whether to full-time, part-time, or temporary employees of the state, and also includes the state's contribution to the public employees' retirement fund and the state's share of federal Medicare tax paid for state employees. Payments for overtime shall be in compliance with rules and procedures adopted by the state personnel director. (b) Professional services, meaning services requiring advanced study in a specialized discipline that are rendered or performed by firms or individuals for the state other than for employment compensation as an employee of the state, including but not limited to accounting, consulting, architectural, engineering, physician, nurse, specialized computer, and construction management services. Payments for professional services shall be in compliance with section 24-30-202 (2) and (3), Colorado Revised Statutes. (c) Temporary services, meaning clerical, administrative, and casual labor rendered or performed by firms or individuals for the state other than for employment compensation as an employee of the state. Payments for temporary services shall be in compliance with section 24-30-202 (2) and (3), Colorado Revised Statutes. (d) Tuition, meaning payments for graduate or undergraduate courses taken by state employees at institutions of higher education. (e) Payments for unemployment insurance as required by the department of labor and employment.

I vetoed this headnote last year. This headnote interferes with the ability of the executive branch to administer appropriations as provided by Article III of the Colorado Constitution. It is important to preserve the executive authority to administer appropriations in order to allow effective management of the state's business. In order to provide flexibility for departments to administer the appropriations when providing services to citizens, I am vetoing this headnote. I will direct the departments to comply with the headnote to the extent feasible, however, to the extent that this headnote hinders the ability of departments to meet the needs of citizens, they will be allowed to spend outside of these definition parameters, provided that such spending will remain within the line item appropriation provided by the General Assembly. Furthermore, this provision represents substantive legislation and as such is in violation of Article V, Section 32 of the Colorado Constitution. Because this headnote violates one or more articles of the state's constitution, the headnote and its references are constitutionally void.

9. **Section 1. Definitions - general provisions, headnote (12), page 6: (12)**  
"Purchase of services from computer center" means the purchase of automated data processing services from the general government computer center.

I vetoed this headnote last year. This headnote interferes with the ability of the executive branch to administer appropriations as provided by Article III of the Colorado Constitution. It is important to preserve the executive authority to administer appropriations in order to allow effective management of the state's business. In order to provide flexibility for departments to administer the appropriations when providing services to citizens, I am vetoing this headnote. I will direct the departments to comply with the headnote to the extent feasible, however, to the extent that this headnote hinders the ability of departments to meet the needs of citizens, they will be allowed to spend outside of these definition parameters, provided that such spending will remain within the line item appropriation provided by the General Assembly. Furthermore, this provision represents substantive legislation and as such is in violation of Article V, Section 32 of the Colorado Constitution. Because this headnote violates one or more articles of the state's constitution, the headnote and its references are constitutionally void.

10. **Section 1. Definitions - general provisions, headnote (13), page 6: (13)**  
"Short-term disability" means the state contribution for employee short-term disability pursuant to section 24-50-603, Colorado Revised Statutes. No funds appropriated for short-term disability shall be expended for any other purpose.

I vetoed this headnote last year. This headnote interferes with the ability of the executive branch to administer appropriations as provided by Article III of the Colorado Constitution. It is important to preserve the executive authority to administer appropriations in order to allow effective management of the state's business. In order to provide flexibility for departments to administer the appropriations when providing services to citizens, I am vetoing this headnote. I will direct the departments to comply with the headnote to the extent feasible, however, to the extent that this headnote hinders the ability of departments to meet the needs of citizens, they will be allowed to spend outside of these definition parameters, provided that such spending will remain within the line item appropriation provided by the General Assembly. Furthermore, this provision represent substantive legislation and as such is in violation of Article V, Section 32 of the Colorado Constitution. Because this headnote violates one or more articles of the state's constitution, the headnote and its references are constitutionally void.

- 11. Section 1. Definitions - general provisions, headnote (14), pages 6-7: (14)**  
"Utilities" means water, sewer service, electricity, payments to energy service companies, purchase of energy conservation equipment, and all heating fuels.

I vetoed this headnote last year. This headnote interferes with the ability of the executive branch to administer appropriations as provided by Article III of the Colorado Constitution. It is important to preserve the executive authority to administer appropriations in order to allow effective management of the business of the state. In order to provide flexibility for departments to administer the appropriations when providing services to citizens, I am vetoing this headnote. I will direct the departments to comply with the headnote to the extent feasible, however, to the extent that this headnote hinders the ability of departments to meet the needs of citizens, they will be allowed to spend outside of these definition parameters, provided that such spending will remain within the line item appropriation provided by the General Assembly. Furthermore, this provision represents substantive legislation and as such is in violation of Article V, Section 32 of the Colorado Constitution. Because this headnote violates one or more articles of the state's constitution, the headnote and its references are constitutionally void.

- 12. Section 1. Definitions - general provisions, headnote (15), page 7: (15)**  
"Vehicle lease payments" means the annual payments to the department of personnel for the cost of administration, repayment of a loan from the state treasury, and lease-purchase payments for new and replacement vehicles. No funds shall be expended for vehicle lease payments except those specifically appropriated for such purposes. The provisions of this subsection (15) shall not apply to the departments of education, higher education, and transportation.

I vetoed this headnote last year. This headnote interferes with the ability of the executive branch to administer appropriations as provided by Article III of the Colorado Constitution. It is important to preserve the executive authority to administer appropriations in order to allow effective management of the state's business. In order to provide flexibility for departments to administer the appropriations when providing services to citizens, I am vetoing this headnote. I will direct the departments to comply with the headnote to the extent feasible, however, to the extent that this headnote hinders the ability of departments to meet the needs of citizens, they will be allowed to spend outside of these definition parameters, provided that such spending will remain within the line item appropriation provided by the General Assembly. Furthermore, this provision represents substantive legislation and as such is in

violation of Article V, Section 32 of the Colorado Constitution. Because this headnote violates one or more articles of the state's constitution, the headnote and its references are constitutionally void.

- 13. Section 1. Definitions - general provisions, headnote (16), page 7: (16)** "Multiuse Network Payments" means payments to the Department of Personnel and Administration for the cost of administration and the use of the state's telecommunications network. No funds appropriated for multiuse network payments shall be expended for any other purpose.

I vetoed this headnote last year. This headnote interferes with the ability of the executive branch to administer appropriations as provided by Article III of the Colorado Constitution. It is important to preserve the executive authority to administer appropriations in order to allow effective management of the state's business. In order to provide flexibility for departments to administer the appropriations when providing services to citizens, I am vetoing this headnote. I will direct the departments to comply with the headnote to the extent feasible, however, to the extent that this headnote hinders the ability of departments to meet the needs of citizens, they will be allowed to spend outside of these definition parameters, provided that such spending will remain within the line item appropriation provided by the General Assembly. Furthermore, this provision represents substantive legislation and as such is in violation of Article V, Section 32 of the Colorado Constitution. Because this headnote violates one or more articles of the state's constitution, the headnote and its references are constitutionally void.

- 14. Section 1. Definitions, headnote (19), page 7: (19)** Where no purpose is specified or where a special program is specified, the appropriation shall be for contractual services, tuition, and operating expenses and, only if the appropriation includes a specified FTE limitation, for personal services other than contractual services.

I vetoed this last year. This headnote interferes with the ability of the executive branch to administer appropriations as provided by Article III of the Colorado Constitution. It is important to preserve the executive authority to administer appropriations in order to allow effective management of the state's business. In order to provide flexibility for departments to administer the appropriations when providing services to citizens, I am vetoing this headnote. I will direct the departments to comply with the headnote to the extent feasible, however, to the extent that this headnote hinders the ability of departments to meet the needs of citizens, they will be allowed to spend outside of these definition parameters, provided that such

spending will remain within the line item appropriation provided by the General Assembly. Furthermore, this provision represents substantive legislation and as such is in violation of Article V, Section 32 of the Colorado Constitution. Because this headnote violates one or more articles of the state's constitution, the headnote and its references are constitutionally void.

- 15. Section 1. Definitions, headnote (21), pages 7-8:** (21) When it is not feasible, due to the format of this act, to set forth fully in the line item description the purpose of an item of appropriation or a condition or limitation on the item of appropriation, the footnotes at the end of each section of this act refer to provisions which set forth such purposes, conditions, or limitations, and such provisions are therefore intended to be binding portions of the items of appropriation to which they relate. In other cases, where clearly expressed, footnotes refer to statements which are not intended by the general assembly to be binding portions of appropriations but which are related to the indicated item or items of appropriation. Such nonbinding statements include explanations of the assumptions used in making appropriations, the general assembly's intent with respect to future appropriations, and requests on the part of the general assembly for particular administrative action in connection with items of appropriation.

I vetoed this headnote last year. This headnote indicates that footnotes refer to provisions which set forth purpose, conditions, or limitations regarding the appropriation and states that provisions are therefore intended to be "binding portions" of the items of appropriations to which they relate. Any footnote that interferes with the ability of the executive branch to administer appropriations as provided by Article III of the Colorado Constitution is invalid. Any footnote that constitutes substantive legislation is in violation of Article V, Section 32 of the Colorado Constitution. I will consider such footnotes to be advisory, not binding.

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## SECTION 2: FOOTNOTES

- 1. Footnote 1, pages 18, 34, 43, 50-51, 66, 82, 109-110, 127, 135, 142, 144-145, 153, 158, 173, 188, 215, 230, 239, 254, 258, 261-262, 265-266:** All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2004-05. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements

associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.

This footnote violates the separation of powers in Article III of the Colorado Constitution in that it is attached to federal funds and private donations, which are not subject to legislative appropriation. Placing information requirements on such funds could constitute substantive legislation in the general appropriations bill in violation of Article V, Section 32 of the Colorado Constitution. In addition, this footnote is an unfunded mandate in that it would require a significant devotion of resources.

2. **Footnote 3, pages 34, 110, 127-128, 230-231, and 262:** Department of Corrections, Management, Executive Director's Office Subprogram; Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division and Division of Youth Corrections; Judicial Department, Probation and Related Services; Department of Public Safety, Division of Criminal Justice; and Department of Transportation, Office of Transportation Safety -- State agencies involved in multi- agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from the Drug Offender Surcharge Fund, the Sex Offender Surcharge Fund, the Persistent Drunk Driver Cash Fund, and the Alcohol and Drug Driving Safety Fund, among other programs.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by dictating the format of the Executive budget submission. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will instruct the departments to comply to the extent feasible.

3. **Footnote 4, page 34:** Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners, Payments to private prisons at a rate of \$50.37 per inmate per day - It is the intent of the General Assembly that the appropriations made for payments to private facilities housing state inmates be used exclusively for the purpose of per diem payments. It is the intent of the General Assembly that the department not withhold funds from the per diem payments to cover major medical expenses

incurred by state inmates assigned to private facilities. It is the intent of the General Assembly that appropriations made in the medical services subprogram are sufficient to cover major medical expenses incurred by state inmates held in both state and private facilities.

I vetoed a similar footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. It is my hope that the Department of Corrections will be able to fund all medical services for the department out of the line item appropriation for medical services for inmates. However, the State is required to provide these medical services and a request for additional funding may occur.

4. **Footnote 5, page 35:** Department of Corrections, Institutions, Utilities Subprogram, Utilities - The Department of Corrections is requested to continue the energy management program designed to reduce overall energy consumption in the department's facilities. Up to \$100,000 of the Department's utility appropriation may be for this program and a portion of these funds may be used to hire the equivalent of 1.0 FTE as an energy management program manager. The Department is requested to submit with its annual budget document a detailed accounting of any savings achieved as a result of the program and a summary of funds used to hire the 1.0 FTE.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. According to a 1978 court case, the General Assembly has no authority to appropriate or prescribe limits on FTE. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation. I will instruct the department and the controller to follow the legislative intent of the footnote to the extent feasible.

5. **Footnote 6a, page 35:** Department of Corrections, Inmates Programs, Community Reintegration Subprogram - The Department is requested to track recidivism rates for the inmates provided assistance through this program for five years after the release of an inmate. The Department is further requested to report, in their annual budget submission, a comparison of the recidivism rate of the inmates who are assisted through this program as compared to the overall recidivism rate for other inmates released from the Department.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by dictating the

format of the executive budget request. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation. I will direct the department to comply to the extent feasible.

6. **Footnote 7, page 35:** Department of Corrections, Inmate Programs, Community Reintegration Subprogram, Offender Re-employment Center - It is the intent of the General Assembly that no new General Fund dollars will be used for the Offender Re-employment Center and that the Department use funds received as gifts, grants, and donations for this center. Existing General Fund dollars may be used as a match for gifts, grants, and donations but shall not be used if they are to be considered a maintenance of effort. Of the amount appropriated in this line, up to \$94,000 may be used for the acquisition of leased space notwithstanding the provisions outlined in head note number 7 with regard to leased space.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. Furthermore, this footnote attempts to appropriate gifts, grants, and donations that are not subject to legislative appropriation. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation.

7. **Footnote 8, page 44:** Department of Education, Assistance to Public Schools, Public School Finance -- The Department is requested to provide to the Joint Budget Committee, on or before November 1, 2004, information concerning the number of students that repeated a grade level in the 2003-04 school year, and the share of districts' total program costs associated with these students. The Department is requested to summarize the information by grade level, by school district, and by type of instructional program.

This footnote may violate the separation of powers in Article III of the Colorado Constitution by attempting to dictate the format of the executive budget request. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation. I will instruct the department to comply to the extent feasible.

8. **Footnote 9, page 44:** Department of Education, Assistance to Public Schools, Public School Finance; and School for the Deaf and the Blind, School Operations - The Department is requested to work with the Board of Trustees of the Colorado School for the Deaf and the Blind and report to the Joint Budget Committee and the Senate and House Education Committees by January 1, 2005, concerning the implementation of section 22-80-102 (4), C.R.S. The report is requested to include information concerning the status of any: (a) Intergovernmental agreements between the School and local school

districts or other local governmental agencies; (b) partnerships with boards of cooperative services; and (c) charter schools chartered by the Board of Trustees. In addition, the report is requested to include information concerning the estimated state and local fiscal impact of any such agreements.

This footnote may violate Article V, Section 32 because it constitutes substantive legislation. I will instruct the department to comply to the extent feasible.

9. **Footnote 11, page 44:** Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- The Department is requested to provide to the Joint Budget Committee, on or before November 1, 2004, information concerning the Colorado preschool program. The information provided is requested to include the following for fiscal year 2003-04: (a) A list of participating districts; (b) the funded pupil count (FTE) allocated to each participating district and a description regarding how such allocation was determined; (c) data reflecting the ratio of each district's funded pupil count for the preschool program to its funded pupil count for kindergarten; (d) data indicating the number of three-year-old children that participated in each district's preschool program; (e) data indicating the number of children that participated in each district's preschool program for a full-day rather than a half-day; (f) data indicating the number of preschool program FTE each district used to provide a full-day kindergarten component; (g) the state and local shares of each district's total program funding that is attributable to the preschool program; and (h) whether or not each district contracted for preschool services with community providers.

I have vetoed similar footnotes in each of the past two years. This footnote may violate the separation of powers in Article III of the Colorado Constitution by attempting to dictate the format of the executive budget request. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation. I will instruct the department to comply to the extent feasible.

10. **Footnote 12, pages 44-45, 82-83:** Department of Education, Assistance to Public Schools, Categorical Programs; and Department of Higher Education, Division of Occupational Education, Colorado Vocational Act Distributions pursuant to Section 23-8-102, C.R.S. -- The Department of Education is requested to work with the Department of Higher Education and to provide to the Joint Budget Committee information concerning each categorical program. For grant programs, such information is requested to include the following: (a) The total number and dollar amount of requests received; (b) the amount awarded or distributed to each district, board of cooperative services, or administrative unit; and (c) a description of the criteria utilized

to evaluate requests and to determine grant awards. For other programs, such information is requested to include the following: (a) The total amount distributed to each district, board of cooperative services, or administrative unit; (b) the total amount that each entity would be eligible to receive pursuant to state law and/or State Board of Education rule; and (c) a description of the method or formula used to determine the amount for which entities are eligible and to distribute funds.

I have vetoed similar footnotes in each of the past two years. This footnote may violate the separation of powers in Article III of the Colorado Constitution by attempting to dictate the format of the executive budget request. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation. Further, the footnote is not clear as to what time period the request relates and may require a significant devotion of resources. I will instruct the department to comply to the extent feasible.

- 11. Footnote 13, page 45:** Department of Education, Assistance to Public Schools, Categorical Programs, Other Categorical Programs, Federal Special Education Grant for Infants, Toddlers, and Their Families -- The Department is requested to provide to the Joint Budget Committee information concerning the expenditure of federal funds provided pursuant to Part C of the federal "Individuals with Disabilities Education Act" for the most recent state fiscal year. Such information is requested to include sufficient detail to identify expenditures related to the provision of direct services, by type of service.

I have vetoed similar footnotes in each of the past two years. The General Assembly has no authority to appropriate these federal funds. Furthermore, this footnote may violate Article V, Section 32 because it constitutes substantive legislation. In addition, the footnote is not clear as to what time period the request relates and may require a significant devotion of resources. I will instruct the department to comply to the extent feasible.

- 12. Footnote 14, page 45:** Department of Education, Assistance to Public Schools, Grant Programs and Other Distributions -- The Department is requested to provide information to the Joint Budget Committee by November 1, 2004, concerning the allocation of funding to eligible boards of cooperative services (BOCES) pursuant to section 22-2-122 (3), C.R.S. Specifically, the Department is requested to detail the allocations made to each BOCES in fiscal years 200203 and 2003-04, and to evaluate and report its findings concerning the impact of such allocations on the number and quality of grant applications submitted by member school districts and schools.

This footnote may violate the separation of powers in Article III of

the Colorado Constitution by attempting to dictate the format of the executive budget request. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation. I will instruct the department to comply to the extent feasible.

- 13. Footnote 15, page 45:** Department of Education, Assistance to Public Schools, Grant Programs and Other Distributions, State Public School Fund, Contingency Reserve -- The Department is requested to notify the Joint Budget Committee whenever the State Board of Education approves a payment from the Contingency Reserve. Such notification is requested to include the amount of the payment, the name of the district receiving funds, the proposed use of such funds, and the applicable circumstance listed in section 22-54-117, C.R.S.

This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to direct elected officials in their duties. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation. I will direct the department to comply to the extent feasible.

- 14. Footnote 16, page 45:** Department of Education, Assistance to Public Schools, Grant Programs and Other Distributions, State Public School Fund, Contingency Reserve -- It is the intent of the General Assembly that the State Board of Education utilize the assistance of the Division of Property Taxation in the Department of Local Affairs in making a determination of school district requests for payment from the contingency reserve fund prior to approving payments from the fund.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation. In addition, this footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to direct elected officials in their duties.

- 15. Footnote 18, page 51:** Governor-Lieutenant Governor-State Planning and Budgeting, Office of the Governor; and Office of State Planning and Budgeting -- As part of the FY 2005-06 budget submission, the Office of State Planning and Budgeting is requested to provide a report on indirect cost recoveries from federal programs that are administered through the Office of the Governor or that are not shown elsewhere in the Long Bill. The report should include an analysis, by federal program, of: Statewide and departmental indirect costs collected in FY 2002-03 and FY 2003-04; where funds collected were spent; the potential for additional indirect cost collections in FY 2004-05 and future years; and the potential for offsetting General Fund

expenditures in the Office of the Governor or other departments through these collections. For each federal program that was not assessed statewide and departmental indirect costs, the report should explain why these costs were not assessed.

I vetoed this footnote last year. This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. The General Assembly has no authority to appropriate federal funds. Furthermore, the Governor's Office is already part of the statewide indirect cost plan developed by the Department of Personnel; thus provision of this information would be redundant.

- 16. Footnote 19, page 51:** Governor - Lieutenant Governor - State Planning and Budgeting, Office of the Governor, Governor's Office, Administration of Governor's Office and Residence; and Other Programs and Grants -- The Governor's Office is requested to provide to the Joint Budget Committee, with its FY 2005-06 budget request, information pertaining to federal and cash exempt funds received and expected to be received. This information should include the amount and source of each grant, any matching and maintenance of effort requirements, duration of the grant, as well as the name of the program or project and number of FTE the funds will support.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation and by dictating the content of the Executive budget request. Requesting additional information on non-appropriated sources within the Governor's Office restricts the flexibility of the Office. Furthermore, the General Assembly has no authority to appropriate federal money or to prescribe limits on FTE. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill.

- 17. Footnote 20, page 51:** Governor - Lieutenant Governor - State Planning and Budgeting, Office of the Governor; and Office of State Planning and Budgeting --The Commission on Information Management, in conjunction with the Office of State Planning and Budgeting, is requested to submit a priority list for all state information technology projects requested in the FY 2005-06 budget requests by November 1, 2004.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the

ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. The Office of State Planning and Budgeting does not review budget requests from elected officials, the Legislative Branch, or the Judicial Branch. I will direct the Office of State Planning and Budgeting, in conjunction with the Office of Innovation and Technology, to prioritize the information technology requests of the Executive Branch departments according to programmatic priorities and to provide this report to the JBC by November 2004. However, I will not require the offices to prioritize non-executive requests in this list.

- 18. Footnote 22, page 52:** Governor - Lieutenant Governor - State Planning and Budgeting, Office of State Planning and Budgeting; and Office of Innovation and Technology -- The General Assembly requests the Office of State Planning and Budgeting and the Office of Innovation and Technology to work with Joint Budget Committee staff and departmental staff to develop recommendations for standardizing Long Bill information technology appropriations in order to achieve consistency in long bill appropriations for information technology. The Office of State Planning and Budgeting and the Office of Innovation and Technology are requested to report their recommendations for such a system to the General Assembly no later than November 1, 2004.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by directing the appropriation. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill.

- 19. Footnote 23, pages 52 and 189:** Governor - Lieutenant Governor - State Planning and Budgeting, Office of State Planning and Budgeting; and the Department of Personnel and Administration, Division of Human Resources -- The Department shall comply with the statutory provisions of Section 24-50-110 (1)(d), C.R.S., and is requested to provide other state departments with the information necessary to comply with this statute. The Office of State Planning and Budgeting and the Department of Personnel are requested to work with the departments to improve the timeliness and accuracy of information about state personnel. Improvements, at a minimum, should include: updating personnel information on a centralized computerized data base; accurate reporting of filled FTE positions; number of reclassifications that are approved, turnover rates by agency; tracking of FTE positions funded to FTE positions filled; an accurate count of part-time and temporary FTE positions; and elimination of unused FTE positions, The Department and the Office of State Planning and Budgeting are requested to submit a consolidated

statewide personnel report to the General Assembly by September 1, 2004. This report should include, by line item and Department, a summary of vacant positions, the length of time each position has been vacant, and the number of reclassifications that were approved in FY 2003-04.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. For the last five years, my administration has worked diligently to provide the Joint Budget Committee (JBC) with information on FTE within existing resources. My administration has provided the JBC with more information on FTE than any prior administration and will continue to work cooperatively with the JBC. However, the full amount of information requested in this footnote is not available and to make this information available would require significant investments in computer technology and human resources. Without these investments, the footnote constitutes an unfunded mandate. I will continue to direct representatives from the Governor's Office and the Department of Personnel and Administration to provide the requested information to the extent feasible given available data and resource constraints.

- 20. Footnote 24, page 52:** Governor - Lieutenant Governor - State Planning and Budgeting, Economic Development Programs, International Trade Office -- The International Trade Office is requested to provide its FY 2003-04 annual report to the Joint Budget Committee by November 1, 2004. The report should include the following information: Number of new and existing companies assisted; activity reports from overseas representatives and offices; number of incoming missions; and regional export activities.

I vetoed this footnote last year. This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. Additionally, this footnote requires a substantial dedication of resources and constitutes an unfunded mandate. Nonetheless, I will direct the department to comply to the extent feasible.

- 21. Footnote 25, page 53:** Governor - Lieutenant Governor - State Planning and Budgeting, Economic Development Programs, Colorado Promotion - Other Program Costs -- This program is requested to submit to the Joint Budget Committee a report outlining how it spent the \$9,000,000 supplemental

appropriation it received in FY 2002-03, and a cost-benefit analysis of such expenditures. It is requested that this report be provided January first of each fiscal year until the appropriation is accounted for.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. Additionally, this footnote requires a substantial dedication of resources and constitutes an unfunded mandate. Nonetheless, I will direct the department to comply.

- 22. Footnote 26, page 53:** Governor - Lieutenant Governor - State Planning and Budgeting, Economic Development Programs, Economic Development Commission - General Economic Incentives and Marketing -- In its annual report to the General Assembly, the Economic Development Commission is requested to provide an analysis and summary of programs and activities undertaken to assist the economies of rural areas of the state. For each project in a rural area, the report should include the following information: The location; recipient; purpose; dollar amount received from the Commission; local and/or private matching contributions; and other economic development assistance provided by the state for that project, such as job training. The report should also provide the total dollar amount provided by the Commission to rural areas, the percentage of total Commission assistance that went to rural areas, and information on any rural projects that applied for but did not receive Commission assistance.

I vetoed this footnote last year. This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. Pursuant to Section 24-46-104 (2), C.R.S., the department is required to prepare a report regarding the work of the Commission. The department has complied with this statutory requirement and will continue to provide the report. Furthermore, I have long emphasized to the Economic Development Commission the importance of rural economic development and will continue to do so. I will direct the department to comply to the extent feasible.

- 23. Footnote 27, pages 53 and 83:** Governor - Lieutenant Governor - State Planning and Budgeting, Economic Development Programs, Colorado First Customized Job Training; and Department of Higher Education, Division of Occupational Education, Colorado First Customized Job Training -- This program is requested to submit to the Joint Budget Committee by November

1, 2004, a detailed plan for accountability, including review criteria for selection of companies to participate, the number of new jobs created by the programs, the number of unemployed and underemployed individuals who were trained and employed by this program, the amount of new personal income, state personal, and corporate income tax generated by this program, the time period for repayment of state investment in this program, and the number of persons taken off state support programs and the money saved thereby.

I vetoed this footnote last year. This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. Furthermore, this footnote requires a substantial dedication of resources and constitutes an unfunded mandate.

24. **Footnote 28, page 53:** Governor - Lieutenant Governor - State Planning and Budgeting, Office of Innovation and Technology -- The Office of Innovation and Technology is requested to produce a plan for the implementation of the Statewide Internet Portal, including objectives, a timeline with specific benchmarks, and a detailed spending plan. The Office is requested to deliver this plan to the Joint Budget Committee no later than October 1, 2004.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. Furthermore, the provisions of Senate Bill 03-336, signed into law last year, include similar reporting requirements. Therefore, we will follow the reporting requirements in Senate Bill 03-336 that require a report to be delivered on July 15, 2004 to the General Assembly concerning the implementation of a statewide Internet portal plan.

25. **Footnote 30a, pages 66-67, and 110-111:** Department of Health Care Policy and Financing, Executive Director's Office; and Human Services, Mental Health and Alcohol and Drug Abuse Services -- The Departments are requested to prepare a report that provides a needs assessment and associated recommendations on a proposed acute treatment unit facility in Southwestern Colorado. The report is requested to consider this area's unique regional geographic factors that: (1) substantially contribute to added time, trauma, cost, and risk in the transportation of clients needing hospitalization for severe mental illness; (2) add to the discontinuity of care, increase length of treatment, and impede the capacity to reintegrate consumers into the

community; and (3) undermine best standards of care for consumers in acute psychiatric crisis and their families. The report is also requested to address the impact of these factors on state institutions, including the mental health institutes, and to estimate potential cost savings, and the associated impact on municipal, county and private entities from the establishment of the proposed acute treatment unit. The report is requested to take into consideration the March 2001, Operational Plan for the Mental Health Institutes in Colorado by the TriWest Group, the June 2001, TriWest Group study "An Assessment of Community Mental Health Resources," and the Department of Human Services' February 15, 2002, Operational Plan for the Mental Health Institutes. The Departments' report is requested to be provided to the Joint Budget Committee and the House and Senate Health, Environment, Welfare, and Institutions Committees by no later than September 1, 2004.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. Furthermore, this footnote requires a substantial dedication of resources and constitutes an unfunded mandate. I will direct the department not to comply.

26. **Footnote 32, page 67:** Department of Health Care Policy and Financing, Medical Services Premiums - The Department is requested to submit a report on the managed care organizations' care capitation rates for each population and the estimated blended rate for each aid category in effect for fiscal year 2004-05 to the Joint Budget Committee by July 25, 2004. The Department shall include in the report a copy of each managed care organization's certification that the reimbursement rates are sufficient to assure the financial stability of the managed care organization with respect to delivery of services to the medicaid recipients covered in their contract pursuant to Section 26-4-115 (2) (k), C.R.S.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill.

27. **Footnote 37, page 68:** Department of Health Care Policy and Financing, Medical Services Premiums - The calculations for this line item assume a reduction of \$991,288 for private duty nursing services. This reduction is based on the assumption that private duty nursing services will be limited to no more than 112 hours per week for any one client. The calculations assume the Medical Services Board will adopt rules to conform to the intent of this

appropriation.

This footnote is in violation of the Colorado Constitution, Article III and Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and constitutes substantive legislation that cannot be included in the general appropriations bill.

- 28. Footnote 38, page 68:** Department of Health Care Policy and Financing, Medical Services Premiums - The calculations for this line item assume a reduction of \$747,360 for durable medical equipment. The calculations assume the Medical Services Board will adopt rules to conform to the intent of this appropriation.

This footnote is in violation of the Colorado Constitution, Article III and Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and constitutes substantive legislation that cannot be included in the general appropriations bill.

- 29. Footnote 39, page 68:** Department of Health Care Policy and Financing, Medical Services Premiums - The calculations for this line item assume an increase of \$3,000,000. It is the intent of the General Assembly that this \$3,000,000 be used to increase the reimbursement rates to the Federally Qualify Health Centers by increasing the inflation factor to an amount that equals \$3,000,000. The calculations assume the Medical Services Board will adopt rules to conform to the intent of this appropriation.

This footnote is in violation of the Colorado Constitution, Article III and Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and constitutes substantive legislation that cannot be included in the general appropriations bill.

- 30. Footnote 39a, page 68:** Department of Health Care Policy and Financing, Medical Services Premiums - The Department is requested to provide a progress report to the JBC and the House and Senate Health, Environment, Welfare, and Institutions Committees on the recommendations outlined in the Colorado Medicaid Footnote 50a Report from November of 2000. The progress report should focus on an overview of the recommendations, department and legislative action regarding the implementation of the recommendations, any recommendations that have not been implemented, any adjustments needed to address rate disparities or shortfalls in the community long-term care continuum, and any legislative or department action necessary to implement the footnote 50a recommendations.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. Furthermore, this footnote requires a substantial dedication of resources and constitutes an unfunded mandate. I will direct the department not to comply.

- 31. Footnote 40, page 69:** Department of Health Care Policy and Financing, Indigent Care Program, Safety Net Provider Payments - The Department is requested to submit a report by February 1, 2005, which evaluates the use of the new methodology to distribute disproportionate share and major teaching hospital payments.

I vetoed this footnote last year. This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. I will direct the department to comply to the extent feasible.

- 32. Footnote 42, page 69:** Department of Health Care Policy and Financing, Other Medical Services, Services to 3,979 Old Age Pension State Medical Program client at an average cost of \$2,701.30 - The Department is requested to submit a report by November 1, 2004, recommending changes to the benefit structure or eligibility criteria for the Old Age Pension State Medical Program. The report should include information on what medical services would be most beneficial to include in a limited health plan that would not exceed \$10,750,000 to serve the number of people eligible for the program. The report should include information on whether it would be feasible for the Old Age Pension State Medical Program to become an insurance premium sharing program rather than a traditional fee-for-service program.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. I will direct the department to comply to the extent feasible.

- 33. Footnote 45, pages 70, and 111:** Department of Health Care Policy and Financing, Department of Human Services Medicaid-Funded Programs, Office of Information Technology Services - Medicaid Funding, Colorado Benefits Management System (CBMS); and Department of Human Services, Office of Information Technology Services, Colorado Benefits Management

System (CBMS) --It is the understanding of the General Assembly that the primary goal of the Colorado Benefits Management System (CBMS) project is to streamline several county administrative functions by creating a single, integrated, eligibility and client management system that will minimize manual and paper-intensive processes. The 1997 feasibility study that was prepared for the CBMS project included an analysis of the annual savings that would result from the statewide implementation of CBMS, estimating \$31.0 million in annual savings from all fund sources. The feasibility study did not include an analysis of the impact of medical application sites. A re-analysis in December 2000 projects annual savings of \$13.0 million. Further project changes anticipated as of March 2002 are expected to result in the level of savings being further reduced to \$12.4 million. It is the intent of the General Assembly that, once CBMS is fully implemented statewide, various appropriations will be adjusted to reflect the resulting cost savings. It is further the intent of the General Assembly that such adjustments be based on an objective analysis of the impact of the implementation of CBMS on the Department of Health Care Policy and Financing, the Department of Human Services, and county departments of social services.

I vetoed this footnote last year. This footnote implies an unfunded mandate in that there is no funding to conduct the analysis intended by the footnote. Additionally, this footnote creates expectations about budget reductions that the departments believe are no longer feasible due to the steep budget cuts already taken in the project and the restructuring of Human Services provided under welfare reform.

34. **Footnote 49, page 83:** Department of Higher Education, Colorado Commission on Higher Education, Financial Aid Research for the General Assembly - The Department is requested to submit a report to the Joint Budget Committee by November 1, 2004, comparing the retention rates of students receiving Governor's Opportunity Scholarships with retention rates for low-income students receiving other types of financial aid packages.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. However, I will direct the department to comply with the intent of the footnote to the extent possible.

35. **Footnote 50, page 83:** Department of Higher Education, Colorado Commission on Higher Education, Division of Private Occupational Schools - It is the intent of the General Assembly that the Division reduce its fee revenue by 10 percent in FY 2004-05.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill.

36. **Footnote 51a, page 84:** Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Special Purpose, Early Childhood Professional Loan Repayment Program -- Of this appropriation, no more than 10.0 percent shall be expended for program administration.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. However, I will direct the department to comply with the intent of the footnote

37. **Footnote 53, page 84:** Department of Higher Education, Governing Boards and Local District Junior Colleges, Trustees of Adams State College; Trustees of Mesa State College; Trustees of Metropolitan State College of Denver; Trustees of Western State College; Board of Governors of the Colorado State University System; Trustees of Fort Lewis College; Regents of the University of Colorado; Trustees of the Colorado School of Mines; University of Northern Colorado; State Board for Community Colleges and Occupational Education State System Community Colleges - It is the intent of the General Assembly that each governing board may increase tuition rates by an amount calculated to generate up to a maximum of 1.1 percent additional revenue from resident students, not including the effects of enrollment changes; except that, if legislation allowing designation of institutions of higher education as enterprises is enacted by the Sixty-fourth General Assembly and becomes law, the governing board of an institution or group of institutions that is designated as an enterprise pursuant to such legislation may increase the tuition rates for the institution or group of institutions by an amount calculated to generate up to a maximum of eight percent additional revenue from resident and non-resident students not including the effects of enrollment changes. Of said eight percent additional revenue, spending authority for one and one-tenths percent additional revenue shall be from the appropriation in this section, and spending authority for six and nine-tenths percent additional revenue shall be from the appropriation in section 15 of this act. These rates are used in order to increase spending authority for program enhancements and this is not an attempt by the General Assembly to set tuition policy. Each governing board will give consideration to establishing equity of tuition increases among the campuses and programs under the governing board's jurisdiction.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. In addition, the footnote contains language that allows higher education institutions or a group of institutions that receive enterprise status to increase tuition by up to 8.0 percent. Given that non-enterprise status institutions will be funded at 1.1 percent, an 8.0 percent tuition increase is an unreasonable burden on students at enterprise status institutions. However, attaining enterprise status should allow for some flexibility in tuition setting. As a result, although I am vetoing this footnote, I did not veto the spending authority allowed in Section 16 of this Act. Instead, I am directing the Colorado Commission on Higher Education to consult with the Governing Boards of higher education institutions that obtain enterprise status to prepare a tuition plan that is reasonable and fair for their institutions and students.

- 38. Footnote 56, page 112:** Department of Human Services, Office of Operations, Utilities -- Up to \$100,000 of the Department's utility appropriation may be used to develop and implement a program designed to decrease energy consumption. A portion of these funds may be used to hire an energy program manager.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. The General Assembly has no authority to appropriate or prescribe limits on FTE. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will instruct the department and the Controller to follow the legislative intent of the footnote.

- 39. Footnote 60, pages 112-113:** Department of Human Services, Division of Child Welfare -- The Department is requested to provide to the Joint Budget Committee, by November 1, 2004, information concerning the gross amount of payments to child welfare service providers, including amounts that were paid using revenues other than county, state, or federal tax revenues. The Department is requested to identify amounts, by source, for the last two actual fiscal years.

I vetoed this footnote last year. This footnote may violate the separation of powers in Article III of the Colorado Constitution by attempting to dictate the content and format of the Executive budget request. In addition, this footnote may violate Article V, Section 32

because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will instruct the department to comply with the intent of the footnote.

- 40. Footnote 61, page 113:** Department of Human Services, Division of Child Welfare, Child Welfare Services -- The Department is requested to provide to the Joint Budget Committee, by November 1, 2004, information concerning actual expenditures for the last two fiscal years for services that are now funded through this consolidated line item. Such data should include the following: (a) County administrative expenditures; (b) out-of-homeplacement care expenditures and the average cost per child; (c) subsidized adoption expenditures and the average payment per child; (d) case service expenditures and the average cost per child; and (e) child welfare-related child care expenditures and the average cost per child.

I vetoed this footnote last year. This footnote may violate the separation of powers in Article III of the Colorado Constitution by attempting to dictate the content and format of the Executive budget request. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will instruct the department to comply with the intent of the footnote.

- 41. Footnote 63, page 113:** Department of Human Services, Division of Child Welfare, Family and Children's Programs -- It is requested that \$3.0 million of the funds appropriated for this line item be used to assist county departments of social services in implementing and expanding family- and community- based services for adolescents. It is the intent of the General Assembly that such services be based on a program or programs that have been demonstrated to be effective in reducing the need for higher cost residential services.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will instruct the department to comply with the intent of the footnote.

- 42. Footnote 66, page 114:** Department of Human Services, Office of Self Sufficiency, Colorado Works Program, County Block Grants -- Pursuant to sections 26-2-714 (7) and 26-2-714 (9), C.R.S., under certain conditions, a county may transfer federal Temporary Assistance for Needy Families (TANF) funds within its Colorado Works Program Block Grant to the federal

child care development fund or to programs funded by Title XX of the federal Social Security Act. One of the conditions specified is that the amount a county transfers must be specified by the Department of Human Services as being available for transfer within the limitation imposed by federal law. It is the intent of the General Assembly that the Department allow individual counties to transfer a greater percent of federal TANF funds than the state is allowed under federal law as long as: (a) Each county has had an opportunity to transfer an amount up to the federal maximum allowed; and, (b) the total amount transferred statewide does not exceed the federal maximum.

I vetoed this footnote last year. This footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill by specifying conditions when individual counties are to transfer a greater percent of federal TANF funds than the State is allowed under federal law. Furthermore, this footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. I will instruct the department to comply with the intent of the footnote to the extent feasible.

- 43. Footnote 67, page 114:** Department of Human Services, Office of Self Sufficiency, Colorado Works Program, County Training -- The Department is requested to utilize a portion of the funding provided through this line item, in addition to other available resources, for the purpose of providing technical assistance and training for county staff concerning requirements of the federal Americans with Disabilities Act and the provision of services to special needs populations.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill.

- 44. Footnote 68, page 114:** Department of Human Services, Office of Self Sufficiency, Special Purpose Welfare Programs, Low Income Energy Assistance Program -- The cash funds exempt appropriation for this line item represents an estimate of donations the Department anticipates receiving from the Colorado Energy Assistance Foundation. It is the intent of the General Assembly that if actual cash funds exempt expenditures that are eligible to be counted as part of the State's maintenance of effort for the federal Temporary Assistance for Needy Families program exceed the appropriated amount, the Department should report actual eligible expenditures to the federal government for such purpose.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will instruct the department to comply to the extent feasible.

- 45. Footnote 70, page 114:** Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division, Community Programs, Treatment Services, Treatment and Detox Contracts -- It is the intent of the General Assembly that the FY 2004-05 General Fund reduction of \$901,872 shall be allocated equally between detox contracts and treatment contracts.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill.

- 46. Footnote 71, page 114:** Department of Human Services, Services for People with Disabilities, Developmental Disability Services, Community Services, Adult Program Costs -- The Department is requested to survey all individuals on the comprehensive services waiting list in June, 2004, to determine when each individual will need comprehensive services. The Department is requested to report the results of the CCB surveys in the submission of the FY 2005-06 budget request to the Joint Budget Committee.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by dictating the content and format of the Executive budget request. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will direct the department to comply to the extent feasible.

- 47. Footnote 73, page 115:** Department of Human Services, Services for People with Disabilities, Developmental Disability Services, Regional Centers -- The Department is requested to develop options for downsizing the state's regional centers in an effort to comply with the *Olmstead v. L. C.* Supreme Court decision and to reduce program expenditures associated with these state facilities. The options provided to the Joint Budget Committee should include estimates of a minimum number of persons being served by the regional centers; identification of populations to be served in state facilities if any; and estimated costs and savings associated with these options including the sale

of state property and facilities. The Department is requested to work with the community centered boards and other stakeholder groups in the development of these options. The department is requested to submit these options to the Joint Budget Committee on or before October 1, 2004.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. I will direct the department not to comply.

- 48. Footnote 89, page 135:** Department of Labor and Employment, Executive Director's Office, Operating Expenses -- The Department is requested to include estimated costs of computer contract maintenance agreements in its annual budget request. This information is requested in a format that permits comparison, by affected budget line, of ongoing maintenance costs from fiscal year to fiscal year, including actual, estimated, and projected amounts.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by dictating the content and format of the Executive budget request. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation. I will instruct the department to comply to the extent feasible.

- 49. Footnote 90, page 136:** Department of Labor and Employment, Division of Employment and Training, Unemployment Insurance Fraud Program -- The Department is requested to include in its annual budget request information on fraud detection and recovery, including, but not limited to, an estimate of the amount of unemployment insurance fraud that may have occurred in FY 2003-04, how much of this fraud was detected, and how much of this fraud was recovered.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by dictating the content and format of the Executive budget request. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation. I will instruct the department to comply to the extent feasible.

- 50. Footnote 92, page 136:** Department of Labor and Employment, Division of Employment and Training, Employment and Training Programs -- The Department is requested to include in its annual budget request information regarding the allocation of the 15 percent Welfare-to-Work Block Grant

discretionary funds. Such information should include, but not be limited to, the names of the organizations that receive discretionary funds, the amount of such awards, a description of the organizations' collaboration with the region's One-Stop Job Center, and an explanation of any discretionary funds awarded to community-based organizations that do not collaborate with a One-Stop Job Center.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by dictating the content and format of the Executive budget request. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation. I will instruct the department to comply to the extent feasible.

- 51. Footnote 93, page 136:** Department of Labor and Employment, Division of Employment and Training, Employment and Training Programs, State Operations -- It is the intent of the General Assembly that, of this appropriation, \$86,939 be awarded as grants to one stop job centers that provide services to displaced homemakers.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation. I will instruct the department to comply to the extent feasible, while considering options to maximize the number of individuals served.

- 52. Footnote 97, page 153:** Department of Local Affairs, Division of Housing -- The Division of Housing is requested to provide a report to the Joint Budget Committee by November 1, 2004, 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.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill.

- 53. Footnote 98, page 158:** Department of Military and Veterans Affairs, Executive Director and Army National Guard, Colorado National Guard Tuition Fund - The Department is requested to prepare a report demonstrating

the effect of representative levels of tuition assistance on Colorado National Guard recruitment and retention efforts. Projections should be supported by actual data regarding recruitment and retention in Colorado and other states. No later than October 1, 2004, the Department is requested to submit a report to the Joint Budget Committee comparing tuition assistance in Colorado and other states to changes in strength numbers. Analysis of this actual data should form the basis of strength numbers based on future potential funding levels for this line item.

This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will direct the department to comply to the extent feasible.

- 54. Footnote 102, page 174:** Department of Natural Resources, Oil and Gas Conservation Commission -- It is the intent of the General Assembly that the new resources provided for scanning and indexing will create additional efficiencies in the Division. The Department is requested to provide an estimate of staff savings achieved in its FY 2005-06 budget submission to the General Assembly.

This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. The General Assembly has no authority to appropriate or prescribe limits on FTE.

- 55. Footnote 105, page 189:** Department of Personnel and Administration, Executive Office - The Department of Personnel and Administration is requested to provide a full summary of all funding sources identified in the General Appropriations Act for FY 2004-05. Such information should include any cash fund specifically identified by a statutory citation through letternotes and any internal service fund specifically identified without specific statutory citation through letternotes. This information is requested in the form of the Schedule 11.A and should be submitted with the FY 2005-06 budget request on November 1, 2004.

This footnote violates the separation of powers in Article III of the Colorado Constitution by dictating the format of the executive budget request. I will direct the department to comply with the intent of the footnote to the extent possible.

- 56. Footnote 106, page 216:** Department of Public Health and Environment, Administration and Support -- It is the intent of the General Assembly that

the Department shall not exceed the total FTE authorization included in the Long Bill, and that any transfer of FTE between divisions within the Department should be limited to federally- funded grants or programs and again should not exceed the total authorized level. Any exception to this policy should be limited to federal funds and should be reported to the Joint Budget Committee, documenting the source and amount of funding, increase in number of FTE, activities to be performed, and anticipated time frame for continued receipt of new funding.

I vetoed this footnote last year. The footnote violates the separation of powers in Article III of the Colorado Constitution. The General Assembly does not have the authority to appropriate FTE or federal funds. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill.

57. **Footnote 107, page 216:** Department of Public Health and Environment, Administration and Support -- The Department is requested to submit a report by October 1, 2004, to the Joint Budget Committee listing all block grants the Department will receive for FY 2004- 05 and is expecting to receive for FY 2005-06. The report should also include a description of the grant, and line items in the Long Bill each grant is being used to finance. The report should include all line items with a General Fund appropriation for which block grants could be used.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. Furthermore, the General Assembly does not have appropriating authority over grant funds. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill.

58. **Footnote 108, page 216:** Department of Public Health and Environment, Hazardous Materials and Waste Management Division, Contaminated Site Cleanups -- The Department is requested to submit a report on its CERCLA program. This report is requested to include detailed expenditures for the program, including out-year estimates by project and associated project financing. The report should also include an analysis of long-term funding needs of the State in responding to, litigating, and cleaning up CERCLA sites, including estimated long- term maintenance costs for these sites. The report should also provide information on the Hazardous Substance Response Fund balance and out-year fiscal estimates. This report is requested to be provided to the Joint Budget Committee by no later than November 1, 2004.

I vetoed this footnote last year. This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. Furthermore, this footnote requires a substantial dedication of resources and constitutes an unfunded mandate. I will direct the departments to comply to the extent feasible.

- 59. Footnote 110, page 217:** Department of Public Health and Environment, Disease Control and Environmental Epidemiology Division, Special Purpose Disease Control Programs, Tuberculosis Control and Treatment -- The Department is requested to provide, with its annual budget submission, a listing of counties which participate in tuberculosis control. Information should include, but not be limited to, the number of patients served for tuberculosis infection and active tuberculosis in each county, the total costs associated with all aspects of treatment and control by county, and a breakout of each revenue source. This information would account for counties' 20-percent match required in Section 25-4-513, C.R.S. This information should be provided for one actual year, the estimate year, and the request year.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by dictating the content and structure of the Executive budget submission. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will instruct the department to comply with the intent of the footnote.

- 60. Footnote 111, page 217:** Department of Public Health and Environment, Prevention Services Division, Prevention Programs, Chronic Disease and Cancer Prevention Grants -- The General Assembly accepts no obligation to continue funding for these programs when federal funds are no longer available. Any match requirements for these federal grants are to be provided by non-state sources. The General Assembly requests that the Department document the sources of matching funds, which documentation should be submitted to the Joint Budget Committee annually with its budget request, to serve as proof of the required state match for these federal dollars.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by dictating the content and structure of the Executive budget submission. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will instruct the department to comply

with the intent of the footnote.

- 61. Footnote 113, page 217:** Department of Public Health and Environment, Prevention Services Division, Prevention Partnerships, Tony Grampsas Youth Services Program, Prevention Services Programs -- The Department is requested to submit a report to the Joint Budget Committee on the Tony Grampsas Youth Services Program by November 1, 2005. This report should include the following information for FY 2004-05: (1) Number of applicant organizations and number of organizations receiving funding; (2) names of all applicants and amount applied for by each; (3) numbers of person served each year; (4) characteristics of programs funded (e.g., program goals, characteristics of persons targeted, types of services provided, geographic location of programs funded) ' (5) amount of grantee funding received from other sources administered aby the State and non-State sources per dollar of Tony Grampsas Youth Services Program funding; and (6) general evaluation of program strengths and weaknesses and any recommendations for statutory changes.

This footnote may violate the separation of powers in Article III of the Colorado Constitution by attempting to dictate the content and structure of the Executive budget submission. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will instruct the department to comply with the intent of the footnote to the extent feasible.

- 62. Footnote 114, page 231:** Department of Public Safety, Executive Director's Office, Special Programs, Colorado Integrated Criminal Justice Information System (CICJIS) -- It is the intent of the General Assembly that with this appropriation the Colorado Bureau of Investigation in the Department of Public Safety, the Judicial Department, the Department of Corrections, the Division of Youth Corrections in the Department of Human Services, and the Colorado District Attorneys' Council should be able to improve the Colorado Integrated Criminal Justice Information System to achieve a match between felony court filings and the initial charges in at least ninety percent of the cases by December 31, 2004 and maintain at least a ninety percent match rate annually.

This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will instruct the department to comply with the intent of the footnote. I understand to importance of increasing the disposition match rate and will direct the department

to make improving the performance of the system a priority.

- 63. Footnote 115, page 231:** Department of Public Safety, Colorado State Patrol -- The Department is requested to submit to the Joint Budget Committee a detailed summary of FTE assigned to the field and to special programs on a semi-annual basis beginning on July 15, 2004. Each semi-annual report should include comparative information about the historical assignment of all uniformed positions, vacant positions, State Patrol Academy graduates, employee turnover (including service and disability retirements), and trooper deployment. In addition, for the annual budget request submission, the budget forms should include specific expenditures from the consolidated operating expenses line, and for any consolidated program lines, sufficient detail to allow personal services calculation for Option 8 purposes, including PERA and Medicare detail.

This footnote violates the separation of powers in Article III of the Colorado Constitution by dictating the format and content of the Executive budget submission. The General Assembly does not have the authority to appropriate FTE. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will direct the department to comply with the intent of the footnote.

- 64. Footnote 118, page 231:** Department of Public Safety, Division of Criminal Justice, Community Corrections, Community Corrections Board Administration -- Pursuant to section 17-27-108, C.R.S., the division may authorize up to 4.0 percent of the appropriation for community corrections programs to offset the administrative cost of community corrections boards. The division of criminal justice is encouraged to provide less funding to boards that do not promptly submit their bills to the division for community placements. The division is also encouraged to provide less funding to boards that do not utilize their allocation of resources and to those that have a low acceptance rate for offenders referred to their programs.

This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. The Colorado Supreme Court concluded in 1978 that legislative attempts to administer the appropriation by placing specific staffing and resource allocation decisions in a general appropriations bill were unconstitutional. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill.

- 65. Footnote 119, page 232:** Department of Public Safety, Colorado Bureau of Investigation - It is the intent of the General Assembly that the \$303,125 in

operating costs associated with the Robotics/LIMS DNA database and casework laboratories that was allocated by the Governor from the one-time federal funds received by Colorado pursuant to the federal "Jobs and Growth Tax Relief Reconciliation Act of 2003", is not assumed or guaranteed to be appropriated as continuation funding beginning in FY 2005-06.

This footnote violates the separation of powers in Article III of the Colorado Constitution by dictating the format and content of the Executive budget submission. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill.

66. **Footnote 120, page 239:** Department of Regulatory Agencies, Executive Director's Office and Administrative Services -- The Department is requested to submit a report to the Joint Budget Committee by October 1, 2006 on the Office of Expedited Settlement within the Division of Registrations. The report shall include quantitative measures that can be used to assess the program and a recommendation, based on those measures, to continue, modify or discontinue the program.

This footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. In addition, this footnote essentially requires the department to prepare a sunset review and report. Reports such as this have separate authorizing statutory direction. Nonetheless, this information may be useful, so I will direct the department to comply to the extent feasible.

67. **Footnote 122, page 254:** Department of Revenue, Information Technology Division -- The Department of Revenue is requested to consistently reflect additional computer programming costs in fiscal notes for proposed legislation. The Department is requested to meet with the Legislative Council fiscal note staff and the Joint Budget Committee staff in an effort to continually revise and update the policy of reflecting programming costs with regard to legislative bills. The Department is requested to submit, with its November 2004 budget request for FY 2005-06, a memorandum explaining its policy with respect to reflecting additional computer programming costs in fiscal notes for legislation during the 2005 legislative session. The Department is requested to submit a negative supplemental request for any estimated savings associated with implementing legislation enacted during the 2004 legislative session.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by dictating the format and content of the Executive budget request. In addition, this

footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will direct the department to comply to the extent practicable.

- 68. Footnote 124, page 255:** 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. Pursuant to concerns raised in the State Auditor's November 2003 Performance Audit of the State Lottery Division regarding retailer compensation, a report is requested by November 1, 2004, which discusses any changes to retailer compensation agreements for FY 2004-05 and demonstrates how the level of these incentives contribute positively or negatively to total sales. If the Division chooses to abide by the compensation agreements from FY 2003-04, the report should also include the rationale for doing so.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. I will direct the department to comply to the extent feasible.

- 69. Footnote 125, page 262:** Department of Transportation, Administration -- The Department is requested to complete state budget forms for Administration personal services that provide information for each office or section within the Administration line item. This information should be sufficiently detailed to allow calculation for Option 8 purposes. PERA and Medicare should also be provided by the individual section or office. Additionally, the Department should include subtotals for salary and FTE for each of the offices within the Administration line item information currently supplied.

I vetoed this footnote last year. This footnote violates the separation of powers in Article III of the Colorado Constitution by dictating the format and content of the Executive budget submission, and implies intent to appropriate FTE. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation that cannot be included in the general appropriations bill. I will instruct the department to comply with the intent of the footnote.

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**SECTION 3: CAPITAL CONSTRUCTION**

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1. **Capital Construction. Footnote 2, page 280:** Capital Construction, Department of Higher Education, University of Colorado Health Sciences Center, Capital Construction, Fitzsimons Trust Fund; Lease Purchase of Academic Facilities at Fitzsimons -- It is the intent of the General Assembly that the State Controller restrict these funds pending notification by the University of Colorado that there is a final court decision allowing lease purchase agreements pursuant to H.B. 03-1256, and an amount is due to a lessor for the lease purchase of academic buildings at Fitzsimons in the 2004-05 fiscal year.

This footnote is in violation of the Colorado Constitution, Article III and possibly Article V, Section 32, because it interferes with the ability of the executive branch to administer the appropriation and may constitute substantive legislation that cannot be included in the general appropriations bill. I will instruct the department and the State Controller to comply with the intent of the footnote to the extent feasible.

2. **Capital Construction. Footnote 3, page 280:** Capital Construction, Department of Higher Education, Colorado School of Mines, Capital Construction, Addition to Center for Teaching and Learning Media -- It is the intent of the General Assembly that the Colorado School of Mines raise the remaining approximately \$4.3 million necessary to complete this project from private donations and sources other than the General Fund.

This footnote violates the separation of powers in Article III of the Colorado Constitution by attempting to administer the appropriation. Furthermore, this footnote attempts to appropriate gifts, grants, and donations that are not subject to legislative appropriation. In addition, this footnote may violate Article V, Section 32 because it constitutes substantive legislation.

For these reasons, I have exercised my power to veto certain portions of House Bill 04-1422.

Sincerely,

Bill Owens  
Governor