

CHAPTER 454

APPROPRIATIONS

HOUSE BILL 08-1284

BY REPRESENTATIVE(S) Buescher, Pommer, White, Benefield, Gallegos, and McKinley;
also SENATOR(S) Keller, Morse, and Johnson.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE OFFICES OF THE GOVERNOR, LIEUTENANT GOVERNOR, AND STATE PLANNING AND BUDGETING.

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

SECTION 1. Part IV of section 2 of chapter 466, Session Laws of Colorado 2007, is amended to read:

Section 2. **Appropriation.**

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

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

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

(1) OFFICE OF THE GOVERNOR¹⁸

(A) Governor's Office

Administration of
Governor's Office and

Residence	2,564,671	2,393,880 (36.4 FTE)		151,371 ^a	19,420(T) ^b
Discretionary Fund	20,000	20,000			
Mansion Activity Fund	<u>200,000</u>			160,000 ^c	40,000 ^d
	2,784,671				

^a This amount shall be from the Operational Account of the Severance Tax Trust Fund created in Section 39-29-109, C.R.S.

^b This amount shall include \$10,405 in indirect cost recoveries collected from the State Highway Fund by the Department of Transportation, pursuant to Section 43-1-113 (8) (a), C.R.S., and \$9,015 shall be from indirect cost recoveries from federal grants received by the Office of the Governor.

^c This amount shall be from rental fees.

^d This amount shall be from rental fees received from exempt sources.

(B) Special Purpose

Health, Life, and Dental	624,239 505,644	397,495		214,006(T)⁷ 95,411(T) ^a	12,738
Short-term Disability	10,894 8,944	6,615	583 ^b	3,518(T)⁷ 1,568(T) ^a	178
S.B. 04-257 Amortization Equalization Disbursement	98,929 80,930	59,431	5,379 ^b	32,480(T)⁷ 14,481(T) ^a	1,639
S.B. 06-235 Supplemental Amortization Equalization Disbursement	18,916 15,166	10,687	1,121 ^b	6,767(T)⁷ 3,017(T) ^a	341
Salary Survey and Senior Executive Service	294,256 235,537	183,657		105,960(T)⁷ 47,241(T) ^a	4,639
Performance-based Pay Awards	109,843 87,730	68,192		39,904(T)⁷ 17,791(T) ^a	1,747
Workers' Compensation	8,703 9,454	8,703 9,454			
Legal Services for 1,391 1,371 hours	100,194 198,747	97,584 197,584		2,610(T)⁷ 1,163(T) ^a	

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Purchase of Services from Computer Center	70,921		70,921				
	42,969		42,969				
Multiuse Network Payments	48,126		48,126				
	17,736		17,736				
Payment to Risk Management and Property Funds	152,255		152,255				
	97,477		97,477				
Capitol Complex Leased Space	262,569		262,569				
	<u>266,704</u>		266,704				
	<u>1,799,845</u>						
	1,567,038						

^a ~~Of these amounts, \$224,573 shall be for the purpose of indirect cost recoveries collected from the Department of Human Services, \$180,672~~ THESE AMOUNTS shall be for the purpose of indirect cost recoveries collected from the State Highway Fund by the Department of Transportation, pursuant to Section 43-1-113 (8) (a), C.R.S.

^b These amounts shall be from various cash sources.

(C) Other Programs and Grants

Program Administration	11,067,114		11,067,114 ^a
Low-Income Energy Assistance	6,050,000	6,050,000 ^b	
Colorado Renewable Energy Authority	2,000,000	2,000,000 ^b	
Legal Services for 230 hours	16,567		16,567 ^c
Indirect Cost Assessment	9,015		9,015 ^d
	<u>19,142,696</u>		

^a This amount includes federal grants estimated to be received by the Governor's Office for the Office of Energy Conservation, the Headstart Program, and other initiatives, and is included for informational purposes only.

^b These amounts shall be from the Operational Account of the Severance Tax Trust Fund created in Section 39-29-109, C.R.S.

^c This amount shall be for legal services for the Office of Energy Conservation, and is included for informational purposes only.

^d This amount shall be for indirect cost recoveries, and is included for informational purposes only.

~~23,727,212~~
23,494,405

(2) OFFICE OF THE LIEUTENANT GOVERNOR

Administration	206,655	206,655 (2.7 FTE)	
Discretionary Fund	5,000	5,000	
Commission of Indian Affairs	85,367	83,867	1,500 ^a

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
			(2.3 FTE)			
	297,022					

^a This amount shall be from private donations.

(3) OFFICE OF STATE PLANNING AND BUDGETING^{18, 19, 20}

Personal Services	1,321,692				1,321,692(T) ^a	
					(19.5 FTE)	
Operating Expenses	51,724				51,724(T) ^a	
Economic Forecasting						
Subscriptions	<u>16,362</u>				16,362(T) ^a	
	1,389,778					

^a ~~These amounts~~ OF THIS AMOUNT, \$1,305,930 shall be from indirect cost recoveries collected from the State Highway Fund by the Department of Transportation, pursuant to Section 43-1-113 (8)(a), ~~C.R.S.~~ C.R.S., AND \$83,848 SHALL BE FROM INDIRECT COST RECOVERIES FROM THE DEPARTMENT OF LABOR AND EMPLOYMENT.

(4) ECONOMIC DEVELOPMENT PROGRAMS

Administration	429,822	415,033			14,789(T) ^a	
		(6.0 FTE)				
Vehicle Lease Payments	17,052	17,052				
	15,775	15,775				

Leased Space	231,540	231,540		
Business Development	853,515	838,515	15,000 ^b	
		(9.2 FTE)		
Grand Junction Satellite Office	64,117	64,117		
		(1.0 FTE)		
Minority Business Office	119,286	114,336	4,950 ^c	
		(2.0 FTE)		
Leading Edge Program Grants	126,407	50,976	75,431 ^d	
Small Business Development Centers	1,267,998	66,315		1,201,683
		(1.0 FTE)		(2.5 FTE)
International Trade Office	664,462	614,462	50,000 ^b	
		(6.0 FTE)		
Colorado Promotion - Colorado Welcome Centers	494,960	399,547	95,413 ^e	
		(3.3 FTE)		
Colorado Promotion - Other Program Costs	19,300,288		19,300,288 ^e	
			(3.0 FTE)	
Economic Development Commission - General Economic Incentives and Marketing	964,061	964,061		
		(2.0 FTE)		
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Colorado First							
Customized Job Training	2,725,022		2,725,022				
CAPCO Administration	78,634					78,634(T) ^f	
						(1.0 FTE)	
Council on the Arts	2,281,336					1,581,336 ^e	700,000
						(2.0 FTE)	
Film Incentives	510,500					510,500 ^h	
New Jobs Incentives	3,063,000					3,063,000 ⁱ	
Indirect Cost Assessment	<u>14,855</u>				66 ^j		14,789
		33,206,855					
		33,205,578					

^a This amount shall be from indirect cost recoveries collected from federal revenues received by the Office of Economic Development.

^b These amounts shall be from various fees collected.

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

^d This amount shall be from grants and donations.

^e These amounts shall be from reserves in the Colorado Travel and Tourism Promotion Fund created in Section 24-49.7-106, C.R.S.

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

^g This amount shall be from the State Council on the Arts Cash Fund created in Section 23-9-108, C.R.S.

^h This amount shall be from the Film Incentives Cash Fund created in Section 24-46-105.8, C.R.S.

ⁱ This amount shall be from the New Jobs Incentives Cash Fund created in Section 24-46-105.7, C.R.S.

^j This amount shall be from various cash fund sources collected by the Office of Economic Development.

(5) OFFICE OF INFORMATION TECHNOLOGY

Personal Services	1,046,117	1,046,117
		(13.0 FTE)
Operating Expenses	150,268	150,268
Legal Services for 26 hours	<u>1,873</u>	1,873
	1,198,258	

(6) OFFICE OF COLORADO BENEFITS MANAGEMENT SYSTEM

Program Costs	<u>1,917,427</u>	1,917,427(T) ^g
	1,917,427	(24.0 FTE)

~~^g This amount shall be from the Department of Human Services.~~

(7) OFFICE OF THE CHIEF INFORMATION SECURITY OFFICER

Program Costs	<u>2,449,560</u>	2,449,560(T) ^a
	2,449,560	(2.0 FTE)

^a This amount shall be from various sources and from various departments.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
TOTALS PART IV (GOVERNOR- LIEUTENANT GOVERNOR- STATE PLANNING AND BUDGETING)^{4,5}	\$64,186,112	\$11,774,871		\$8,438,470	\$30,942,321 ^a	\$13,030,450
	<u>\$62,034,601</u>	<u>\$11,765,360</u>			<u>\$28,800,321^a</u>	

^a Of this amount, ~~\$6,274,853~~ \$4,132,853 contains a (T) notation.

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

- 4 All Departments, Totals -- The General Assembly requests that copies of all reports requested in other footnotes contained in this act be delivered to the Joint Budget Committee and the majority and minority leadership in each house of the General Assembly.
- 5 All Departments, Totals -- Every Department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2007-08. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.
- 18 Governor - Lieutenant Governor - State Planning and Budgeting, Office of the Governor; and Office of State Planning and Budgeting -- As part of the FY 2008-09 budget submission, the Office of State Planning and Budgeting is requested to provide a report on indirect cost

recoveries from federal programs that are administered through the Office of the Governor or that are not shown elsewhere in the Long Bill. The report should include an analysis, by federal program, of: Statewide and departmental indirect costs collected in FY 2005-06 and FY 2006-07; where funds collected were spent; the potential for additional indirect cost collections in FY 2007-08 and future years; and the potential for offsetting General Fund expenditures in the Office of the Governor or other departments through these collections. For each federal program that was not assessed statewide and departmental indirect costs, the report should explain why these costs were not assessed.

- 19 Governor - Lieutenant Governor - State Planning and Budgeting, Office of State Planning and Budgeting -- The Office of State Planning and Budgeting is requested to work with the Joint Budget Committee staff to draft a report concerning the common policy for provider rates. The report should consider the following factors: Distinguishing providers serving Colorado's most vulnerable populations; salaries and benefits; turn-over rates and attrition among staff. Targeted provider rate increases that deviate from the common policy provider rate based on inequity among providers should be considered. The report should be submitted to the Joint Budget Committee by October 1, 2007.
- 20 Governor - Lieutenant Governor - State Planning and Budgeting, Office of State Planning and Budgeting; and Department of Personnel and Administration, Division of Human Resources, Human Resource Services -- The Department of Personnel and Administration shall comply with the statutory provisions of Section 24-50-110 (1)(d), C.R.S., and is requested to provide other state departments with the information necessary to comply with this statute. The Office of State Planning and Budgeting and the Department of Personnel and Administration are requested to work with the departments to improve the timeliness and accuracy of information about state personnel. Improvements, at a minimum, should include: updating personnel information on a centralized computerized database; accurate reporting of filled FTE positions; number of reclassifications that are approved; turnover rates by agency; tracking of FTE positions funded to FTE positions filled; an accurate count of part-time and temporary FTE positions; and elimination of unused FTE positions. The Department of Personnel and Administration and the Office of State Planning and Budgeting are requested to submit a consolidated statewide personnel report to the General Assembly by September 1, 2007. This report should include, by line item and department, a summary of vacant positions, the length of time each position has been vacant, and the number of reclassifications that were approved in FY 2006-07.

SECTION 2. Part IV (4) and the affected totals of section 2 of chapter 394, Session Laws of Colorado 2006, as the said Part IV (4) and the affected totals are amended by section 1 of chapter 444, as the affected totals are further amended by section 1 of chapter 445, and as the said Part (IV) (4) and the affected totals are further amended by section 9 of chapter 466, Session Laws of Colorado 2007, are amended to read:

Section 2. **Appropriation.**

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

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

(4) ECONOMIC DEVELOPMENT PROGRAMS^{19a}

Administration	418,308	403,519 (6.0 FTE)			14,789(T) ^a	
Vehicle Lease Payments	13,580	13,580				
Leased Space	231,540	231,540				
Business Development	829,721	814,721 (9.2 FTE)		15,000 ^b		
Grand Junction Satellite Office	64,242	64,242 (1.0 FTE)				
Minority Business Office	116,328	111,378 (2.0 FTE)		4,950 ^c		
Leading Edge Program Grants	126,407	50,976			75,431 ^d	
Small Business Development Centers	1,265,149	63,154 (1.0 FTE)				1,201,995 (2.5 FTE)

International Trade Office ¹⁸	662,987	612,987 (6.0 FTE)	50,000 ^b	
Colorado Promotion - Colorado Welcome Centers	491,721	396,308 (3.3 FTE)		95,413 ^c
Colorado Promotion - Other Program Costs	18,954,587 2,350,000		18,904,587^f 2,300,000 ^f (3.0 FTE)	50,000 ^e
Economic Development Commission - General Economic Incentives and Marketing	961,623	961,623 (2.0 FTE)		
Colorado First Customized Job Training ¹⁹	2,725,022	2,725,022		
CAPCO Administration	76,508			76,508(T) ^g (1.0 FTE)
State Council on the Arts ^{19a}	750,000			50,000 ⁱ
Film Incentives	500,000		500,000 ^j	700,000
New Jobs Incentives	3,000,000		3,000,000 ^k	
Bioscience Discovery Evaluation	2,000,000		2,000,000 ^l	

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Indirect Cost Assessment	<u>14,855</u>			66 ^h		14,789
	33,202,578					
	11,097,991					

^a This amount shall be from indirect cost recoveries collected from federal revenues received by the Office of Economic Development.

^b These amounts shall be from various fees collected.

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

^d This amount shall be from grants and donations.

^e These amounts shall be from reserves in the Colorado Travel and Tourism Promotion Fund created in Section 24-49.7-106, C.R.S.

^f This amount shall be from the Colorado Travel and Tourism Promotion Fund created in Section 24-49.7-106, C.R.S., and any unexpended moneys appropriated in FY 2006-07, shall remain available through June 30, 2008. C.R.S.

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

^h This amount shall be from various cash fund sources collected by the Office of Economic Development.

ⁱ This amount shall be from gifts, grants and donations.

^j ~~This amount shall be from the Film Incentives Cash Fund created in Section 24-46-105.8, C.R.S., and any unexpended moneys appropriated in FY 2006-07, shall remain available through June 30, 2008.~~

^k ~~This amount shall be from the New Jobs Incentives Cash Fund created in Section 24-46-105.7, C.R.S., and any unexpended moneys appropriated in FY 2006-07, shall remain available through June 30, 2008.~~

^l ~~This amount shall be from the Bioscience Discovery Evaluation Cash Fund, created in section 24-48.5-108 (5) (a), C.R.S.~~

**TOTALS PART IV
(GOVERNOR-
LIEUTENANT
GOVERNOR- STATE
PLANNING AND
BUDGETING)^{2,3}**

\$54,155,962	\$11,866,461	\$24,574,603	\$4,692,262 ^a	\$13,022,636
<u>\$32,051,375</u>		<u>\$2,470,016</u>		

^a Of this amount, \$4,389,918 contains a (T) notation.

SECTION 3. Section 10 of chapter 334, Session Laws of Colorado 2006, is amended to read:

Section 10. **Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado travel and tourism promotion fund, created in section 24-49.7-106 (1), Colorado Revised Statutes, not otherwise appropriated, to the office of the governor, for allocation to Colorado promotion - other program costs in the economic development programs division, for the fiscal year beginning July 1, 2006, the sum of eighteen million eight hundred fifty-four thousand five hundred eighty-seven dollars (\$18,854,587) and 3.0 FTE, AND ANY UNEXPENDED MONEYS APPROPRIATED IN FY 2006-07, SHALL REMAIN AVAILABLE THROUGH JUNE 30, 2008, or so much thereof as may be necessary, for the implementation of this act.

SECTION 4. Section 13 of chapter 334, Session Laws of Colorado 2006, is amended to read:

Section 13. **Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the film incentives cash fund created in section 24-46-105.8, Colorado Revised Statutes, not otherwise appropriated, to the Colorado economic development commission in the office of economic development, office of the governor, for the fiscal year beginning July 1, 2006, the sum of five hundred thousand dollars (\$500,000), AND ANY UNEXPENDED MONEYS APPROPRIATED IN FY 2006-07, SHALL REMAIN AVAILABLE THROUGH JUNE 30, 2008, or so much thereof as may be necessary, for the implementation of this act.

SECTION 5. Section 14 of chapter 334, Session Laws of Colorado 2006, is amended to read:

Section 14. **Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the new jobs incentives cash fund created in section 24-46-105.7, Colorado Revised Statutes, not otherwise appropriated, to the Colorado economic development commission in the office of economic development, office of the governor, for the fiscal year beginning July 1, 2006, the sum of three million dollars (\$3,000,000), AND ANY UNEXPENDED MONEYS APPROPRIATED IN FY 2006-07, SHALL REMAIN AVAILABLE THROUGH JUNE 30, 2008, or so much thereof as may be necessary, for the implementation of this act.

SECTION 6. Section 7 of chapter 332, Session Laws of Colorado 2007, is amended to read:

Section 7. **Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the public school energy efficiency cash fund created in section 39-29-109.5, Colorado Revised Statutes, not otherwise appropriated, to the office of the governor, for allocation to the governor's energy office, for the fiscal year beginning July 1, 2007, the sum of four hundred eighty-nine thousand dollars (\$489,000) AND 0.5 FTE, or so much thereof as may be necessary, for the implementation of this act.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 17, 2008