

CHAPTER 346

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**APPROPRIATIONS**

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SENATE BILL 05-126

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

**AN ACT**

**CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF REVENUE.**

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

**SECTION 1.** Part XIX of section 2 of chapter 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 XIX</b>						
<b>DEPARTMENT OF REVENUE</b>						
<b>(1) EXECUTIVE DIRECTOR'S OFFICE</b>						
Personal Services	2,901,579	1,471,672		496,663 <sup>a</sup>	933,244 <sup>b</sup>	
	(41.5 FTE)					
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>	
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	<del>1,012,049</del>	<del>678,758</del>		<del>47,044<sup>a</sup></del>	<del>286,247<sup>b</sup></del>	
	1,036,760	695,331		48,193 <sup>c</sup>	293,236 <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	<del>3,355,541</del>	<del>3,355,541</del>				
	3,330,686	3,330,686				

Multiuse Network				
Payments	<del>1,398,096</del>	<del>325,715</del>	<del>54,372<sup>a</sup></del>	<del>1,018,009<sup>a</sup></del>
	1,633,190	454,433	63,331 <sup>c</sup>	1,115,426 <sup>d</sup>
Payment to Risk				
Management and				
Property Funds	<del>223,542</del>	<del>128,803</del>	<del>11,900<sup>a</sup></del>	<del>82,839<sup>a</sup></del>
	166,854	102,748	8,463 <sup>c</sup>	55,643 <sup>d</sup>
Vehicle Lease Payments	<del>290,500</del>	<del>133,538</del>	<del>65,554<sup>a</sup></del>	<del>91,408<sup>a</sup></del>
	229,449	106,663	54,475 <sup>c</sup>	68,311 <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	<del>1,516,553</del>	<del>1,163,652</del>	<del>95,749<sup>a</sup></del>	<del>257,152<sup>a</sup></del>
	1,518,764	1,154,352	100,608 <sup>c</sup>	263,804 <sup>d</sup>
Communications				
Services Payments	<del>38,939</del>	<del>10,762</del>	<del>15,979<sup>a</sup></del>	<del>12,198<sup>a</sup></del>
	51,301	13,659	20,281 <sup>c</sup>	17,361 <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>
		<del>19,807,968</del>		
		19,939,752		

<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.

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

<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~~ \$144,270 shall be from the Liquor Enforcement Division and State Licensing Authority Cash Fund pursuant to Section 24-35-401, C.R.S., ~~\$139,150~~ \$140,240 shall be from the Auto Dealers License Fund pursuant to Section 12-6-123, C.R.S., ~~\$46,825~~ \$46,770 shall be from the Racing Cash Fund pursuant to Section 12-60-205, C.R.S., and ~~\$739,948~~ \$742,126 shall be from various sources of cash funds.

<sup>d</sup> Of these amounts, ~~\$1,098,379~~ \$1,089,274 shall be from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., ~~\$483,376~~ \$484,306 shall be from the Colorado State Titling and Registration Account; pursuant to Section 42-1-211 (2), C.R.S., ~~\$269,023(T)~~ \$268,403(T) shall be from the Limited Gaming Fund pursuant to Section 12-47.1-701, C.R.S., ~~\$122,846(T)~~ \$117,227(T) shall be from the State Lottery Fund pursuant to Section 24-35-210, C.R.S., ~~\$80,578~~ \$80,723 shall be from the AIR Account pursuant to Section 42-3-134 (26) (b), C.R.S., ~~\$56,114~~ \$55,197 shall be from Driver's License Administrative Revocation Account pursuant to Section 42-2-132 (4) (b), C.R.S., ~~\$6,999~~ \$6,993 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~~ \$2,384,071 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.

<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	4,505,719	319,201 <sup>a</sup>	921,066 <sup>b</sup>
	(81.6 FTE)			
Operating Expenses	727,090	727,090		
Programming Costs for 2004 Session Legislation <sup>123</sup>	<del>95,695</del>	<del>16,744</del>		<del>78,951<sup>c</sup></del>
	108,433	21,560		86,873 <sup>e</sup>

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5,062,442

(5.0 FTE)

<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~~

11,643,951

**(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	<del>13,214,303</del>	<del>13,029,282</del>	24,103 <sup>a</sup>	160,918(T) <sup>b</sup>
	12,906,051	12,721,030		
	(217.4 FTE)			
Operating Expenses	637,761	637,761		
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>			
	<del>15,213,024</del>			

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
14,904,772						

<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	<del>3,928,633</del>	<del>3,448,324</del>	480,309 <sup>a</sup>	
	4,133,517	3,653,208		
	(74.2 FTE)			
	(79.0 FTE)			
Operating Expenses	<del>418,069</del>	<del>418,069</del>		
	436,744	436,744		
FUEL TRACKING SYSTEM	479,526			479,526 <sup>b</sup>
				(1.5 FTE)
	<del>4,346,702</del>			
	5,049,787			

<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.

<sup>b</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.

**(D) Tax Conferee**

Personal Services	776,424	776,424
		(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~~  
52,934,072

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(5) MOTOR VEHICLE BUSINESS GROUP</b>						
<b>(A) Administration</b>						
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**

Personal Services	<del>12,954,873</del>	<del>5,203,630</del>		1,340 <sup>a</sup>	<del>7,749,903<sup>b</sup></del>	
	12,822,827	3,549,145			9,272,342 <sup>b</sup>	
	(324.6 FTE)					
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>		
	<del>22,597,399</del>					

<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~~ \$8,441,863 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	<del>154,729</del>	<del>154,729<sup>c</sup></del>
	<u>80,215</u>	80,215 <sup>a</sup>
	<del>1,060,730</del>	
	986,216	

<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	<del>197,389</del>	<del>197,389<sup>c</sup></del>

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
					146,841 <sup>a</sup>	
<u>146,841</u>						
<del>1,644,215</del>						
1,593,667						

<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~~  
27,369,302

**(6) MOTOR CARRIER SERVICES DIVISION**

Personal Services	<del>6,785,752</del>	<del>514,247</del>		60,047 <sup>a</sup>	<del>6,211,458<sup>b</sup></del>	
	6,462,407	267,975			6,134,385 <sup>b</sup>	
	(138.7 FTE)					

	(133.3 FTE)			
Operating Expenses	<del>492,671</del>	<del>38,920</del>	500 <sup>c</sup>	453,251 <sup>b</sup>
	473,996	20,245		
Fuel Tracking System	479,526			479,526 <sup>a</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)
Hazardous Materials Permitting Program	180,100		180,100 <sup>c</sup>	
			(4.0 FTE)	
	<u>8,640,780</u>			
	7,819,234			

<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>a</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>c</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**

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Personal Services	436,709		29,456		249,113 <sup>a</sup>	158,140 <sup>b</sup>	
	(6.0 FTE)						
Operating Expenses	10,880		734		6,206 <sup>a</sup>	3,940 <sup>b</sup>	
	<u>447,589</u>						

<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	<del>54,108</del>
	55,429
Operating Expenses	667,667
Legal Services for 2,720 hours	167,470
Payment to Risk Management and Property Funds	<del>11,329</del>

	9,879	
Vehicle Lease Payments	<del>88,836</del>	
	75,758	
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>	
	<del>30,996,612</del>	30,996,612 <sup>a</sup>
	30,983,405	30,983,405 <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	27,943	5,563			22,380(T) <sup>a</sup>	
	<u>421,689</u>					

<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	<del>1,444,452</del>			<del>1,444,452<sup>a</sup></del>		
	1,323,480			1,323,480 <sup>a</sup>		
				(19.0 FTE)		
				(18.6 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	1,106,142			1,106,142 <sup>c</sup>		
	<u>2,779,631</u>					

2,658,659

<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	<del>1,745,088</del>	<del>1,745,088<sup>a</sup></del>
	1,686,678	1,686,678 <sup>a</sup>
		(28.0 FTE)
Operating Expenses	<u>58,276</u>	58,276 <sup>a</sup>
	<del>1,803,364</del>	
	1,744,954	

<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~~

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	38,890,844					
<b>(8) STATE LOTTERY DIVISION</b>						
Personal Services	<del>7,983,034</del> 7,818,922 <del>(128.0 FTE)</del> (126.0 FTE)					
Operating Expenses	<del>1,594,794</del> 1,532,046					
Legal Services for 665 hours	40,944					
Purchase of Services from Computer Center	<del>8,898</del> 4,888					
Vehicle Lease Payments	<del>163,666</del> 125,786					
Payments to Other State Agencies	340,488					
Telecommunications	<del>132,471</del> 216,809					
Travel	<del>119,941</del> 113,498					

Leased Space	797,239			
Capitol Complex Leased Space	<del>4,557</del>			
	6,637			
Marketing and Communications	<del>9,097,225</del>			
	8,643,420			
Multi-State Lottery Fees	177,433			
Vendor Fees	<del>7,886,689</del>			
	8,205,529			
Prizes	280,095,384			
Powerball Prize Variance	4,610,000			
Retailer Compensation <sup>124</sup>	35,566,840			
Ticket Costs	<del>3,991,040</del>			
	3,704,050			
Indirect Cost Assessment	<u>309,814</u>			
	<del>352,920,457</del>		<del>352,920,457</del>	
	352,309,727		352,309,727 <sup>a</sup>	

<sup>a</sup> This amount shall be from the State Lottery Fund pursuant to Section 24-35-210, C.R.S.

**TOTALS PART XIX**

<b>(REVENUE)<sup>1,2</sup></b>	<del>\$523,358,109</del>	<del>\$89,077,571</del>	<del>\$44,666,357</del>	<del>\$387,807,332</del>	\$1,806,849
	<u>\$522,015,491</u>	<u>\$87,139,365<sup>a</sup></u>	<u>\$44,536,931<sup>b</sup></u>	<u>\$388,532,346<sup>c</sup></u>	

<sup>a</sup> Of this amount, \$31,400,000 is included as information for the purpose of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. As this amount is continuously appropriated by a permanent statute or constitutional provision it is not subject to the limitation of General Fund Appropriations as set forth in Section 24-75-201.1 (1) (a) (III) (c), C.R.S.

<sup>b</sup> Of this amount, \$309,814 contains a (T) notation.

<sup>c</sup> Of this amount, ~~\$1,152,861~~ \$1,145,759 contains a (T) notation, and ~~\$15,815,531~~ \$17,251,792 is from the Highway Users Tax Fund. Of the Highway Users Tax Fund moneys, \$485,729 is exempt from the statutory limit on appropriations pursuant to Section 43-4-201 (3) (a) (V), C.R.S.

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

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.

122 (Governor lined through this provision. See L. 2004, p. 2740.)

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 (Governor lined through this provision. See L. 2004, p. 2741.)

**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

