

CHAPTER 339

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**APPROPRIATIONS**

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SENATE BILL 05-119

BY SENATOR(S) Tapia, Keller, and Owen;  
also REPRESENTATIVE(S) Plant, Buescher, and Hall.

**AN ACT**

**CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF LOCAL AFFAIRS.**

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

**SECTION 1.** Part XII of section 2 of chapter 427, Session Laws of Colorado 2004, is amended to read:

Section 2. **Appropriation.**

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

## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>PART XII</b>						
<b>DEPARTMENT OF LOCAL AFFAIRS</b>						
<b>(1) EXECUTIVE DIRECTOR'S OFFICE</b>						
Personal Services	1,011,417				1,011,417(T) <sup>b</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	<del>31,653</del> 32,686	<del>29,446</del> 30,407		<del>920<sup>b</sup></del> 951 <sup>b</sup>	<del>1,287<sup>c</sup></del> 1,328 <sup>c</sup>	
Operating Expenses	136,565				124,803(T) <sup>b</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	<del>11,401</del> 3,648	<del>11,401</del> 3,648				
<del>Multi-use</del> Multiuse Network Payments	<del>45,810</del>	<del>25,583</del>		<del>1,865<sup>b</sup></del>	<del>3,496<sup>c</sup></del>	<del>14,866</del>

	39,345	21,963	1,606 <sup>b</sup>	3,108 <sup>c</sup>	12,668
Payment to Risk Management and Property Funds	<del>44,189</del>	<del>41,107</del>	<del>1,284<sup>b</sup></del>	<del>1,798<sup>c</sup></del>	
	34,039	31,667	980 <sup>b</sup>	1,392 <sup>c</sup>	
Vehicle Lease Payments	<del>117,802</del>	<del>99,044</del>		<del>18,758<sup>c</sup></del>	
	84,981	70,335		14,646 <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	<del>416,967</del>	<del>284,066</del>	15,167 <sup>d</sup>	<del>50,387(T)<sup>c</sup></del>	67,347
	410,990	285,155		50,900(T) <sup>c</sup>	59,768
Leased Space	<del>36,598</del>	13,688		13,457 <sup>c</sup>	<del>9,453</del>
	47,848				20,703
COMMUNICATION SERVICES PAYMENTS	11,942	5,971			5,971
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>	<del>3,715,004</del>			
		3,676,063			

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

<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)~~ \$237,952(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~~ \$49,468 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		

<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	68,363 <sup>a</sup>	106,116(T) <sup>b</sup>	739,878
		(4.6 FTE)	(0.9 FTE)	(1.7 FTE)	(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)	

<sup>a</sup> This amount shall be from the Building Regulation Fund pursuant to Section 24-32-3309, C.R.S.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT		
\$	\$	\$	\$	\$	\$	\$	\$
<b>(C) Affordable Housing Development</b>							
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							
2,500				2,500 <sup>b</sup>			
<u>10,246,574</u>							
<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.							
<b>(D) Rental Assistance</b>							
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

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>	
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VOLUNTEER FIREFIGHTER

RETIREMENT PLANS	3,760,894	3,760,894 <sup>c</sup>			
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VOLUNTEER FIREFIGHTER

DEATH AND DISABILITY

INSURANCE	30,000	30,000 <sup>c</sup>			
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Environmental Protection

Agency Water/Sewer File

Project	50,000				50,000
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT		
\$	\$	\$	\$	\$	\$	\$	
							(0.5 FTE)
<del>46,488,922</del>							
50,279,816							

<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.

<sup>c</sup> THESE AMOUNTS ARE INCLUDED FOR PURPOSES OF COMPLYING WITH THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY ARTICLE X, SECTION 20 OF THE STATE CONSTITUTION. THESE AMOUNTS ARE CONTINUOUSLY APPROPRIATED BY A PERMANENT STATUTE OR CONSTITUTIONAL PROVISION AND ARE NOT SUBJECT TO THE LIMITATION ON GENERAL FUND APPROPRIATIONS AS SET FORTH IN SECTION 24-75-201.1, C.R.S.

(3) Community Services

Community Services

Block Grant	5,681,920					5,681,920
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(4) Waste Tire Fund

Waste Tire Recycling,

Reuse and Removal Grants	2,311,956			2,261,956 <sup>a</sup>	50,000 <sup>b</sup>	
				(0.5 FTE)		

Allocations to the  
Commission on Higher  
Education, Advanced

Technology Fund	<u>775,000</u>			775,000 <sup>a</sup>		
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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.

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

<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.

(C) Office of Emergency Management

Program Costs	9,283,502	513,659		5,988 <sup>a</sup>	2,801,547 <sup>b</sup>	5,962,308
		(3.3 FTE)			(4.9 FTE)	(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>
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<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~~

147,105,505

**TOTALS PART XII**

<b>(LOCAL AFFAIRS)<sup>1,2</sup></b>	\$177,987,496	<del>\$4,955,244</del>	\$25,439,159	\$99,200,426 <sup>a</sup>	<del>\$48,392,667</del>
	<u>\$181,739,449</u>	<u>\$8,704,637<sup>b</sup></u>	<u>\$25,438,627</u>	<u>\$99,196,074<sup>a</sup></u>	<u>\$48,400,111</u>

<sup>a</sup> Of this amount, ~~\$4,780,406~~ \$4,776,054 contains a (T) notation.

<sup>b</sup> OF THIS AMOUNT, \$3,790,894 IS INCLUDED AS INFORMATION FOR PURPOSES OF COMPLYING WITH THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY ARTICLE X, SECTION 20 OF THE STATE CONSTITUTION. AS THIS AMOUNT IS CONTINUOUSLY APPROPRIATED BY A PERMANENT STATUTE OR CONSTITUTIONAL PROVISION, IT IS NOT SUBJECT TO THE LIMITATION ON GENERAL FUND APPROPRIATIONS AS SET FORTH IN SECTION 24-75-201.1, C.R.S.

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

1 (Governor lined through this provision. See L. 2004, p. 2712.)

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 (Governor lined through this provision. See L. 2004, p. 2734.)

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

Approved: March 11, 2005