

CHAPTER 284

GOVERNMENT - STATE

SENATE BILL 08-155

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also REPRESENTATIVE(S) Kerr A., Buescher, May M., Balmer, Carroll M., Casso, Fischer, Frangas, Gagliardi, Gallegos, Gardner B., Gardner C., Green, Hodge, Jahn, Judd, Kerr J., King, Lambert, Liston, Looper, Lundberg, Madden, Marostica, Marshall, Massey, McFadyen, McKinley, McNulty, Merrifield, Peniston, Pommer, Primavera, Rice, Rose, Solano, Sonnenberg, Soper, Stafford, Stephens, Summers, Vaad, White, Witwer, Butcher, Garza-Hicks, Labuda, Middleton, and Todd.

AN ACT

CONCERNING THE CENTRALIZATION OF THE MANAGEMENT OF STATE AGENCY INFORMATION TECHNOLOGY RESOURCES IN THE OFFICE OF INFORMATION TECHNOLOGY, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. 24-37.5-102, Colorado Revised Statutes, is amended to read:

24-37.5-102. Definitions. As used in this article, unless the context otherwise requires:

(1) ~~"Communication and information resources" means the procedures, equipment, and software that are designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information. The term also includes associated personnel including consultants and contractors~~ "CHIEF INFORMATION OFFICER" MEANS THE CHIEF INFORMATION OFFICER APPOINTED PURSUANT TO SECTION 24-37.5-103.

(2) ~~"Communication and information resources technologies" means data processing and telecommunications hardware, software, services, supplies, personnel, facility resources, maintenance, and training.~~

(3) (2) ~~"Data processing"~~ "INFORMATION TECHNOLOGY" means information

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

technology AND COMPUTER-BASED equipment and related services designed for the ~~automated~~ storage, manipulation, and retrieval of data by electronic or mechanical means, or both. The term includes but is not limited to:

(a) Central processing units, servers for all functions, network routers, personal computers, laptop computers, hand-held processors, and all related peripheral devices configurable to such equipment, such as data storage devices, document scanners, data entry equipment, specialized end-user terminal equipment, and equipment and systems supporting ~~automated~~ communications networks;

(b) All related services, including feasibility studies, systems design, software development, system testing, external off-site storage, and network services, whether provided by state employees or by others; ~~and~~

(c) The systems, programs, routines, and processes used to employ and control the capabilities of data processing hardware, including operating systems, compilers, assemblers, utilities, library routines, maintenance routines, applications, application testing capabilities, storage system software, hand-held device operating systems, and computer networking programs; AND

~~(3.5)~~ (d) ~~"Information technology"~~ means The application of electronic information processing hardware, software, or telecommunications to support state government business processes.

~~(3.7)~~ ~~"Major automation system development project"~~ means a project of state government that has a significant information technology component, including, without limitation, the replacement of an existing technological system. For purposes of this subsection ~~(3.7)~~, "significant" means a project for which the total estimated development cost is not less than five million dollars, the project development or acquisition is a multi-year effort, the project has a critical level of risk as determined by an assessment performed by the office, or the project requires frequent or consistent coordination between or among information technology project management staff and agency administrative or program staff.

~~(4)~~ (3) "Office" means the office of information technology created pursuant to section 24-37.5-103.

~~(4.3)~~ ~~"Project management analyst"~~ means a person who is trained and experienced in gathering project management-related information and in the analysis of project management-related information. Such information may include, without limitation, information related to major automation system development project scheduling, cost, and performance. A project management analyst shall be able to develop recommendations for appropriate corrective and preventative management action regarding major automation system development projects.

~~(4.7)~~ ~~"Project manager"~~ means a person who is trained and experienced in the leadership and management of major automation system development projects from the commencement of such projects through their completion.

~~(5)~~ (4) "State agency" means every state office, whether legislative, executive, or judicial, and all of its respective officers; THE departments, divisions, commissions,

boards, bureaus, and institutions IN THE EXECUTIVE BRANCH OF THE STATE GOVERNMENT. "State agency" does not include THE LEGISLATIVE OR JUDICIAL DEPARTMENT, THE DEPARTMENT OF LAW, THE DEPARTMENT OF STATE, THE DEPARTMENT OF THE TREASURY, OR state-supported institutions of higher education. ~~the department of higher education, the Colorado commission on higher education, or other instrumentality thereof.~~

SECTION 2. 24-37.5-104, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-37.5-104. Transfer of functions - change of name - continuity of existence - legislative declaration - rules. (6) (a) THE OFFICE SHALL, ON AND AFTER JULY 1, 2008, EXECUTE, ADMINISTER, PERFORM, AND ENFORCE THE RIGHTS, POWERS, DUTIES, FUNCTIONS, AND OBLIGATIONS VESTED PRIOR TO JULY 1, 2008, IN THE GENERAL GOVERNMENT COMPUTER CENTER WITHIN THE DEPARTMENT OF PERSONNEL, IN TELECOMMUNICATIONS COORDINATION WITHIN THE DEPARTMENT OF PERSONNEL, AND IN THE OFFICE OF THE CHIEF INFORMATION SECURITY OFFICER IN THE OFFICE OF THE GOVERNOR.

(b) (I) ON AND AFTER JULY 1, 2008, ALL POSITIONS OF EMPLOYMENT IN THE GENERAL GOVERNMENT COMPUTER CENTER WITHIN THE DEPARTMENT OF PERSONNEL, IN TELECOMMUNICATIONS COORDINATION WITHIN THE DEPARTMENT OF PERSONNEL, AND IN THE OFFICE OF THE CHIEF INFORMATION SECURITY OFFICER IN THE OFFICE OF THE GOVERNOR CONCERNING THE POWERS, DUTIES, AND FUNCTIONS TRANSFERRED TO THE OFFICE PURSUANT TO THIS SUBSECTION (6) AND WHOSE EMPLOYMENT IN THE OFFICE IS DEEMED NECESSARY TO CARRY OUT THE PURPOSES OF THIS ARTICLE BY THE CHIEF INFORMATION OFFICER SHALL BE TRANSFERRED TO THE OFFICE AND SHALL BECOME EMPLOYMENT POSITIONS THEREIN. THE CHIEF INFORMATION OFFICER SHALL APPOINT SUCH EMPLOYEES AS ARE NECESSARY TO CARRY OUT THE DUTIES AND EXERCISE THE POWERS CONFERRED BY LAW UPON THE OFFICE AND THE CHIEF INFORMATION OFFICER.

(II) ON AND AFTER JULY 1, 2008, ALL EMPLOYEES OF THE GENERAL GOVERNMENT COMPUTER CENTER WITHIN THE DEPARTMENT OF PERSONNEL, IN TELECOMMUNICATIONS COORDINATION WITHIN THE DEPARTMENT OF PERSONNEL, AND IN THE OFFICE OF THE CHIEF INFORMATION SECURITY OFFICER IN THE OFFICE OF THE GOVERNOR WHOSE DUTIES AND FUNCTIONS CONCERNED THE POWERS, DUTIES, AND FUNCTIONS TRANSFERRED TO THE OFFICE PURSUANT TO THIS SUBSECTION (6), REGARDLESS OF WHETHER THE POSITION OF EMPLOYMENT IN WHICH THE EMPLOYEE SERVED WAS TRANSFERRED, SHALL BE CONSIDERED EMPLOYEES OF THE OFFICE FOR PURPOSES OF SECTION 24-50-124. ANY SUCH EMPLOYEES WHO ARE CLASSIFIED EMPLOYEES IN THE STATE PERSONNEL SYSTEM SHALL RETAIN ALL RIGHTS TO THE PERSONNEL SYSTEM AND RETIREMENT BENEFITS PURSUANT TO THE LAWS OF THE STATE, AND THEIR SERVICES SHALL BE DEEMED TO HAVE BEEN CONTINUOUS. ALL TRANSFERS AND ANY ABOLISHMENT OF POSITIONS IN THE STATE PERSONNEL SYSTEM SHALL BE MADE AND PROCESSED IN ACCORDANCE WITH STATE PERSONNEL SYSTEM LAWS AND RULES.

(c) ON JULY 1, 2008, ALL ITEMS OF PROPERTY, REAL AND PERSONAL, INCLUDING OFFICE FURNITURE AND FIXTURES, BOOKS, DOCUMENTS, AND RECORDS OF THE GENERAL GOVERNMENT COMPUTER CENTER WITHIN THE DEPARTMENT OF

PERSONNEL, IN TELECOMMUNICATIONS COORDINATION WITHIN THE DEPARTMENT OF PERSONNEL, AND IN THE OFFICE OF THE CHIEF INFORMATION SECURITY OFFICER IN THE OFFICE OF THE GOVERNOR PERTAINING TO THE DUTIES AND FUNCTIONS TRANSFERRED TO THE OFFICE PURSUANT TO THIS SUBSECTION (6), ARE TRANSFERRED TO THE OFFICE AND SHALL BECOME THE PROPERTY THEREOF.

(d) ON AND AFTER JULY 1, 2008, WHENEVER THE GENERAL GOVERNMENT COMPUTER CENTER WITHIN THE DEPARTMENT OF PERSONNEL, WHENEVER TELECOMMUNICATIONS COORDINATION WITHIN THE DEPARTMENT OF PERSONNEL, AND WHENEVER THE OFFICE OF THE CHIEF INFORMATION SECURITY OFFICER IN THE OFFICE OF THE GOVERNOR IS REFERRED TO OR DESIGNATED BY A CONTRACT OR OTHER DOCUMENT IN CONNECTION WITH THE DUTIES AND FUNCTIONS TRANSFERRED TO THE OFFICE PURSUANT TO THIS SUBSECTION (6), SUCH REFERENCE OR DESIGNATION SHALL BE DEEMED TO APPLY TO THE OFFICE CREATED PURSUANT TO THIS ARTICLE. ALL CONTRACTS ENTERED INTO BY THE GENERAL GOVERNMENT COMPUTER CENTER WITHIN THE DEPARTMENT OF PERSONNEL, BY TELECOMMUNICATIONS COORDINATION WITHIN THE DEPARTMENT OF PERSONNEL, AND BY THE OFFICE OF THE CHIEF INFORMATION SECURITY OFFICER IN THE OFFICE OF THE GOVERNOR PRIOR TO JULY 1, 2008, IN CONNECTION WITH THE DUTIES AND FUNCTIONS TRANSFERRED TO THE OFFICE PURSUANT TO THIS SUBSECTION (6), ARE HEREBY VALIDATED, WITH THE OFFICE SUCCEEDING TO ALL RIGHTS AND OBLIGATIONS OF THE CONTRACTS. ANY APPROPRIATIONS OF MONEYS FROM PRIOR FISCAL YEARS OPEN TO SATISFY OBLIGATIONS INCURRED PURSUANT TO THE CONTRACTS ARE HEREBY TRANSFERRED AND APPROPRIATED TO THE OFFICE FOR THE PAYMENT OF SUCH OBLIGATIONS.

(e) ON AND AFTER JULY 1, 2008, UNLESS OTHERWISE SPECIFIED, WHENEVER ANY PROVISION OF LAW REFERS TO THE DEPARTMENT OF PERSONNEL IN CONNECTION WITH THE GENERAL GOVERNMENT COMPUTER CENTER, TO TELECOMMUNICATIONS COORDINATION, OR TO THE OFFICE OF THE GOVERNOR IN CONNECTION WITH THE OFFICE OF THE CHIEF INFORMATION SECURITY OFFICER, THE LAW SHALL BE CONSTRUED AS REFERRING TO THE OFFICE.

(f) ALL RULES AND ORDERS OF THE DEPARTMENT OF PERSONNEL OR THE OFFICE OF THE GOVERNOR IN CONNECTION WITH THE POWERS, DUTIES, AND FUNCTIONS TRANSFERRED TO THE OFFICE SHALL CONTINUE TO BE EFFECTIVE UNTIL REVISED, AMENDED, REPEALED, OR NULLIFIED PURSUANT TO LAW. ON AND AFTER JULY 1, 2008, THE CHIEF INFORMATION OFFICER SHALL ADOPT RULES NECESSARY FOR THE ADMINISTRATION OF SUCH POWERS, DUTIES, AND FUNCTIONS.

(g) THE REVISOR OF STATUTES IS HEREBY AUTHORIZED TO CHANGE ALL REFERENCES IN THE COLORADO REVISED STATUTES TO THE DEPARTMENT OF PERSONNEL AND OFFICE OF THE GOVERNOR AS APPROPRIATE AND WITH RESPECT TO THE POWERS, DUTIES, AND FUNCTIONS TRANSFERRED TO THE OFFICE. IN CONNECTION WITH SUCH AUTHORITY, THE REVISOR OF STATUTES IS HEREBY AUTHORIZED TO AMEND OR DELETE PROVISIONS OF THE COLORADO REVISED STATUTES SO AS TO MAKE THE STATUTES CONSISTENT WITH THE POWERS, DUTIES, AND FUNCTIONS TRANSFERRED PURSUANT TO THIS SECTION.

SECTION 3. 24-37.5-105 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS to read:

24-37.5-105. Office - responsibilities - rules. (3) The office shall:

(g) COORDINATE WITH AND PROVIDE ASSISTANCE, ADVICE, AND EXPERTISE IN CONNECTION WITH BUSINESS RELATIONSHIPS BETWEEN STATE AGENCIES AND PRIVATE SECTOR PROVIDERS OF INFORMATION TECHNOLOGY RESOURCES. SUCH ASSISTANCE SHALL INCLUDE EFFORTS THAT STRENGTHEN AND CREATE EFFICIENCIES IN THOSE BUSINESS RELATIONSHIPS.

(h) OVERSEE AND SUPERVISE THE MAINTENANCE OF INFORMATION TECHNOLOGY AND THE INITIATION OF ANY INFORMATION TECHNOLOGY UPDATES OR PROJECTS FOR STATE AGENCIES; AND

(i) INITIATE ALL PROCUREMENTS OF INFORMATION TECHNOLOGY RESOURCES FOR STATE AGENCIES AND ENTER INTO ANY AGREEMENT OR CONTRACT IN CONNECTION WITH SUCH A PROCUREMENT ON BEHALF OF A STATE AGENCY;

SECTION 4. 24-37.5-105 (4), (5), (6), and (7), Colorado Revised Statutes, are amended, and the said 24-37.5-105 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

24-37.5-105. Office - responsibilities - rules. (4) (a) The office shall establish policies and procedures for acceptable project plans and feasibility studies.

~~(b) Prior to the approval or disbursement of any moneys, including from federal, state, or cash funds, for any major automation system development project, the office shall certify to the state controller that the project is in compliance with best practices adopted by the state concerning the management of an information technology project. Such best practices shall include the assignment of project managers and project management analysts to manage the state's resources and responsibilities for the development of major automated systems. The office shall develop policies regarding best practices and the verification of project managers and project management analysts.~~

~~(5) (a) The department of personnel, in collaboration with the office, shall create a job category and defined skill sets within the state personnel system for individuals employed as major automation system development project managers and major automation system development project management analysts. The qualifications for project managers and project management analysts shall include, at a minimum, and without limitation, certification by the project management institute, certification from another equivalent standards organization, or relevant experience with significant major automation system development projects. The office shall establish a team of project managers and project management analysts who shall:~~

~~(f) Satisfy any training and experience requirements as established by the department of personnel; and~~

~~(H) Be assigned by the office, in collaboration with state agencies, to work with any such agencies on a major automation system development project unless the agency's project manager or project management analyst satisfies the criteria specified in this paragraph (a).~~

~~(b) State agencies that use the services specified in subparagraph (H) of paragraph (a) of this subsection (5) shall be responsible for reimbursing the office for the personnel costs associated with the project management and project management analyst function. The budget of each major automation system development project shall include funding for at least one project manager and one project management analyst. The executive director of any state agency that employs any person who possesses the qualifications necessary to be a project manager or project management analyst may request a review and verification that any such person is in compliance with any personnel qualifications governing such position as adopted by the department of personnel concerning the management of an information technology project and may use any such qualified staff person for project management and project management analyst services. Consistent with existing rules governing the state personnel system, no state agency shall be precluded from hiring a contract employee as a full-time project manager or project management analyst if the person satisfies the qualifications specified in paragraph (a) of this subsection (5).~~

~~(c) The office shall establish and implement a training plan for all persons employed by the state as of June 6, 2006, who provide services or functions described in the job descriptions provided by the department of personnel for project managers and project management analysts. Any employee who receives such training and who possesses sufficient relevant experience may be certified by the office as a project manager or a project management analyst. The office, in collaboration with the department, may also require, as part of the verification process created pursuant to paragraph (b) of this subsection (5), any refresher training that it deems necessary for project managers and project management analysts to stay current with trends affecting the management of information technology projects.~~

~~(d) State agencies shall reimburse the office for the costs of providing the training required by paragraph (c) of this subsection (5).~~

~~(6) Not later than February 1, 2007, and no later than February 1 of each calendar year thereafter, the office shall submit a plan to the joint budget committee of the general assembly, the business, labor, and technology committee of the senate and the business affairs and labor committee of the house of representatives, or any successor committees, and each legislative committee of reference of the senate and the house of representatives with oversight over a state agency that has commenced a major automation system development project. The plan shall describe the compliance by the office with the requirements of subsections (4) and (5) of this section in connection with major automation system development projects. In the plan, the office shall also describe any significant automation system development projects currently in progress and the extent to which the projects identified are meeting the requirements of subsections (4) and (5) of this section for the prior calendar year.~~

~~(7) It is the intent of the general assembly that, to the extent possible, after the 2007-08 state fiscal year, the costs of implementing Senate Bill 06-063, as enacted at the second regular session of the sixty-fifth general assembly, shall be included within the costs of major automation system development projects.~~

(8) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY EMERGENCY ACQUISITION OR PURCHASE OF INFORMATION TECHNOLOGY RESOURCES BY THE OFFICE SHALL NOT BE SUBJECT TO THE PROVISIONS OF THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF THIS TITLE. THE CHIEF INFORMATION OFFICER, IN CONSULTATION WITH AND WITH THE APPROVAL OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL, SHALL PROMULGATE RULES PURSUANT TO ARTICLE 4 OF THIS TITLE SPECIFYING THE CRITERIA FOR SUCH EMERGENCY ACQUISITIONS OR PURCHASES. ON OR BEFORE SEPTEMBER 1, 2009, AND ON OR BEFORE SEPTEMBER 1 EACH YEAR THEREAFTER, THE CHIEF INFORMATION OFFICER SHALL REPORT TO THE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, AND TO THE JOINT BUDGET COMMITTEE THE FOLLOWING INFORMATION FOR EACH EMERGENCY ACQUISITION OR PURCHASE OF INFORMATION TECHNOLOGY RESOURCES MADE IN THE PRECEDING FISCAL YEAR:

- (a) THE INFORMATION TECHNOLOGY RESOURCES PURCHASED OR ACQUIRED;
- (b) THE AMOUNT OF SUCH PURCHASE OR ACQUISITION; AND
- (c) THE EMERGENCY SERVING AS THE BASIS FOR SUCH PURCHASE OR ACQUISITION.

(9) STATE AGENCIES SHALL COOPERATE WITH THE CHIEF INFORMATION OFFICER AND OFFICE IN DEVELOPING AND IMPLEMENTING PROCESSES FOR THE SHARING OF DATA AND INFORMATION WITH THE OFFICE AND BETWEEN STATE AGENCIES. THE OFFICE SHALL DETERMINE AND IMPLEMENT STATEWIDE EFFORTS TO STANDARDIZE INFORMATION TECHNOLOGY RESOURCES TO THE EXTENT POSSIBLE AND SHALL DETERMINE THE OWNERSHIP OF INFORMATION TECHNOLOGY RESOURCES AMONG STATE AGENCIES.

SECTION 5. 24-37.5-106 (1), Colorado Revised Statutes, is amended, and the said 24-37.5-106 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

24-37.5-106. Chief information officer - duties and responsibilities. (1) The chief information officer shall:

(a) Monitor trends and advances in ~~communication and~~ information TECHNOLOGY resources, ~~and data processing~~; direct and approve a comprehensive, statewide, four-year planning process, and plan for the acquisition, management, and use of ~~communication and information resources and data processing~~ INFORMATION TECHNOLOGY. The statewide information technology plan shall be updated annually and submitted to the governor, the speaker of the house of representatives, and the president of the senate.

(b) Require state agencies to ~~prepare and submit communications and data processing plans to the office~~ PARTICIPATE WITH AND ADVISE THE OFFICE ON THE CREATION OF AN INFORMATION TECHNOLOGY PLAN FOR SUCH AGENCY as part of the state's planning and budgeting process. Such plans shall:

- (I) Be in compliance with the state's annual information technology plan;

(II) Specify the state agency's ~~communications and data processing~~ INFORMATION TECHNOLOGY procurement and system acquisition plans for the planning period; and

(III) Identify risks, issues, and concerns with the agency's ~~communications and data processing~~ INFORMATION TECHNOLOGY infrastructure.

(c) ~~In consultation with the executive director of the department of personnel;~~ Coordinate and direct the formulation and promulgation of policies, standards, specifications, and guidelines for ~~communication and information resources, communication and information resources technologies, and data processing~~ INFORMATION TECHNOLOGY in state agencies including but not limited to those required to support state and local government exchange, acquisition, storage, use, sharing, and distribution of geographic or base map data and related technologies;

(d) Direct the development of policies and procedures, in consultation with the office of state planning and budgeting, that are integrated into the state's strategic planning and budgeting processes and that state agencies shall follow in developing ~~communications and data processing~~ INFORMATION TECHNOLOGY plans and technology-related budget requests;

(e) Coordinate and direct the development of policies and procedures for the effective management of technology investments throughout their entire life cycle including but not limited to project definition, procurement, development, implementation, operation, performance evaluation, and enhancement or retirement;

(f) In consultation with the office of state planning and budgeting, ~~review~~ PREPARE AND SUBMIT budget requests for ~~communication and information resources, communication and~~ ALL information TECHNOLOGY resources ~~technologies, and data processing from~~ TO BE UTILIZED BY state agencies; ~~and approve such budget requests for state agencies other than the legislative department;~~

(f.5) Approve a set of minimum standards to control purchases ~~by~~ OF INFORMATION TECHNOLOGY RESOURCES BY THE OFFICE FOR state agencies and approve criteria to be used in approving or rejecting STATE agency REQUESTS FOR procurements OF INFORMATION TECHNOLOGY RESOURCES;

(g) Direct the development of policies and procedures for ~~communication and information resources, communication and information resources technologies, and data processing~~ STATE AGENCY REQUESTS FOR INFORMATION TECHNOLOGY procurements, agreements, or contracts; ~~for amounts exceeding one hundred thousand dollars;~~

(h) Aggregate ~~communication and information resources, communication and information resources technologies, and data processing~~ INFORMATION TECHNOLOGY procurements for one or more state agencies;

(i) Coordinate and direct the establishment of statewide standards for the efficient exchange of electronic information and technology, including infrastructure, between the public and private sectors in the state;

(j) In consultation with the executive director of the department of personnel, evaluate the feasibility of outsourcing ~~communication and information resources and data processing~~ INFORMATION TECHNOLOGY resources and services and outsource those resources and services that would be beneficial to the state;

(k) Monitor the status and timeliness of ~~communication and information resources, communication and information resources technologies, and data processing systems~~ INFORMATION TECHNOLOGY projects and procurements for state agencies and advise on any risk management issues in connection with those projects and procurements;

(l) ~~Assist state agencies with the timely delivery of agency communication and information resources, communication and information resources technologies, and data processing systems projects, in accordance with relevant contract deadline dates or schedules, from commencement through completion of those projects;~~

(m) Advise the joint budget committee ~~of the general assembly~~ on requested or ongoing ~~communication and information resources, communication and information resources technologies, and data processing systems~~ INFORMATION TECHNOLOGY projects, including the adherence of the ~~state agency~~ OFFICE to the budget, amounts appropriated, and relevant contract deadline dates or schedules for those projects; ~~and~~

(n) Adopt standards and criteria for the procurement of adaptive technology by state agencies for the use of individuals who are blind or visually impaired as specified in article 85 of this title;

(o) SUPERVISE THE CHIEF INFORMATION SECURITY OFFICER APPOINTED PURSUANT TO SECTION 24-37.5-403 (1); AND

(p) HIRE OR RETAIN SUCH CONTRACTORS, SUBCONTRACTORS, ADVISORS, CONSULTANTS, AND AGENTS AS THE CHIEF INFORMATION OFFICER MAY DEEM ADVISABLE OR NECESSARY, IN ACCORDANCE WITH THE RELEVANT PROCEDURES, STATUTES, AND RULES AND MAY MAKE AND ENTER INTO CONTRACTS NECESSARY OR INCIDENTAL TO THE EXERCISE OF THE POWERS AND PERFORMANCE OF THE DUTIES OF THE OFFICE AND THE CHIEF INFORMATION OFFICER. THE CHIEF INFORMATION OFFICER MAY SPECIFICALLY HIRE OR RETAIN SUCH CONTRACTORS, SUBCONTRACTORS, ADVISORS, CONSULTANTS, AND AGENTS AS THE CHIEF INFORMATION OFFICER MAY DEEM ADVISABLE AND NECESSARY.

(4) THE POSITION OF CHIEF INFORMATION OFFICER SHALL BE COMMENSURATE WITH THE POSITION OF HEAD OF A PRINCIPAL DEPARTMENT AND SHALL BE A MEMBER OF THE GOVERNOR'S CABINET.

SECTION 6. 24-37.5-109 (1) (a), Colorado Revised Statutes, is amended to read:

24-37.5-109. Status of state agencies. (1) State agencies shall:

(a) ~~Supervise~~ CONSULT WITH AND ADVISE THE OFFICE ON their ~~communications and automated data processing~~ INFORMATION TECHNOLOGY systems;

SECTION 7. Part 1 of article 37.5 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to read:

24-37.5-110. Technology coordination. (1) (a) ON JULY 1, 2008, THE CHIEF INFORMATION OFFICER OF EACH STATE AGENCY AND ON OR AFTER JULY 1, 2008, BUT ON OR BEFORE JULY 1, 2012, THE EMPLOYEES OF SUCH STATE AGENCIES DESIGNATED PURSUANT TO SUBSECTION (2) OF THIS SECTION SHALL BE TRANSFERRED TO THE OFFICE AND SHALL BECOME EMPLOYEES OF THE OFFICE. EACH OFFICER TRANSFERRED TO THE OFFICE PURSUANT TO THIS SUBSECTION (1) AND HIS OR HER SUCCESSOR MAY CONTINUE TO ACT AS THE OFFICER FOR THE STATE AGENCY FROM WHICH HE OR SHE WAS TRANSFERRED AND SHALL MAINTAIN ANY DUTIES OR RESPONSIBILITIES RELATED TO THE INFORMATION TECHNOLOGY RESOURCES OF SUCH AGENCY. EACH OFFICER TRANSFERRED TO THE OFFICE SHALL REPORT TO AND BE UNDER THE IMMEDIATE SUPERVISION OF THE CHIEF INFORMATION OFFICER OF THE OFFICE.

(b) THE EMPLOYEES OF AN AGENCY THAT SUPPORT THE INFORMATION TECHNOLOGY FUNCTIONS OF SUCH AGENCY SHALL CONTINUE TO BE UNDER THE SUPERVISION OF THE CHIEF INFORMATION OFFICER OF SUCH AGENCY UNTIL THE CHIEF INFORMATION OFFICER OF THE OFFICE DETERMINES THAT IT IS NECESSARY FOR THOSE POSITIONS OR FUNCTIONS TO COME UNDER THE CONTROL AND SUPERVISION OF THE OFFICE.

(2) THE CHIEF INFORMATION OFFICER OF THE OFFICE AND THE EXECUTIVE DIRECTOR AND CHIEF INFORMATION OFFICER OF EACH STATE AGENCY SHALL JOINTLY IDENTIFY THE POSITIONS AND FUNCTIONS AFFILIATED WITH THE MANAGEMENT AND ADMINISTRATION OF SUCH AGENCY'S INFORMATION TECHNOLOGY RESOURCES AND ENTERPRISES THAT WILL BE TRANSFERRED TO AND CENTRALIZED IN THE OFFICE PURSUANT TO SUBSECTION (1) OF THIS SECTION.

(3) ANY SUCH OFFICER OR EMPLOYEES WHO ARE CLASSIFIED EMPLOYEES IN THE STATE PERSONNEL SYSTEM AT THE TIME OF THE TRANSFER SHALL RETAIN ALL RIGHTS TO THE PERSONNEL SYSTEM AND RETIREMENT BENEFITS PURSUANT TO THE LAWS OF THE STATE, AND THEIR SERVICES SHALL BE DEEMED TO HAVE BEEN CONTINUOUS. ALL TRANSFERS AND ANY ABOLISHMENT OF POSITIONS IN THE STATE PERSONNEL SYSTEM SHALL BE MADE AND PROCESSED IN ACCORDANCE WITH STATE PERSONNEL SYSTEM LAWS AND RULES FOR THE PURPOSES OF SECTION 24-50-124.

(4) A CHIEF INFORMATION OFFICER AND THE EMPLOYEES UNDER THE SUPERVISION OF THE OFFICER TRANSFERRED PURSUANT TO THIS SECTION MAY CONTINUE OPERATIONS AT THE LOCATION OF SUCH OFFICER'S STATE AGENCY. NOTHING IN THIS SUBSECTION (4) SHALL REQUIRE THE RELOCATION OF AN OFFICER OR EMPLOYEES UNDER THE SUPERVISION OF THE OFFICER OR SUCH OPERATIONS. THE CHIEF INFORMATION OFFICER OF THE OFFICE MAY RELOCATE AN OFFICER AND SELECT EMPLOYEES IN FURTHERANCE OF CENTRALIZING THE MANAGEMENT OF INFORMATION TECHNOLOGY IN STATE AGENCIES.

24-37.5-111. Geographic information system - coordinator - statewide plan. ON AND AFTER JULY 1, 2008, ALL DUTIES AND RESPONSIBILITIES FOR STATEWIDE GEOGRAPHIC INFORMATION SYSTEM COORDINATION SHALL BE TRANSFERRED FROM THE DEPARTMENT OF LOCAL AFFAIRS TO THE OFFICE. THE OFFICE SHALL DEVELOP

A STATEWIDE GEOGRAPHIC INFORMATION SYSTEM PLAN ON OR BEFORE JULY 1, 2010, AND SUBMIT SUCH PLAN TO THE GOVERNOR AND TO THE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES.

24-37.5-112. Information technology revolving fund. (1) (a) THERE IS HEREBY ESTABLISHED IN THE STATE TREASURY THE INFORMATION TECHNOLOGY REVOLVING FUND. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION, MONEYS SHALL BE APPROPRIATED TO THE FUND EACH YEAR BY THE GENERAL ASSEMBLY IN THE ANNUAL GENERAL APPROPRIATION ACT FOR THE DIRECT AND INDIRECT COSTS OF THE OFFICE.

(b) THE OFFICE SHALL DEVELOP A METHOD FOR BILLING USERS OF THE OFFICE'S SERVICES THE FULL COST OF THE SERVICES, INCLUDING MATERIALS, DEPRECIATION RELATED TO CAPITAL COSTS, LABOR, AND ADMINISTRATIVE OVERHEAD. THE BILLING METHOD SHALL BE FULLY IMPLEMENTED FOR ALL USERS OF THE OFFICE'S SERVICES ON OR BEFORE JULY 1, 2013.

(c) ALL INTEREST EARNED ON THE INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. MONEYS IN THE REVOLVING FUND SHALL BE CONTINUOUSLY APPROPRIATED TO THE OFFICE OF INFORMATION TECHNOLOGY TO PAY THE COSTS OF CONSOLIDATION AND INFORMATION TECHNOLOGY MAINTENANCE AND UPGRADES. ANY MONEYS CREDITED TO THE REVOLVING FUND AND UNEXPENDED AND UNENCUMBERED AT THE END OF ANY GIVEN FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT REVERT TO THE GENERAL FUND.

(2) NOTWITHSTANDING ANY LAW TO THE CONTRARY, ANY MONEYS APPROPRIATED FROM THE GENERAL FUND TO THE OFFICE OR A STATE AGENCY FOR THE 2008-09 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER, FOR THE PROCUREMENT OF INFORMATION TECHNOLOGY RESOURCES OR MAJOR AUTOMATION SYSTEM PROJECTS THAT ARE UNEXPENDED OR UNENCUMBERED AS OF THE CLOSE OF THE FISCAL YEAR AS A RESULT OF SAVINGS ACHIEVED BY THE OFFICE OR STATE AGENCY IN CONNECTION WITH SUCH PROCUREMENTS, SHALL NOT REVERT TO THE GENERAL FUND AND SHALL BE TRANSFERRED BY THE STATE TREASURER AND THE CONTROLLER TO THE INFORMATION TECHNOLOGY REVOLVING FUND CREATED IN SUBSECTION (1) OF THIS SECTION.

SECTION 8. 24-37.5-403 (1) and (2) (h), Colorado Revised Statutes, are amended to read:

24-37.5-403. Chief information security officer - duties and responsibilities.

(1) The governor shall appoint a chief information security officer who shall serve at the pleasure of the governor. THE OFFICER SHALL REPORT TO AND BE UNDER THE SUPERVISION OF THE CHIEF INFORMATION OFFICER. The officer shall exhibit a background and expertise in security and risk management for communications and information resources. In the event the officer is unavailable to perform the duties and responsibilities under this part 4, all powers and authority granted to the officer may be exercised by the ~~chief technology officer in the office of innovation and technology~~ CHIEF INFORMATION OFFICER.

(2) The chief information security officer shall:

(h) In coordination and consultation with the office of state planning and budgeting and the ~~chief technology officer~~ CHIEF INFORMATION OFFICER, review public agency budget requests related to information security systems and approve such budget requests for state agencies other than the legislative department; and

SECTION 9. Article 37.5 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW PARTS CONTAINING RELOCATED PROVISIONS, WITH AMENDMENTS, to read:

PART 5
TELECOMMUNICATIONS COORDINATION WITHIN
STATE GOVERNMENT

24-37.5-501. [Formerly 24-30-902] Powers, duties, and functions concerning telecommunications. ~~(1) The executive director of the department of personnel~~ CHIEF INFORMATION OFFICER shall appoint assistants, clerical staff, and other personnel as may be necessary to discharge the duties and responsibilities set forth by this ~~part 9~~ PART 5.

~~(2) The powers, duties, and functions concerning telecommunications, specified in this part 9, shall be administered as if transferred by a type 2 transfer as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of this title, to the department of personnel.~~

24-37.5-502. [Formerly 24-30-903] Duties and responsibilities. (1) The ~~executive director of the department of personnel~~ CHIEF INFORMATION OFFICER shall perform the following functions:

(a) In consultation with local, state, and federal departments, institutions, and agencies, formulate recommendations for a current and long-range telecommunications plan, involving telephone, radio, microwave, facsimile closed circuit and cable television, teleconferencing, public broadcast, data communications transmission circuits, fiber optics, satellites, cellular radio, and public safety radio communications systems required by the FCC public safety national plan and their integration into applicable telecommunications networks for approval of the governor;

(b) Administer the approved current and long-range plan for telecommunications and exercise general supervision over all telecommunications networks, systems, and microwave facilities, subject to the exception stated in subsection (2) of this section;

(c) Review all existing and future telecommunications applications, planning, networks, systems, programs, equipment, and facilities and establish priorities for those that are necessary and desirable to accomplish the purposes of this ~~part 9~~ PART 5;

(d) Approve or disapprove the acquisition of telecommunications equipment and necessary licenses by any state department, institution, or agency;

(e) Establish telecommunications procedures, standards, and records for

management of telecommunications networks and facilities for all state departments, institutions, and agencies;

(f) Continually review, assess, and insure compliance with federal and state telecommunications regulations pertaining to the needs and functions of state departments, institutions, and agencies;

(g) Advise the governor and general assembly on telecommunications matters;

(h) Cooperate with and assist nonprofit regional broadcasting corporations, as appropriate and if resources are available, in the development of regional noncommercial television and radio networks and local facilities, including acting as the agency by which the state participates in any such regional broadcasting corporation;

(i) Administer the public safety communications trust fund created in ~~section 24-30-908.5~~ SECTION 24-37.5-506; and

(j) Adopt rules in accordance with the "State Administrative Procedure Act", article 4 of this title, regarding distributions of public safety communications trust fund moneys to and repayment of such moneys by state and local governments.

(2) Notwithstanding the functions enumerated in paragraph (b) of subsection (1) of this section and paragraph (a) of ~~subsection (6)~~ SUBSECTION (4) of this section, the ultimate responsibility for the operation and conduct of the law enforcement radio systems specifically provided for the division of the Colorado state patrol ~~which~~ THAT are performed by radio dispatchers and telephone operators shall be vested in the chief of the Colorado state patrol.

(3) The ~~executive director of the department of personnel~~ CHIEF INFORMATION OFFICER may enter into contracts with any county, city and county, state agency, private schools, school district, board of cooperative educational services, or library and may act as a telecommunications network provider between or among two or more counties or state agencies for the purpose of providing teleconferencing facilities and services between or among such entities, including the judicial system of any county, the department of corrections, and the department of human services and any of their facilities. To assure the availability of such network throughout the various state agencies, private schools, school districts, boards of cooperative educational services, libraries, and counties, the executive director of the department of personnel shall develop a uniform set of standards for facilities to be utilized by the contracting entities.

~~(4) and (5) Repealed.~~

~~(6)~~(4) The ~~executive director of the department of personnel~~ CHIEF INFORMATION OFFICER shall:

(a) In consultation with recognized public safety radio communication standards groups, appropriate affected public agencies, and the chief of the Colorado state patrol, adopt recommended standards for the replacement of analog-based equipment with digital-based radio equipment for purposes of dispatching and

related functions within the department of public safety; and

(b) For purposes of serving the radio communications needs of state departments including, but not limited to, the departments of public safety, transportation, natural resources, and corrections, adopt recommended standards and set a timetable for the replacement of existing radio telecommunications equipment with a system that satisfies the requirements of the FCC public safety national plan.

~~(7)~~ (5) The ~~executive director of the department of personnel~~ CHIEF INFORMATION OFFICER shall carry out all duties and responsibilities set forth in this section in a manner that is consistent with the objective of maximizing access to digital networks of the state by all public offices of all levels, branches, and political subdivisions of the state within every community of the state. In particular, within available resources and as soon as is feasible, the ~~executive director~~ CHIEF INFORMATION OFFICER shall provide connections proposed and approved by the department of local affairs, created in section 24-1-125, through the community-based access grant program established under section 24-32-3001 and may act as a network provider between or among all public offices as defined in said section. To the extent possible and if technically feasible, the bidding and the method of awarding the contract for telecommunications services under section 24-32-3001 should be structured in a manner as to allow the greatest number of providers to participate in the bidding and the award of the contract.

24-37.5-503. [Formerly 24-30-906] Legislative department exemption. The provisions of this ~~part 9~~ PART 5 shall not apply to the legislative department of the state.

24-37.5-504. [Formerly 24-30-907] Higher education exemption. Local and internal telecommunications networks of institutions of higher education may be exempted from the provisions of this ~~part 9~~ PART 5 upon application to the ~~executive director of the department of personnel~~ CHIEF INFORMATION OFFICER; except that all systems must be certified by the ~~executive director of the department of personnel~~ CHIEF INFORMATION OFFICER as being technically compatible with plans and networks as described in ~~section 24-30-903 (1)~~ SECTION 24-37.5-502 (1).

24-37.5-505. [Formerly 24-30-908] Telecommunications revolving fund - service charges - pricing policy. (1) Users of the ~~department of personnel~~ OFFICE'S telephone and data communication services shall be charged the full cost of the particular service, which shall include the cost of all material, labor, and overhead. Said user charges shall be transmitted to the state treasurer, who shall credit the same to the telecommunications revolving fund, which fund is hereby created. The moneys in the revolving fund are subject to annual appropriations by the general assembly to the ~~department of personnel~~ OFFICE for use in acquiring such materials, supplies, labor, and overhead as are required for telephone and data communications related service functions. The revolving fund shall include user charges on public safety radio systems of a state agency or other state entity; except that no municipality, county, city and county, or special district shall be charged user charges on public safety radio systems of a state agency or other state entity.

(2) The ~~executive director of the department of personnel~~ CHIEF INFORMATION OFFICER shall establish a policy of remaining competitive with private industry with

regard to the cost, timeliness, and quality of the telephone service or data communication functions provided by the ~~department of personnel~~ OFFICE. Agencies interested in purchasing services from the private sector shall work with the ~~department of personnel~~ OFFICE to develop bid specifications, which shall identify all services, requirements, and costs. All bids shall be consistent with the state's long-term telecommunication objectives.

~~(3) Repealed.~~

24-37.5-506. [Formerly 24-30-908.5] Public safety communications trust fund - creation. (1) There is hereby created in the state treasury the public safety communications trust fund, referred to in this section as the "fund". The moneys in the fund are subject to annual appropriation by the general assembly to the ~~department of personnel~~ OFFICE for distribution as determined by rules adopted pursuant to ~~section 24-30-903 (1) (j)~~ SECTION 24-37.5-502 (1) (j). The primary purpose of such distributions shall be the acquisition and maintenance of public safety communication systems for use by departments including but not limited to the departments of public safety, transportation, natural resources, and corrections as provided in ~~section 24-30-903 (6) (b)~~ SECTION 24-37.5-502 (4) (b). Such systems shall satisfy the requirements of the public safety national plan established by the federal communications commission, also referred to in this article as the "FCC", in *FCC report and order in general docket no. 87-112*, and subsequent FCC proceedings and rules. This section shall not preclude the payment of maintenance expenses including the cost of leased or rented equipment, payments to local governmental entities for radio communication systems, or payments related to public safety radio systems.

(2) (a) (I) The general assembly declares its intention to commit state moneys to the fund for the purposes set forth in this section. Except as otherwise provided in paragraph (b) of this subsection (2), the total amount of the principal in the fund shall not exceed fifty million dollars.

(II) Any appropriation of state moneys to the public safety communications trust fund for any fiscal year from moneys in the capital construction fund created in section 24-75-302 shall be further appropriated from the public safety communications trust fund to the ~~department of personnel~~ OFFICE for the purposes set forth in this section. Any moneys in the public safety communications trust fund so appropriated that were initially appropriated from moneys in the capital construction fund shall, if any project for which such moneys are appropriated is initiated within the fiscal year, remain available until completion of the project or for a period of three years, whichever comes first, at which time the unexpended and unencumbered balances of such appropriation shall revert to the public safety communications trust fund.

(b) In addition to any appropriations made as a result of paragraph (a) of this subsection (2), the ~~department of personnel~~ OFFICE may solicit and accept donations, grants, bequests, and other contributions to the fund from local, state, and federal entities and from public safety related nonprofit organizations that directly support state departments, state institutions, state agencies, and law enforcement and public safety political subdivisions of the state. Such contributions shall be transmitted to the state treasurer, who shall credit the contributions to the fund.

(3) At the end of each fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund. All interest derived from the deposit and investment of this fund shall remain in the fund and shall not revert to the general fund.

(4) In authorizing distributions of principal and interest from the fund and purchasing, leasing, contracting for, and otherwise acquiring equipment for state entities, the ~~executive director of the department of personnel~~ CHIEF INFORMATION OFFICER shall consider the following:

(a) The need for achieving functional interoperability among local, state, and federal public safety radio communications systems by acquiring equipment that meets emerging technical standards for systems interoperability and open network architecture;

(b) The needs of local government entities that have recently invested in new radio systems, particularly in regard to interoperability;

(c) The promotion of an orderly transition from analog-based to digital-based radio systems.

(5) In acquiring equipment pursuant to subsection (4) of this section, the executive director of the ~~department of personnel~~ OFFICE shall develop bid specifications that identify all services, requirements, and costs consistent with existing state law.

(6) The ~~executive director of the department of personnel~~ CHIEF INFORMATION OFFICER shall keep an accurate account of all activities related to the fund including its receipts and expenditures. The state auditor may investigate the affairs of the fund, severally examine the properties and records relating to the fund, and prescribe accounting methods and procedures for rendering periodical reports in relation to disbursements and purchases made from the fund. The provisions of this section and the expenditures from the fund shall be reviewed by the legislative audit committee commencing July 1, 1999, and every ~~two~~ FOUR years thereafter.

(7) In the expenditure of any funds from the public safety communications trust fund for the acquisition, maintenance, or lease of any public safety radio communications systems equipment or any other communication devices or equipment, the ~~executive director of the department of personnel~~ CHIEF INFORMATION OFFICER shall ensure that such expenditures are made pursuant to the requirements set forth under the "Procurement Code", ~~article~~ ARTICLES 101 TO 112 of this title.

PART 6

GENERAL GOVERNMENT COMPUTER CENTER (GGCC)

24-37.5-601. [Formerly 24-30-1602] General government computer center (GGCC). (†) The general government computer center referred to in this ~~part 16~~ PART 6 as "GGCC" is within the ~~department of personnel~~ OFFICE OF INFORMATION TECHNOLOGY. The ~~executive director of the department of personnel~~ CHIEF INFORMATION OFFICER shall appoint, pursuant to section 13 of article XII of the state

constitution, such personnel as may be necessary for the efficient operation of the GGCC.

~~(2) The GGCC and its powers, duties, and functions, specified by this part 16, shall be administered as if transferred to the department of personnel by a type 2 transfer, as such transfer is defined by the "Administrative Organization Act of 1968", article 1 of this title.~~

24-37.5-602. [Formerly 24-30-1603] Functions of the GGCC. (1) The GGCC shall perform the following functions:

(a) To provide computer ~~data entry~~, and systems development and programming services to those state departments, institutions, and agencies in the executive branch that have been so designated by the office of information technology, ~~created in section 24-37.5-103~~, after consulting with the affected entity, and to provide these same services to the legislative and judicial branches when so requested; except that services shall not be provided to any such entity unless such entity has funds available therefor;

(b) To establish and maintain automated data processing facilities at GGCC, including but not limited to the operation of automated data processing equipment and facilities and the employment of necessary personnel;

(c) To prepare and submit such reports as are required by this ~~part 16~~ PART 6 or ~~which~~ THAT the governor or general assembly may request;

(d) ~~To advise the office of information technology, created in section 24-37.5-103, on~~ DETERMINE the capacity and utilization of the computer system in GGCC in an annual report. ~~on or before December 1 of each year, commencing with the calendar year 1987.~~

~~(2) Repealed.~~

~~(3)~~ (2) (a) In accordance with any policies, standards, and guidelines set forth by the office of information technology, ~~created in section 24-37.5-103~~, the GGCC shall adopt and implement standards, policies, and procedures for the use of electronic or digital signatures by governmental agencies where use of electronic or digital signatures is expressly authorized by law.

(b) The ~~executive director~~ CHIEF INFORMATION OFFICER of each agency or department of state government, including institutions of higher education, ~~shall designate a chief information officer who~~ shall ensure compliance with the policies, standards, and guidelines set forth by the office. ~~of information technology, created in section 24-37.5-103.~~

(c) The local authorities of any county, city, town, or city and county authorizing the use of digital or electronic signatures shall adopt rules, standards, policies, and procedures for their own use of electronic or digital signatures or shall ensure compliance with any policies, standards, and guidelines set forth by the office. ~~of information technology, created in section 24-37.5-103.~~

~~(d) (Deleted by amendment, L. 2006, p. 1521, 90, effective June 1, 2006.)~~

24-37.5-603. [Formerly 24-30-1604] Powers of the chief information officer - penalty for breach of confidentiality. (1) In order to perform the functions and duties of the GGCC as set forth in this ~~part 16~~ PART 6, the ~~executive director of the department of personnel~~ CHIEF INFORMATION OFFICER shall exercise the following powers:

(a) To prescribe procedures governing the operation of the GGCC automated data processing equipment and software and the physical plant;

(b) In accordance with the policies, standards, specifications, and guidelines formulated and promulgated pursuant to section 24-37.5-106 (1) (c) ~~by the chief information officer, of the office of information technology created in the office of the governor to~~ adopt such rules as may be necessary to carry out the purposes and provisions of this ~~part 16~~ PART 6;

(c) To contract for such services and equipment as the GGCC may require;

(d) To negotiate service level agreements with customers;

(e) To produce such reports as may be necessary; AND

(f) To control the ~~GGCC~~ COMPUTER SERVICES revolving fund pursuant to ~~section 24-30-1606~~ SECTION 24-37.5-604.

(2) (a) Except in accordance with judicial order or as otherwise provided by law, ~~neither the executive director of the department of personnel nor any GGCC employee~~ NO EMPLOYEE OF THE OFFICE shall divulge or make known in any way information disclosed in any restricted or protected document, program, or dataset located at or in the custody of the ~~department of personnel~~ OFFICE.

(b) Any person who violates the provisions of paragraph (a) of this subsection (2) commits a class 1 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S. In addition, such person shall be subject to removal or dismissal from state employment on grounds of malfeasance in office.

24-37.5-604. [Formerly 24-30-1606] Office of information technology computer services revolving fund - service charges - pricing. (1) Users of GGCC services shall be charged by the ~~department of personnel~~ OFFICE the full cost of the particular service, which shall include the cost of all material, labor, equipment, software, services, and overhead. Two months prior to the November 1 submission date as required by section 24-37-304, the ~~executive director of the department~~ CHIEF INFORMATION OFFICER shall establish, publish, and distribute billing rates to user entities and other interested entities effective for the following fiscal year. The billing rates shall not be increased during the fiscal year. User charges shall be paid only out of items of appropriation made specifically for the purchase of services from either the ~~department~~ OFFICE or from an alternative support source approved by the office. ~~of information technology, created in section 24-37.5-103.~~ Agencies interested in purchasing services from the private sector shall work with the office to develop bid specifications, which shall identify all

services, requirements, and costs. All bids shall be consistent with the state's long-term data processing objectives. The bid process shall be completed so as to coincide with the ~~department's~~ OFFICE'S rate publication date.

(2) User charges collected under this ~~part 16~~ PART 6 shall be transmitted to the state treasurer, who shall credit the same to the ~~department's~~ computer services revolving fund, which fund is hereby created. The moneys in such fund are subject to annual appropriations by the general assembly to the ~~department of personnel~~ OFFICE for the purpose of acquiring such materials, supplies, labor, equipment, software, services, and overhead as are required by the ~~department of personnel~~ OFFICE to supply the services purchased by users.

(3) The ~~executive director of the department of personnel~~ CHIEF INFORMATION OFFICER shall establish a policy of remaining competitive with the service provided by private industry with regard to the cost, timeliness, and quality of that service provided by the ~~department~~ OFFICE. Agencies are encouraged to seek competitive bids from the private sector pursuant to subsection (1) of this section. If the ~~department~~ OFFICE cannot meet the needs of any agency in any one of the said areas, the agency may seek services elsewhere in consultation with the office. ~~of information technology, created in section 24-37.5-103.~~

SECTION 10. 2-3-1304 (1) (f), Colorado Revised Statutes, is amended to read:

2-3-1304. Powers and duties of capital development committee. (1) The capital development committee shall have the following powers and duties:

(f) To review the annual capital construction and maintenance requests from the ~~executive director of the department of personnel~~ CHIEF INFORMATION OFFICER OF THE OFFICE OF INFORMATION TECHNOLOGY regarding the public safety communications trust fund created pursuant to ~~section 24-30-908.5~~ SECTION 24-37.5-508, C.R.S.

SECTION 11. Repeal. 24-1-128 (7) (c) and (7) (e), Colorado Revised Statutes, are repealed as follows:

24-1-128. Department of personnel - creation. (7) The department of personnel shall include the following administrative support services:

(c) ~~The powers, duties, and functions of the general government computer center, specified in this article and in part 16 of article 30 of this title concerning the center, shall be administered as if transferred by a type 2 transfer to the department of personnel. The powers, duties, and functions concerning the operation of automated data processing equipment, including the data entry, systems development and programming, and computer functions thereof, are transferred by a type 2 transfer to the general government computer center.~~

(e) ~~The powers, duties, and functions concerning telecommunications, specified in part 9 of article 30 of this title, shall be administered as if transferred by type 2 transfer to the department of personnel.~~

SECTION 12. 24-33.5-223 (2) (b) (II), Colorado Revised Statutes, is amended

to read:

24-33.5-223. State telecommunications network. (2) (b) The facilities of the network shall be made available for the use of:

(II) Other local, state, and federal governmental entities or public safety related nonprofit organizations that directly support any agency described in subparagraph (I) of this paragraph (b) and that:

(A) May be requested to support the purposes expressed in ~~section 24-30-901 (1) (c) and (1) (e)~~ SECTION 24-37.5-502 (1) (c) AND (1) (e) and aggregate telecommunications service requirements of any public office described in section 24-32-3001 (1) (h); or

(B) Make donations, grants, bequests, and other contributions to the public communications trust fund pursuant to ~~section 24-30-908.5 (2) (b)~~ SECTION 24-37.5-508 (2) (b).

SECTION 13. 24-37.5-108 (1) (d), Colorado Revised Statutes, is amended to read:

24-37.5-108. Statewide communications and information infrastructure - establishment - duties. (1) With regard to the statewide communications and information infrastructure, the office shall have the following duties:

(d) To advise state agencies on the risks, issues, and concerns related to the agency's ~~communication and data processing~~ INFORMATION TECHNOLOGY infrastructure that the agency has identified in the ~~communications and data processing~~ INFORMATION TECHNOLOGY plan prepared pursuant to section 24-37.5-106 (1) (b).

SECTION 14. Repeal. 24-37.5-402 (2), Colorado Revised Statutes, is repealed as follows:

24-37.5-402. Definitions. As used in this part 4, unless the context otherwise requires:

(2) ~~"Communication and information resources" shall have the same meaning as provided in section 24-37.5-102 (1).~~

SECTION 15. 24-37.7-101 (6), Colorado Revised Statutes, is amended to read:

24-37.7-101. Definitions. As used in this article, unless the context otherwise requires:

(6) "State agency" shall have the same meaning as provided in section ~~24-37.5-102 (5)~~ SECTION 24-37.5-102 (7).

SECTION 16. 30-11-107 (1) (x), Colorado Revised Statutes, is amended to read:

30-11-107. Powers of the board. (1) The board of county commissioners of

each county has power at any meeting:

(x) To enter into a contract with the state telecommunications director pursuant to the provisions of ~~section 24-30-903 (3)~~ SECTION 24-37.5-502 (3), C.R.S., for the providing of teleconferencing facilities and services between the county and any other county, city and county, or state agency to be used for teleconferencing of hearings relating to any person in the custody of the county;

SECTION 17. 30-11-208, Colorado Revised Statutes, is amended to read:

30-11-208. Contract - teleconferencing facilities and services. The city and county of Denver may enter into a contract with the state telecommunications director pursuant to the provisions of ~~section 24-30-903 (3)~~ SECTION 24-37.5-503, C.R.S., for the providing of teleconferencing facilities and services between the city and county of Denver and any other county or state agency to be used for teleconferencing of hearings relating to any person in the custody of the city and county of Denver.

SECTION 18. Repeal of provisions being relocated in this act. Parts 9 and 16 of article 30 of title 24, Colorado Revised Statutes, are repealed.

SECTION 19. Part I (1) of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General Assembly, is amended to read:

Section 2. **Appropriation.**

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
PART I							
DEPARTMENT OF AGRICULTURE							
(1) COMMISSIONER'S OFFICE AND ADMINISTRATIVE SERVICES							
Personal Services	1,629,112		759,777			869,335 ^a	
	(19.7 FTE)						
	(18.7 FTE)						
Health, Life, and Dental	1,382,417		370,583		969,845 ^b		41,989
Short-term Disability	19,891		5,738		13,585 ^b		568
S.B. 04-257 Amortization Equalization Disbursement	243,351		69,152		167,205 ^b		6,994
S.B. 06-235 Supplemental Amortization Equalization Disbursement	112,921		31,266		78,377 ^b		3,278
Salary Survey and Senior Executive Service	608,483		221,863		358,046 ^b		28,574
Performance-based Pay Awards	231,107		114,884		105,921 ^b		10,302
Workers' Compensation	229,157		66,541		160,586 ^b		2,030
Operating Expenses	117,137		117,137				
Legal Services for 4,648 hours	349,064		90,124		246,529 ^b		12,411

Purchase of Services from Computer Center	24,086	24,086		
Payment to Risk Management and Property Funds	187,542	71,313	114,768 ^b	1,461
Vehicle Lease Payments	195,168	81,219	109,920 ^b	4,029
Information Technology Asset Maintenance	153,031	42,041	110,990 ^b	
Leased Space	127,264	57,295	69,969 ^b	
Capitol Complex Leased Space	169,975	138,654	31,321 ^b	
Communication Services Payments	14,781	9,473	5,308 ^b	
Utilities	146,318	91,051	55,267 ^b	
Agricultural Statistics	75,000	60,000	15,000 ^c	
Grants	2,707,089			2,707,089
				(13.0 FTE)
Indirect Cost Assessment	<u>101,075</u>			101,075
	8,823,969			

^a This amount shall be from indirect cost recoveries transferred from various divisions.

^b These amounts shall be from fees collected by various cash funds within the Department.

^c This amount shall be from surveys and services provided by the USDA National Agricultural Statistics Service.

SECTION 20. Part II (3) (G) of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General Assembly, is amended to read:

Section 2. **Appropriation.**

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

**PART II
DEPARTMENT OF CORRECTIONS**

(3) SUPPORT SERVICES

(G) Information Systems Subprogram

Personal Services	3,870,301
	(53.6 FTE)
	(50.6 FTE)
Operating Expenses	1,378,378
Purchase of Services from Computer Center	<u>202,327</u>
	5,451,006

5,451,006

SECTION 21. Part IV (1) (B), (5), (6), and the affected totals of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General Assembly, are amended to read:

Section 2. **Appropriation.**

**PART IV
GOVERNOR - LIEUTENANT GOVERNOR - STATE PLANNING AND BUDGETING**

(1) OFFICE OF THE GOVERNOR

(B) Special Purpose

Health, Life, and Dental	635,963 1,536,394	504,717		116,033 1,016,464 ^a	15,213
Short-term Disability	9,492 26,491	4,889	2,616 ^b	1,689 18,688 ^a	298
S.B. 04-257 Amortization Equalization Disbursement	121,411 330,638	58,919	32,196 ^b	20,789 230,016 ^a	9,507
S.B. 06-235 Supplemental Amortization Equalization Disbursement	55,933 154,008	26,639	15,092 ^b	9,745 107,820 ^a	4,457
Salary Survey and Senior Executive Service	337,919 767,521	237,751		87,953 517,555 ^a	12,215
Performance-based Pay Awards	128,451 305,359	89,696	3,090 ^b	31,866 208,774 ^a	3,799
SHIFT DIFFERENTIAL	44,120			44,120 ^c	
Workers' Compensation	12,057 99,013	12,057		86,956 ^a	
Legal Services for 1,370 1,451 hours	252,887 258,970	250,207		2,680 8,763 ^a	
Purchase of Services from Computer Center	51,220 2,081,610	51,220 1,194,045		887,565 ^a	

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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Multiuse Network Payments	17,976		17,976				
	56,037					38,061 ^a	
Payment to Risk Management and Property Funds	116,226		116,226				
	392,102					275,876 ^a	
VEHICLE LEASE PAYMENTS	104,277					104,277 ^a	
LEASED SPACE	500,920					500,920 ^a	
Capitol Complex Leased Space	265,341		265,341				
	645,818					380,477 ^a	
	<u>2,004,876</u>						
	7,303,278						

^a Of these amounts, \$4,111,457 SHALL BE FROM FEES FROM USER AGENCIES RELATED TO THE OPERATION OF STATEWIDE INFORMATION TECHNOLOGY SERVICES, \$207,934 shall be collected for the purpose of indirect cost recoveries from the State Highway Fund by the Department of Transportation, pursuant to Section 43-1-113 (8) (a), C.R.S., \$41,585 shall be collected for the purpose of statewide indirect cost recoveries, \$10,618 shall be collected for the purpose of indirect cost recoveries from the Department of Human Services, and \$10,618 shall be collected for the purpose of indirect cost recoveries from the Department of Regulatory Agencies.

^b These amounts shall be from various cash sources.

° THIS AMOUNT 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 24-37.5-505 (1), C.R.S., THE COMPUTER SERVICES REVOLVING FUND CREATED IN SECTION 24-37.5-604 (2), C.R.S., AND THE PUBLIC SAFETY COMMUNICATIONS TRUST FUND CREATED IN SECTION 24-37.5-506 (1), C.R.S., RELATED TO THE OPERATION OF STATEWIDE INFORMATION TECHNOLOGY SERVICES. FOR INFORMATIONAL PURPOSES, FUNDS FROM THE DEPARTMENT OF PERSONNEL REVOLVING FUND, THE TELECOMMUNICATIONS REVOLVING FUND, AND THE COMPUTER SERVICES REVOLVING FUND, ORIGINATE AS USER FEES TRANSFERRED FROM OTHER STATE AGENCIES.

54,888,022
60,186,424

(5) OFFICE OF INFORMATION TECHNOLOGY

(A) ADMINISTRATION

Personal Services	1,081,848	1,081,848	
			(13.0 FTE)
Operating Expenses	150,268	150,268	
Legal Services for 26 hours	1,953	1,953	
	<u>1,234,069</u>		

~~**(6) OFFICE OF THE CHIEF INFORMATION SECURITY OFFICER**~~

(B) OFFICE OF THE CHIEF INFORMATION SECURITY OFFICER

Program Costs	2,804,915	350,000	2,454,915 ^a
	<u>2,804,915</u>		(2.0 FTE)

^a Of this amount, \$2,378,263 shall be from various sources and from various departments and \$76,652 shall be from statewide indirect cost recoveries.

(C) CHIEF INFORMATION OFFICERS IN STATE AGENCIES

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
PERSONAL SERVICES	1,692,186					1,692,186 ^a	
	<u>1,692,186</u>					(12.4 FTE)	

^a THIS AMOUNT SHALL BE FROM APPROPRIATIONS MADE TO STATE AGENCIES TO DEFRAY THE COSTS OF CHIEF INFORMATION OFFICERS FOR THE FOLLOWING DEPARTMENTS: AGRICULTURE, CORRECTIONS, HEALTH CARE POLICY AND FINANCING, HUMAN SERVICES, LABOR AND EMPLOYMENT, LOCAL AFFAIRS, MILITARY AND VETERANS AFFAIRS, NATURAL RESOURCES, PERSONNEL AND ADMINISTRATION, PUBLIC HEALTH AND ENVIRONMENT, PUBLIC SAFETY, REGULATORY AGENCIES, REVENUE, AND TRANSPORTATION.

(D) STATEWIDE INFORMATION TECHNOLOGY SERVICES

(1) ADMINISTRATION

PERSONAL SERVICES	419,800						
	(5.0 FTE)						
OPERATING EXPENSES	<u>6,450</u>						
	426,250					426,250 ^a	

^a THIS AMOUNT SHALL BE FROM USER FEES FROM OTHER STATE AGENCIES DEPOSITED IN THE TELECOMMUNICATIONS REVOLVING FUND CREATED IN SECTION 24-37.5-505 (1), C.R.S., AND THE COMPUTER SERVICES REVOLVING FUND CREATED IN SECTION 24-37.5-604 (2), C.R.S.

(2) INTERNAL PROGRAM SUPPORT

PERSONAL SERVICES	<u>817,731</u>					817,731 ^a	
						(11.0 FTE)	

817,731

^a THIS AMOUNT SHALL BE FROM FUNDS APPROPRIATED TO THE DEPARTMENT OF PERSONNEL AND ADMINISTRATION TO PROVIDE INTERNAL PROGRAM APPLICATION SUPPORT.

(3) STATEWIDE INFORMATION TECHNOLOGY
MANAGEMENT

PROGRAM COSTS	1,812,053	1,812,053 ^a
	<hr/>	(26.0 FTE)
	1,812,053	

^a THIS AMOUNT SHALL BE FROM APPROPRIATIONS MADE TO STATE AGENCIES FOR STATEWIDE INFORMATION TECHNOLOGY MANAGEMENT.

(4) GEOGRAPHIC INFORMATION SYSTEM

PERSONAL SERVICES	108,057	108,057 ^a
	<hr/>	(1.0 FTE)
	108,057	

^a THIS AMOUNT SHALL BE FROM APPROPRIATIONS MADE TO THE OFFICE OF HOMELAND SECURITY.

(5) CUSTOMER SERVICES

PERSONAL SERVICES	917,727	
	(12.0 FTE)	
OPERATING EXPENSES	<hr/> 14,625	
	932,352	932,352 ^a

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
^a THIS AMOUNT SHALL BE FROM USER FEES FROM OTHER STATE AGENCIES DEPOSITED IN THE TELECOMMUNICATIONS REVOLVING FUND CREATED IN SECTION 24-37.5-505 (1), C.R.S., AND THE COMPUTER SERVICES REVOLVING FUND CREATED IN SECTION 24-37.5-604 (2), C.R.S.							
(6) ORDER BILLING							
PERSONAL SERVICES	662,877						
	(10.0 FTE)						
OPERATING EXPENSES	<u>10,750</u>						
	673,627					673,627 ^a	

^a THIS AMOUNT SHALL BE FROM USER FEES FROM OTHER STATE AGENCIES DEPOSITED IN THE TELECOMMUNICATIONS REVOLVING FUND PURSUANT TO SECTION 24-37.5-505 (1), C.R.S.

(7) COMMUNICATIONS SERVICES

PERSONAL SERVICES	3,567,121
	(46.0 FTE)
OPERATING EXPENSES	134,631
TRAINING	22,000
UTILITIES	165,002
SNOCAT REPLACEMENT	230,520
LOCAL SYSTEMS DEVELOPMENT	121,000

INDIRECT COST				
ASSESSMENT	<u>474,771</u>			
	4,715,045	721,134 ^a	3,872,911 ^b	121,000 ^c

^a THIS AMOUNT SHALL BE FROM RESERVES IN THE PUBLIC SAFETY COMMUNICATIONS TRUST FUND CREATED IN SECTION 24-37.5-506 (1), C.R.S.

^b OF THIS AMOUNT, \$3,806,760 SHALL BE FROM FEES FROM USER AGENCIES, AND \$66,151 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 (3), C.R.S.

^c THIS AMOUNT REFLECTS FUNDS ANTICIPATED TO BE FROM THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AND IS SHOWN FOR INFORMATIONAL PURPOSES ONLY.

(8) NETWORK SERVICES

PERSONAL SERVICES	1,525,435			
	(17.0 FTE)			
OPERATING EXPENSES	16,200,371			
TOLL-FREE TELEPHONE				
ACCESS TO MEMBERS OF				
THE GENERAL ASSEMBLY	25,000			
INDIRECT COST				
ASSESSMENT	<u>202,616</u>			
	17,953,422	1,200,000 ^a	16,753,422 ^b	

^a THIS AMOUNT SHALL BE FROM USER FEES FROM NON-STATE AGENCIES DEPOSITED IN THE TELECOMMUNICATIONS REVOLVING FUND CREATED IN SECTION 24-37.5-505 (1), C.R.S.

^b THIS AMOUNT SHALL BE FROM FEES FROM USER AGENCIES DEPOSITED IN THE TELECOMMUNICATIONS REVOLVING FUND CREATED IN SECTION 24-37.5-505 (1), C.R.S.

(9) COMPUTER SERVICES

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
PERSONAL SERVICES	2,745,773						
	(36.3 FTE)						
OPERATING EXPENSES	6,181,350						
RENTAL, LEASE, OR LEASE/PURCHASE OF CENTRAL PROCESSING UNIT	336,034						
INDIRECT COST ASSESSMENT	678,807						
	<u>9,941,964</u>				2,328 ^a	9,939,636 ^b	

^a THIS AMOUNT SHALL BE FROM VARIOUS LOCAL GOVERNMENTS DEPOSITED IN THE COMPUTER SERVICES REVOLVING FUND CREATED IN SECTION 24-37.5-604 (2), C.R.S.

^b THIS AMOUNT SHALL BE FROM FEES FROM USER AGENCIES DEPOSITED IN THE COMPUTER SERVICES REVOLVING FUND CREATED IN SECTION 24-37.5-604 (2), C.R.S.

(10) TECHNOLOGY MANAGEMENT UNIT

PERSONAL SERVICES	2,990,203					
	(35.5 FTE)					
OPERATING EXPENSES	529,371					
	<u>3,519,574</u>				3,519,574 ^a	

^a THIS AMOUNT SHALL BE FROM USER FEES FROM OTHER STATE AGENCIES DEPOSITED IN THE TELECOMMUNICATIONS REVOLVING FUND CREATED IN SECTION 24-37.5-505 (1), C.R.S., AND THE COMPUTER SERVICES REVOLVING FUND CREATED IN SECTION 24-37.5-604 (2), C.R.S.

1,234,069
46,631,245

**TOTALS PART IV
(GOVERNOR-
LIEUTENANT
GOVERNOR- STATE
PLANNING AND
BUDGETING)**

\$95,475,763	\$14,852,340	\$43,401,723	\$4,360,714	\$32,860,986
<u>\$143,366,426</u>	<u>\$15,995,165</u>	<u>\$45,325,185</u>	<u>\$49,064,090</u>	<u>\$32,981,986</u>

SECTION 22. Part V (1) (A) of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General Assembly, is amended to read:

Section 2. **Appropriation.**

**PART V
DEPARTMENT OF HEALTH CARE POLICY AND FINANCING**

(1) EXECUTIVE DIRECTOR'S OFFICE

(A) General Administration

Personal Services	18,993,936
	(273.2 FTE)
	(271.7 FTE)
Health, Life, and Dental	1,278,471
Short-term Disability	22,871

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
S.B. 04-257 Amortization Equalization Disbursement	279,035						
S.B. 06-235 Supplemental Amortization Equalization Disbursement	128,887						
Salary Survey and Senior Executive Service	676,435						
Performance-based Pay Awards	251,236						
Workers' Compensation	32,346						
Operating Expenses	1,803,990						
Legal Services and Third Party Recovery Legal Services for 13,089 hours	982,984						
Administrative Law Judge Services	469,789						
Purchase of Services from Computer Center	135,103						
Payment to Risk Management and Property Funds	71,989						

Leased Space	394,236				
Capitol Complex Leased Space	395,208				
General Professional Services and Special Projects ^s	<u>2,006,184</u>				
	27,922,700	12,011,895(M)	873,836 ^a	1,674,195 ^b	13,362,774

^a Of this amount, \$254,463 shall be from the Children's Basic Health Plan Trust Fund created in Section 25.5-8-105 (1), C.R.S.; \$229,457 shall be from the Colorado Cares RX Program Cash Fund created in Section 25.5-2.5-105 (1), C.R.S.; \$158,956 shall be from the Health Care Expansion Fund created in Section 24-22-117 (2) (a) (I), C.R.S.; \$80,745 shall be from estate recoveries; \$55,343 shall be from the Primary Care Fund created in Section 24-22-117 (2) (b) (I), C.R.S.; \$33,679 shall be from the Autism Treatment Fund created in Section 25.5-6-805, C.R.S.; \$31,509 shall be from the Short-term Innovative Health Program Grant Fund created in Section 25-36-101 (1), C.R.S.; \$28,972 shall be from the Coordinated Care for People with Disabilities Fund created in Section 25.5-6-111 (4), C.R.S.; and \$712 shall be from the Comprehensive Primary and Preventive Care Fund created in Section 25.5-3-207 (1), C.R.S.

^b Of this amount, \$1,670,858 shall be a transfer from the Department of Human Services, and \$3,337 shall from Old Age Pension Fund moneys appropriated to the Department of Human Services, pursuant to Article 24 of the State Constitution.

SECTION 23. Part VII (2) of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General Assembly, is amended to read:

Section 2. **Appropriation.**

**PART VII
DEPARTMENT OF HUMAN SERVICES**

(2) OFFICE OF INFORMATION TECHNOLOGY SERVICES

Personal Services	5,961,739	4,597,188	143,438 ^a	463,361 ^b	757,752 ^c
	(78.6 FTE)				

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 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	(72.6 FTE)						
Operating Expenses	407,176		324,068			16,855 ^d	66,253 ^c
Purchase of Services from Computer Center	4,463,968		1,948,041		6,051 ^e	3,051 ^f	2,506,825 ^c
Microcomputer Lease Payments	539,344		301,832		15,466 ^g	128,647 ^h	93,399 ^c
Colorado Trails	9,376,829		5,062,536				4,314,293 ⁱ
	(48.0 FTE)						
County Financial Management System	1,515,836		781,835				734,001 ^c
Health Information Management System	339,168		211,290			127,878 ^j	
Client Index Project	156,116		89,634				66,482 ^c
	(3.0 FTE)						
National Aging Program Information System	93,114		15,526		7,752(L) ^k		69,836 ^l
Colorado Benefits Management System (CBMS)	22,857,178		3,587,435		1,834,289 ^m	7,933,727 ⁿ	9,501,727 ^o
	(47.1 FTE)						
CBMS SAS-70 Audit	149,000		23,386		11,957 ^m	51,718 ⁿ	61,939 ^o

CBMS TANF					
Reauthorization Changes	2,838,755				2,838,755 ^p
Multiuse Network					
Payments	2,282,929	1,392,586	22,829 ^g	182,635 ^h	684,879 ^c
Communication Services					
Payments	<u>163,475</u>	138,954		24,521 ^q	
		51,144,627			

^a This amount shall be from patient fees and patient revenues from the Mental Health Institutes.

^b Of this amount, it is estimated that \$302,368, including \$237,497 Medicaid cash funds, shall be transferred from the Department of Health Care Policy and Financing, and \$160,993 shall be from various sources of reappropriated funds, including indirect cost recoveries.

^c Of these amounts, it is estimated that \$1,861,427 shall be from Food Stamp funds, \$1,149,394 shall be from the Temporary Assistance for Needy Families Block Grant, \$473,429 shall be from Child Care Development Funds, \$96,108 shall be from the federal Substance Abuse Prevention and Treatment Block Grant, and \$1,329,233 shall be from various sources of federal funds.

^d This amount shall be from Medicaid funds transferred from the Department of Health Care Policy and Financing.

^e Of this amount, it is estimated that \$3,812 shall be from patient fees from the Mental Health Institutes, and \$2,239 shall be from the Records and Reports Fund created in Section 19-1-307 (2.5), C.R.S.

^f Of this amount, it is estimated that \$2,774 shall be from Medicaid funds transferred from the Department of Health Care Policy and Financing and \$277 shall be from various sources of reappropriated funds.

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

^h Of these amounts, it is estimated that \$170,327 shall be Medicaid funds transferred from the Department of Health Care Policy and Financing, and \$140,955 shall be from various sources of reappropriated funds.

ⁱ Of this amount, it is estimated that \$2,765,030 shall be from Title IV-E of the Social Security Act, \$1,394,380 shall be from the Temporary Assistance to Needy Families Block Grant, and \$154,883 shall be from Child Care Development Funds.

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

^k This amount shall be from local funds.

^l This amount shall be from Title III Older Americans Act funds.

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

^m It is estimated that these amounts shall be from the Old Age Pension Fund created in Section 1 of Article XXIV of the State Constitution.

ⁿ These amounts shall be transferred from the Department of Health Care Policy and Financing.

^o Of these amounts, it is estimated that \$6,611,855 shall be from the Temporary Assistance for Needy Families Block Grant, \$2,951,811 shall be from Food Stamp funds.

^p This amount shall be from the Temporary Assistance for Needy Families Block Grant. Any portion of these funds that remains unexpended and unencumbered at the end of FY 2008-09 shall be made available for expenditure in FY 2009-10 for CBMS changes related to the reauthorization of the federal TANF program.

^q This amount shall be from various sources of reappropriated funds.

SECTION 24. Part IX (1) of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General Assembly, is amended to read:

Section 2. **Appropriation.**

**PART IX
DEPARTMENT OF LABOR AND EMPLOYMENT**

(1) EXECUTIVE DIRECTOR'S OFFICE

Personal Services	12,605,645
	(167.4 FTE)
	(164.4 FTE)
Health, Life, and Dental	4,961,728
Short-term Disability	84,509

S.B. 04-257 Amortization Equalization Disbursement	1,040,110
S.B. 06-235 Supplemental Amortization Equalization Disbursement	487,552
Salary Survey and Senior Executive Service	2,545,895
Performance-based Pay Awards	957,125
Shift Differential	28,162
Workers' Compensation	759,115
Operating Expenses	1,533,477
Legal Services for 7,876 hours	591,488
Purchase of Services from Computer Center	1,429,057
Multiuse Network Payments	75,274
Payment to Risk Management and Property Funds	124,233
Vehicle Lease Payments	93,840
Leased Space	3,689,248
Capitol Complex Leased Space	27,324
Communication Services Payments	1,182
Utilities	260,309

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Information Technology Asset Maintenance	553,627					
Statewide Indirect Cost Assessment	545,879					
Disaster Recovery	484,144					
	32,878,923			16,989,928 ^a	1,125,882 ^b	14,763,113

^a Of this amount, it is estimated that \$6,940,614 shall be from the Employment Support Fund pursuant to Section 8-77-109 (1), C.R.S., \$5,646,655 shall be from the Workers' Compensation Cash Fund created in Section 8-44-112 (7), C.R.S., \$799,499 shall be from the Unemployment Revenue Fund created in Section 8-77-106 (1), C.R.S., \$445,488 shall be from the Major Medical Insurance Fund created in Section 8-46-202 (1), C.R.S. and the Subsequent Injury Fund created in Section 8-46-101 (1) (b) (I), C.R.S., \$383,320 shall be from the Boiler Inspection Fund created in Section 9-4-109 (4), C.R.S., \$345,922 shall be from the Petroleum Storage Tank Fund created in Section 8-20.5-103 (1), C.R.S., and \$2,428,430 shall be from various cash fund sources.

^b Of this amount, \$964,000 shall be transferred from the Division of Oil and Public Safety from funds appropriated for indirect cost recoveries from the Petroleum Storage Tank Fund created in Section 8-20.5-103 (1), C.R.S., \$157,598 shall be from statewide indirect cost recoveries, and \$4,284 shall be from the Department of Public Health and Environment.

SECTION 25. Part XII (1) and (5) of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General Assembly, are amended to read:

Section 2. **Appropriation.**

**PART XII
DEPARTMENT OF LOCAL AFFAIRS**

(1) EXECUTIVE DIRECTOR'S OFFICE

Personal Services	1,155,424	40,513 (0.5 FTE)		1,114,911 ^a (13.5 FTE) (12.7 FTE)	
Health, Life, and Dental	1,075,731	562,973	139,277 ^b	172,119 ^c	201,362
Short-term Disability	15,738	5,241	2,129 ^b	4,238 ^c	4,130
S.B. 04-257 Amortization Equalization Disbursement	193,694	64,510	26,498 ^b	51,858 ^c	50,828
S.B. 06-235 Supplemental Amortization Equalization Disbursement	90,794	30,239	11,663 ^b	25,066 ^c	23,826
Salary Survey and Senior Executive Service	458,469	161,726	68,068 ^b	94,235 ^c	134,440
Performance-based Pay Awards	184,590	92,714	18,125 ^b	26,488 ^c	47,263
Workers' Compensation	34,064	31,674	1,073 ^b	1,317 ^c	
Operating Expenses	144,175	132,413			11,762
Legal Services for 1,790 hours	134,429	121,970	6,312 ^b	1,268 ^c	4,879
Purchase of Services from Computer Center	40,303	40,303			
Multiuse Network Payments	67,409	37,835	3,241 ^b	4,777 ^c	21,556
Payment to Risk Management and Property Funds	17,928	16,673	1,122 ^b	133 ^c	

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Vehicle Lease Payments	95,937		77,430			18,507 ^c	
Information Technology Asset Maintenance	104,793		29,913		13,049 ^b	37,507 ^c	24,324
Leased Space	80,988		16,692			12,430 ^c	51,866
Capitol Complex Leased Space	473,484		346,132		24,391 ^d	55,408 ^c	47,553
Communication Services Payments	27,788		13,894				13,894
Moffat Tunnel Improvement District	92,958				92,958 ^c		
Workforce Development Council	466,016					466,016 ^f (4.0 FTE)	
Workforce Improvement Grants	870,000				20,000 ^e		850,000 (1.0 FTE)
		5,824,712					

^a This amount shall be from indirect cost recoveries.

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

^e These amounts shall be from the Local Government Mineral and Energy Impact Grants and Disbursements line item, 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) (a) (I), C.R.S.

^d Of this amount, \$10,019 shall be from the Building Regulation Fund created in Section 24-32-3309 (1), C.R.S., \$5,846 shall be from the Local Government Limited Gaming Impact Fund created in Section 12-47.1-1601 (1) (a), C.R.S., \$4,581 shall be from the Search and Rescue Fund created in Section 33-1-112.5 (1), C.R.S., and \$3,945 shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6 (3) (b), C.R.S.

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

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

^g This amount shall be from donations.

(5) DIVISION OF EMERGENCY MANAGEMENT

Administration	2,444,957	501,756 (7.2 FTE)	64,241 ^a (1.0 FTE)	1,878,960 (17.3 FTE) (16.3 FTE)
Disaster Response and Recovery	4,950,000		4,500,000 ^b	450,000
Preparedness Grants and Training	10,546,340		10,988 ^c	10,535,352
Indirect Cost Assessment	<u>125,809</u>		6,421 ^a	119,388
	18,067,106			

^a These amounts shall be from the Local Government Mineral and Energy Impact Grants and Disbursements line item, 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) (a) (I), C.R.S.

^b This amount shall be from the Disaster Emergency Fund established in Section 24-32-2106 (2) (a), C.R.S.

^c This amount shall be from fees paid for emergency training programs.

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

SECTION 26. Part XIII (1) of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General Assembly, is amended to read:

Section 2. **Appropriation.**

**PART XIII
DEPARTMENT OF MILITARY AND VETERANS AFFAIRS**

(1) EXECUTIVE DIRECTOR AND ARMY NATIONAL GUARD

Personal Services	2,147,047	1,922,542		3,624 ^a	220,881 ^b
	(34.7 FTE)				
	(34.3 FTE)				
Health, Life, and Dental	552,233	191,994		474 ^c	359,765 ^b
Short-term Disability	9,540	3,422		100 ^d	6,018 ^b
S.B. 04-257 Amortization Equalization					
Disbursement	116,543	41,236		1,240 ^d	74,067 ^b

S.B. 06-235				
Supplemental Amortization Equalization Disbursement	53,941	18,644	578 ^d	34,719 ^b
Salary Survey and Senior Executive Service	248,962	86,388	3,336 ^d	159,238 ^b
Performance-based Pay Awards	110,030	38,360	1,435 ^d	70,235 ^b
Shift Differential	17,480			17,480 ^b
Workers' Compensation	78,566	26,712		51,854 ^b
Operating Expenses	2,333,640	1,458,068	46,000 ^e	829,572 ^b
Information Technology Asset Maintenance	27,372	27,372		
Legal Services for 110 hours	8,261	8,261		
Purchase of Services from Computer Center	10,581	10,581		
Multiuse Network Payments	11,235	11,235		
Payment to Risk Management and Property Funds	153,342	153,342		
Vehicle Lease Payments	48,676	48,676		
Leased Space	44,978	44,978		
Capitol Complex Leased Space	81,972	62,220		19,752 ^b
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 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Communication Services Payments	11,233		11,233				
Local Armory Incentive Plan	46,610				46,610 ^a		
Distance Learning	3,000				3,000 ^f		
Colorado National Guard Tuition Fund	825,803		175,803			650,000 ^e	
Army National Guard Cooperative Agreement	<u>3,436,537</u>						3,436,537 ^b (51.5 FTE)
		10,377,582					

^a These amounts shall be from armory rental fees.

^b These amounts are pursuant to cooperative agreements with the federal government for operations of the Colorado National Guard.

^c This amount shall be from the Western Slope Military Veterans' Cemetery Fund created in Section 28-5-708 (1) (a), C.R.S.

^d Of these amounts, \$6,412 shall be from the Western Slope Military Veterans' Cemetery Fund created in Section 28-5-708 (1) (a), C.R.S., and \$277 shall be from armory rental fees.

^e This amount shall be from real estate proceeds, pursuant to Section 28-3-106 (1) (s) (I), C.R.S.

^f This amount shall be from the Distance Learning Cash Fund created in Section 28-3-108, C.R.S.

^g This amount shall be from the Department of Higher Education, Colorado Commission on Higher Education financial assistance program, pursuant to Section 23-3.3-202 (2), C.R.S.

SECTION 27. Part XIV (1), (6) (A), and (9) (A) (2) of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General Assembly, are amended to read:

Section 2. **Appropriation.**

**PART XIV
DEPARTMENT OF NATURAL RESOURCES**

(1) EXECUTIVE DIRECTOR'S OFFICE

Personal Services	5,096,415	240,588		4,855,827 ^a	
	(61.0 FTE)				
	(59.4 FTE)				
Health, Life, and Dental	8,142,015	1,878,076	5,315,461 ^b	292,835 ^a	655,643
Short-term Disability	131,569	28,010	87,750 ^b	5,607 ^a	10,202
S.B. 04-257 Amortization Equalization Disbursement	1,612,132	337,559	1,080,000 ^b	69,014 ^a	125,559
S.B. 06-235 Supplemental Amortization Equalization Disbursement	750,077	152,620	506,250 ^b	32,351 ^a	58,856
Salary Survey and Senior Executive Service	3,378,225	624,902	2,495,362 ^b	182,791 ^a	75,170
Performance-based Pay Awards	1,431,138	324,273	999,940 ^b	66,259 ^a	40,666
Shift Differential	19,373	5,812	13,561 ^b		
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Workers' Compensation	1,193,258		152,872		1,039,018 ^b		1,368
Operating Expenses	1,261,883				1,060,977 ^b	195,569 ^a	5,337
Legal Services for 43,952 hours	3,300,795		876,300		2,338,720 ^b	37,600 ^a	48,175
Purchase of Services from Computer Center	686,562		9,533		519,710 ^b	157,319 ^a	
Multiuse Network Payments	1,058,888		257,730		731,043 ^b	62,113 ^a	8,002
Payment to Risk Management and Property Funds	1,168,937		209,005		924,260 ^b	27,698 ^a	7,974
Vehicle Lease Payments	2,561,870		365,018		2,126,719 ^b		70,133
Information Technology Asset Maintenance	282,477		53,746		125,957 ^b	90,538 ^a	12,236
Leased Space	1,232,822		492,842		716,692 ^b		23,288
Capitol Complex Leased Space	866,705		243,501		348,807 ^b	169,706 ^a	104,691
Communications Services Payments	988,238		117,207		871,031 ^b		
		35,163,379					

^a These amounts shall be from statewide and departmental indirect cost recoveries.

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

(6) PARKS AND OUTDOOR RECREATION

(A) State Park

Operations	24,576,532	5,783,168	18,347,975 ^a	445,389 ^b
	(261.1 FTE)			
	(260.7 FTE)			

^a Of this amount, \$17,388,420 shall be from the Parks and Outdoor Recreation Cash Fund established pursuant to Section 33-10-111 (1), C.R.S., \$505,806 shall be from Lottery proceeds (including reserves from prior years) and is shown for informational purposes only, \$396,254 shall be from various sources of cash funds, \$50,058 shall be from the Snowmobile Recreation Fund established pursuant to Section 33-14-106, C.R.S., and \$7,437 shall be from the Off-highway Vehicle Recreation Fund established pursuant to Section 33-14.5-106 (1), C.R.S.

^b This amount is anticipated to be received from the United States Bureau of Reclamation through a cost-sharing agreement to address the net operating deficit of Paonia, Vega, Rifle Gap, Crawford, and Navajo State parks, and is shown for informational purposes only.

(9) DIVISION OF WILDLIFE

(A) Division Operations

(1) Director's Office	2,048,629
	(18.0 FTE)
(2) Wildlife Management	63,387,101
	(555.4 FTE)
	(554.4 FTE)
(3) Technical Services	6,516,885
	(61.0 FTE)
(4) Information Technology	2,893,500
	<u>(18.0 FTE)</u>

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
74,846,115				64,446,583 ^a		10,399,532

^a Of this amount, \$55,926,583 shall be from the Wildlife Cash Fund established pursuant to Section 33-1-112 (1), C.R.S., \$6,200,000 shall be from the Great Outdoors Colorado Board and is shown for information purposes only, \$1,100,000 shall be from the Wildlife Management Public Education Fund established pursuant to Section 33-1-112 (3.5) (a), C.R.S., \$555,000 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 Sections 39-22-702 and 703, C.R.S., \$150,000 shall be from cash grants and donations, and \$15,000 shall be from the Federal Aid Projects Income Fund.

SECTION 28. Part XV (1), (4) (B) (1), (4) (B) (2), (4) (B) (3), (4) (C), (5) (B), (6) (A), (6) (B), (6) (C), (6) (D), (6) (E), (6) (F), (6) (G), and (6) (H) and the affected totals of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General Assembly, are amended to read:

Section 2. **Appropriation.**

**PART XV
DEPARTMENT OF PERSONNEL AND ADMINISTRATION**

(1) EXECUTIVE DIRECTOR'S OFFICE

Personal Services	1,707,188		1,707,188 ^a
	(21.5 FTE)		
Health, Life, and Dental	2,658,273	646,399	2,011,874^a
	1,847,890		1,201,491 ^b

Short-term Disability	43,726 28,704	3,661	40,065 25,043 ^c
S.B. 04-257 Amortization Equalization Disbursement	537,233 352,343	44,125	493,108 308,218 ^c
S.B. 06-235 Supplemental Amortization Equalization Disbursement	251,094 164,427	19,950	231,144 144,477 ^c
Salary Survey and Senior Executive Service	1,261,487 831,885	389,908	871,579 441,977 ^b
Performance-based Pay Awards	502,318 325,410	141,466	360,852 183,944 ^b
Shift Differential	83,246 39,126		83,246 39,126 ^d
Workers' Compensation	292,418 205,462	61,346	231,072 144,116 ^b
Operating Expenses	99,842		99,842 ^c
Legal Services for 4,026 3,945 hours	302,353 296,270	246,803	55,550 49,467 ^b
Administrative Law Judge Services	2,633		2,633 ^b
Purchase of Services from Computer Center	4,324,743	2,090,700	2,234,043 ^b

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 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	2,294,353		947,875			1,346,478 ^b	
Multiuse Network Payments	105,608					105,608 ^a	
	67,547					67,547 ^b	
Payment to Risk Management and Property Funds	927,721		194,582			733,139 ^a	
	651,845					457,263 ^b	
Vehicle Lease Payments	147,592		2,118			145,474 ^a	
	43,315					41,197 ^b	
Leased Space	1,616,226		434,813		17,163 ^f	1,164,250 ^a	
	1,313,306					861,330 ^b	
Capitol Complex Leased Space	1,189,575		559,100			630,475 ^a	
	809,098					249,998 ^b	
Communications Services Payments	887		887				
Test Facility Lease	119,842		119,842				
Employment Security Contract Payment	17,400		10,889			6,511 ^b	
Employees Emeritus Retirement	11,370		11,370				

Health Insurance
 Portability and
 Accountability Act of
 1996 - Security

Remediation	227,638	72,520	155,118 ^e
	(2.0 FTE)		
	<u>(1.0 FTE)</u>		
	16,430,413		
	11,457,781		

^a This amount shall be from indirect cost recoveries.

^b These amounts shall be from fees from user agencies.

^c Of these amounts, ~~\$672,266~~ \$385,687 shall be from user fees from other agencies, \$47,046 shall be from indirect cost recoveries, \$40,473 shall be from statewide indirect cost recoveries from the Department of Labor and Employment, and \$4,532 shall be from statewide indirect cost recoveries from the Department of Transportation.

^d This amount 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), C.R.S., and the Computer Services Revolving Fund created in Section 24-30-1606 (2), C.R.S., and from the Public Safety Communications Trust Fund created in Section 24-30-908.5 (1), C.R.S. For informational purposes, funds from the Department of Personnel Revolving Fund, the Telecommunications Revolving Fund, and the Computer Services Revolving Fund, originate as user fees transferred from other state agencies.

^e This amount shall be from indirect cost recoveries.

^f This amount shall be from the Supplier Database Cash Fund created in Section 24-102-202.5 (2) (a), C.R.S.

^g This amount shall be from the Computer Services Revolving Fund created in Section 24-30-1606 (2), C.R.S. For informational purposes, this amount originates as user fees transferred from other state agencies.

**(4) CENTRAL
 SERVICES**

(B) Integrated Document Factory

(1) Reprographics Services

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Personal Services	1,206,961						
	(24.6 FTE)						
	(23.3 FTE)						
Operating Expenses	2,404,752						
Indirect Cost Assessment	169,705						
	<u>3,781,418</u>					3,781,418 ^a	

^a This amount shall be from fees from user agencies deposited in the Department of Personnel Revolving Fund created in Section 24-30-1108 (1), C.R.S.

(2) Document Solutions Group

Personal Services	2,755,757						
	(60.0 FTE)						
	(55.7 FTE)						
Operating Expenses	407,519						
Utilities	69,000						
Indirect Cost Assessment	136,708						
	<u>3,368,984</u>					3,368,984 ^a	

^a This amount shall be from fees from user agencies deposited in the Department of Personnel Revolving Fund created in Section 24-30-1108 (1), C.R.S.

(3) Mail Services

Personal Services	1,253,725	
	(36.0 FTE)	
	(34.6 FTE)	
Operating Expenses	7,944,200	
Indirect Cost Assessment	237,215	
	<u>9,435,140</u>	9,435,140 ^a

^a This amount shall be from fees from user agencies deposited in the Department of Personnel Revolving Fund created in Section 24-30-1108 (1), C.R.S.

(C) Fleet Management Program and Motor Pool Services

Personal Services	829,515	
	(16.0 FTE)	
	(14.0 FTE)	
Operating Expenses	20,677,433	
Vehicle Replacement		
Lease, Purchase or		
Lease/Purchase	12,558,203 ^a	
Indirect Cost Assessment	302,858	
	<u>34,368,009</u>	34,368,009 ^b

^a Pursuant to Section 24-82-801 (2), C.R.S., the Department of Personnel and Administration is authorized to enter into a lease-purchase agreement for the approved FY 2008-09 vehicle replacements and additions. The lease-purchase agreement shall be for a period of up to ten years and shall not exceed an amount over \$17,000,000.

^b This amount shall be from fees from user agencies deposited in the Motor Fleet Management Fund pursuant to Section 24-30-1115, C.R.S.

(5) FINANCE AND PROCUREMENT

(B) Supplier Database

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Personal Services	190,584				190,584 ^a		
					(3.0 FTE)		
					(2.0 FTE)		
Operating Expenses	<u>43,382</u>				43,382 ^a		
	233,966						

^a These amounts shall be from the Supplier Database Cash Fund created in Section 24-102-202.5 (2) (a), C.R.S.

~~(6) DIVISION OF INFORMATION TECHNOLOGY~~

~~(A) Administration~~

Personal Services	419,800						
	(6.0 FTE)						
Operating Expenses	<u>6,450</u>						
	426,250					426,250 ^a	

~~^a This amount shall be from user fees from other state agencies deposited in the Telecommunications Revolving Fund created in Section 24-30-908 (1), C.R.S., and the Computer Services Revolving Fund created in Section 24-30-1606 (2), C.R.S.~~

~~(B) Customer Services~~

Personal Services	917,727						
	(12.0 FTE)						

Operating Expenses	<u>14,625</u>	
	932,352	932,352*

*This amount shall be from user fees from other state agencies deposited in the Telecommunications Revolving Fund created in Section 24-30-908 (1), C.R.S., and the Computer Services Revolving Fund created in Section 24-30-1606 (2), C.R.S.

(C) Order Billing

Personal Services	662,877	
	(10.0 FTE)	
Operating Expenses	<u>10,750</u>	
	673,627	673,627*

*This amount shall be from user fees from other state agencies deposited in the Telecommunications Revolving Fund pursuant to Section 24-30-908 (1), C.R.S.

(D) Communications Services

Personal Services	3,567,121			
	(46.0 FTE)			
Operating Expenses	134,631			
Training	22,000			
Utilities	165,002			
Snocat Replacement	230,520			
Local Systems				
Development	121,000			
Indirect Cost Assessment	<u>474,771</u>			
	4,715,045	721,134*	3,872,911*	121,000*

*This amount shall be from reserves in the Public Safety Communications Trust Fund created in Section 24-30-908.5 (1), C.R.S.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(E) Network Services						
Personal Services	1,525,435					
	(17.0 FTE)					
Operating Expenses	16,200,371					
Toll-free Telephone						
Access to Members of the General Assembly	25,000					
Indirect Cost Assessment	202,616					
	<u>17,953,422</u>			1,200,000*	16,753,422*	

*Of this amount, \$3,806,760 shall be from fees from user agencies, and \$66,151 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 (3), C.R.S.

*This amount reflects funds anticipated to be received from the National Oceanic and Atmospheric Administration and is shown for informational purposes only.

*This amount shall be from user fees from non-state agencies deposited in the Telecommunications Revolving Fund created in Section 24-30-908 (1), C.R.S.

*This amount shall be from fees from user agencies deposited in the Telecommunications Revolving Fund created in Section 24-30-908 (1), C.R.S.

(F) Computer Services

Personal Services	2,745,773
	(40.8 FTE)
Operating Expenses	6,181,350

Rental, Lease, or					
Lease/Purchase of Central					
Processing Unit	336,034				
Indirect Cost Assessment	<u>678,807</u>				
	9,941,964			2,328 ^a	9,939,636 ^a

^a This amount shall be from various local governments deposited in the Computer Services Revolving Fund created in Section 24-30-1606 (2), C.R.S.

^b This amount shall be from fees from user agencies deposited in the Computer Services Revolving Fund created in Section 24-30-1606 (2), C.R.S.

~~(G) Information and Archival Services~~

(6) INFORMATION AND ARCHIVAL SERVICES

Personal Services	508,124				
	(9.0 FTE)				
	(8.5 FTE)				
Operating Expenses	<u>56,794</u>				
	564,918	564,918	460,206	93,811 ^a	10,901 ^b

^a This amount shall be from user fees from non-state agencies.

^b This amount shall be from user fees from state agencies.

~~(H) Technology Management Unit~~

Personal Services	2,990,203				
	(35.5 FTE)				
Operating Expenses	<u>529,371</u>				
	3,519,574				3,519,574 ^a

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	38,727,152					
	564,918					
TOTALS PART XV (PERSONNEL)	\$190,217,423	\$7,521,808		\$8,319,877	\$174,254,738	\$121,000
	<u>\$147,082,557</u>	<u>\$6,378,983</u>		<u>\$6,396,415</u>	<u>\$134,307,159</u>	

*This amount shall be from user fees from other state agencies deposited in the Telecommunications Revolving Fund created in Section 24-30-908 (1), C.R.S., and the Computer Services Revolving Fund created in Section 24-30-1606 (2), C.R.S.

SECTION 29. Part XVI (2) (B), (9) (E), and (10) (F) of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General Assembly, are amended to read:

Section 2. **Appropriation.**

**PART XVI
DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

(2) CENTER FOR HEALTH AND ENVIRONMENTAL INFORMATION

(B) Information Technology Services

Personal Services	2,216,106	9,552	166,096 ^a	1,756,940 ^b	283,518
			(0.8 FTE)	(20.9 FTE)	(2.7 FTE)

Operating Expenses	883,875	101,677 ^a	(20.4 FTE) 661,219 ^b	120,979
Purchase of Services from Computer Center	407,446	42,572 ^a	328,800 ^b	36,074
Multiuse Network Payments	<u>61,792</u>		55,275 ^b	6,517
	3,569,219			

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

^b Of these amounts, \$2,787,089 shall be from indirect cost recoveries, and \$15,145 shall be from Medicaid cash funds appropriated to the Department of Health Care Policy and Financing.

(9) DISEASE CONTROL AND ENVIRONMENTAL EPIDEMIOLOGY DIVISION

(E) Federal Grants	9,639,290			9,639,290
				(50.3 FTE)
				(49.3 FTE)
	70,269,316			

(10) PREVENTION SERVICES DIVISION

(F) Nutrition Services

Women, Infants, and Children Supplemental Food Grant	69,448,035			69,448,035
				(22.3 FTE)
				(21.3 FTE)

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Child and Adult Care Food Program	24,069,644					24,069,644 (12.8 FTE)
	<u>93,517,679</u>					

SECTION 30. Part XVII (1) (A) and (5) (B) (3) of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General Assembly, are amended to read:

Section 2. **Appropriation.**

**PART XVII
DEPARTMENT OF PUBLIC SAFETY**

(I) EXECUTIVE DIRECTOR'S OFFICE

(A) Administration

Personal Services	2,298,775			30,163 ^a	2,268,612 ^b (30.7 FTE) (29.7 FTE)	
Health, Life, and Dental	7,355,427	1,413,112		5,295,491 ^c	315,606 ^d	331,218
Short-term Disability	118,253	21,309		78,242 ^c	9,993 ^d	8,709

S.B. 04-257 Amortization Equalization Disbursement	1,452,376	262,259	962,974 ^c	119,958 ^d	107,185
S.B. 06-235 Supplemental Amortization Equalization Disbursement	680,802	122,934	451,394 ^c	56,231 ^d	50,243
Salary Survey and Senior Executive Service	4,439,716	788,331	3,319,808 ^c	204,988 ^d	126,589
Performance-based Pay Awards	1,312,746	299,247	899,995 ^c	74,557 ^d	38,947
Shift Differential	299,351	61,902	237,449 ^c		
Workers' Compensation Operating Expenses	2,208,521			2,208,521 ^b	
Legal Services for 2,113 hours	161,645			161,645 ^b	
Purchase of Services from Computer Center	67,043			67,043 ^b	
Multiuse Network Payments	1,198,201		42,495 ^a	1,155,706 ^b	
Payment to Risk Management and Property Funds	985,251	408,543	12,039 ^a	564,669 ^b	
Vehicle Lease Payments	50,454	16,614	2,258 ^c	31,582 ^f	
Leased Space	1,907,259	858,230	494,386 ^e	554,643 ^f	
Capitol Complex Leased Space	1,137,818		501,224 ^g	636,594 ^h	

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Communication Services						
Payments	629,954			584,573 ^a	39,053 ^b	6,328
Utilities	87,407			85,907 ^a	1,500 ⁱ	
Distributions to Local Government	50,000			50,000 ^j		
	<u>26,599,685</u>					

^a These amounts shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S.

^b These amounts shall be from indirect cost recoveries.

^c Of this amount, \$10,403,547 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S. and \$841,806 shall be from various sources.

^d Of these amounts, \$102,693 shall be from other state agencies for dispatch services, \$54,179 shall be from the Department of Personnel capitol complex leased space rent proceeds, \$46,938 shall be from indirect cost recoveries, and \$577,523 shall be from various sources.

^e This amount shall be from various sources.

^f Of these amounts, \$519,853 shall be from indirect cost recoveries, and \$66,372 shall be from Limited Gaming funds appropriated to the Department of Revenue.

^g Of these amounts, \$1,531,836 shall be from the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S. and \$48,347 shall be from various sources.

^h Of these amount, \$650,298 shall be from indirect cost recoveries and \$25,349 shall be from various sources.

ⁱ This amount shall be from Limited Gaming funds appropriated to the Department of Revenue.

^j This amount shall be from the Hazardous Materials Safety Fund created in Section 42-20-107 (1), C.R.S.

(5) COLORADO BUREAU OF INVESTIGATION

(B) Colorado Crime Information Center (CCIC)

(3) Information Technology			
Personal Services	1,294,254	1,239,638	54,616 ^a
		(17.0 FTE)	(1.0 FTE)
		(16.0 FTE)	
Operating Expenses	<u>1,353,919</u>	651,406	702,513 ^b
	2,648,173		

^a This amount shall be from fees collected and credited to the Sex Offender Registry Fund pursuant to Section 16-22-110 (7), C.R.S.

^b Of this amount, \$631,875 shall be from fingerprint and name check processing fees collected from non-state agencies, \$45,811 shall be from the Sex Offender Registry Fund created in Section 16-22-110 (7), C.R.S., and \$24,827 shall be from various sources.

SECTION 31. Part XVIII (1) of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General Assembly, are amended to read:

Section 2. **Appropriation.**

**PART XVIII
DEPARTMENT OF REGULATORY AGENCIES**

(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES

Personal Services	3,961,046	24,936	36,310 ^a	3,899,800 ^b	
				(54.0 FTE)	
				(52.3 FTE)	
Health, Life, and Dental	2,477,430	78,208	1,902,287 ^c	460,167 ^b	36,768 ^d
Short-term Disability	47,155	1,074	38,181 ^c	7,427 ^b	473 ^d
S.B. 04-257 Amortization					
Equalization Disbursement	580,087	12,938	469,915 ^c	91,409 ^b	5,825 ^d

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 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
S.B. 06-235 Supplemental Amortization Equalization Disbursement	271,701		5,850		220,272 ^c	42,848 ^b	2,731 ^d
Salary Survey and Senior Executive Service	1,325,901		64,174		1,047,658 ^c	214,069 ^b	
Performance-based Pay Awards	530,143		21,972		426,446 ^c	81,725 ^b	
Workers' Compensation	104,352		3,667		88,149 ^c	10,771 ^b	1,765 ^d
Operating Expenses	209,671		3,689		95,427 ^c	110,555 ^b	
Legal Services for 98,869 hours	7,425,063		143,940		7,000,635 ^c	138,511 ^b	141,977 ^d
Administrative Law Judge Services	239,949		11,054		228,895 ^c		
Purchase of Services from Computer Center	51,060					51,060 ^b	
Payment to Risk Management and Property Funds	85,486		3,148		67,971 ^c	12,322 ^b	2,045 ^d
Vehicle Lease Payments	130,536				130,536 ^c		
Information Technology Asset Maintenance	671,403				354,412 ^c	190,757 ^b	126,234 ^d
Leased Space	2,790,497		91,259		2,251,493 ^c	420,490 ^b	27,255 ^d

Capitol Complex Leased Space	1,284		1,284 ^c	
Hardware/Software Maintenance	<u>669,117</u>	800	409,715 ^c	258,602 ^b
				21,571,881

^a Of this amount, it is estimated that \$11,810 shall be from the Inspection and Consumer Services Cash Fund created in Section 35-1-106.5 (1), C.R.S., \$8,000 shall be from the River Outfitters Cash Fund created in Section 33-32-111, C.R.S., \$5,000 shall be from the Workers' Compensation Cash Fund created in Section 8-44-112 (7) (a), C.R.S., \$4,500 shall be from the Colorado Commission for the Deaf and Hard of Hearing Cash Fund created in Section 26-21-107 (1), C.R.S., \$4,000 shall be from the Pet Animal Care and Facility Fund created in Section 35-80-116, C.R.S., and \$3,000 shall be from the Notary Administration Cash Fund created in to Section 12-55-102.5 (1), C.R.S.

^b Of these amounts, it is estimated that \$5,895,399 shall be from indirect cost recoveries, \$43,057 shall be from the Department of Public Health and Environment, \$43,057 shall be from the Department of Health Care Policy and Financing, and \$9,000 shall be from other departments for sunset reviews.

^c These amounts shall be from various cash sources within the Department.

^d These amounts shall be from the Equal Employment Opportunity Commission, the U.S. Department of Housing and Urban Development, the U.S. Department of Justice, and the Health Information Counseling and Assistance Grant Program, and are included for informational purposes only.

SECTION 32. Part XIX (3) (A) of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General Assembly, is amended to read:

Section 2. **Appropriation.**

**PART XIX
DEPARTMENT OF REVENUE**

(3) INFORMATION TECHNOLOGY DIVISION

(A) Systems Support

Personal Services	6,353,445	4,300,497	1,579,096 ^a	473,852 ^b
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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	(84.4 FTE)					
	(79.9 FTE)					
Operating Expenses	724,313	724,313				
Programming Costs for 2008 Session Legislation	226,788	66,846		159,942 ^c		
	(2.2 FTE)					
	<u>7,304,546</u>					

^a This amount shall be from the following funds for the purpose of indirect cost recoveries: \$467,029 from the Colorado State Titling and Registration Account pursuant to Section 42-1-211 (2), C.R.S., \$465,580 from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$183,794 from the Licensing Services Cash Fund pursuant to Section 42-2-114.5, C.R.S., \$138,578 from the Driver's License Administrative Revocation Account pursuant to Section 42-2-132 (4) (b), C.R.S., \$98,050 from the Auto Dealers License Fund created pursuant to Section 12-6-123 (1), C.R.S., \$65,888 from the Liquor Enforcement Division and State Licensing Authority Cash Fund pursuant to Section 24-35-401, C.R.S., \$64,154 from the Racing Cash Fund pursuant to Section 12-60-205 (1), C.R.S., \$60,796 from the Department of Revenue subaccount of the AIR Account of the Highway Users Tax Fund pursuant to Section 42-3-304 (18) (c), \$16,637 from the Outstanding Judgments and Warrants Account as administered under Section 42-2-118 (3) (c), C.R.S., \$5,883 from the Highway Users Tax Fund exempt from the statutory limit under Section 43-4-201 (3) (a) (V), C.R.S., \$4,518 from the Aviation Fund pursuant to Section 43-10-109 (1), C.R.S., \$4,210 from the Penalty Assessment Account as administered under the provisions of Section 42-1-217 (2), C.R.S., \$3,922 from the Motorist Insurance Identification Account pursuant to Section 42-3-304 (18) (d) (I), C.R.S., and \$57 from the Waste Tire Recycling Development Cash Fund pursuant to Section 25-17-202 (3) (a), C.R.S.

^b Of this amount, \$262,677 shall be from the State Lottery Fund created in Section 24-35-210 (1), C.R.S., and \$211,175 shall be from the Limited Gaming Fund created in Section 12-47.1-701 (1), C.R.S.

^c This amount shall be from various sources of cash funds.

SECTION 33. Part XXI (1) of section 2 of House Bill 08-1375, enacted at the Second Regular Session of the Sixty-sixth General

Assembly, is amended to read:

Section 2. **Appropriation.**

**PART XXI
DEPARTMENT OF TRANSPORTATION**

(1) ADMINISTRATION	27,358,998	25,286,780 ^a	2,072,218 ^b
		(211.2 FTE)	(15.0 FTE)
		(208.2 FTE)	

^a This amount shall be from the State Highway Fund pursuant to Section 43-4-205 (5) (a), C.R.S. Included in this total amount is \$494,158 for 6,580 hours of legal services.

^b This amount shall be funded internally by various cash fund sources in the Department.

SECTION 34. Effective date. This act shall take effect upon passage; except that sections 19 through 33 shall only take effect if House Bill 08-1375 is enacted at the Sixty-sixth General Assembly and becomes law.

SECTION 35. 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: May 22, 2008