

CHAPTER 452

APPROPRIATIONS

SENATE BILL 09-193

BY SENATOR(S) Keller, Tapia, White;
also REPRESENTATIVE(S) Pommer, Ferrandino, Marostica, Liston, McFadyen.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF LOCAL AFFAIRS.

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

SECTION 1. Part XII of section 2 of chapter 474, as Part XII (1) and (5) are amended by section 25 of chapter 284 and as Part XII (1) and the affected totals are amended by section 7 of chapter 298, Session Laws of Colorado 2008, 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.

 APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
PART XII						
DEPARTMENT OF LOCAL AFFAIRS						
(1) EXECUTIVE DIRECTOR'S OFFICE						
Personal Services	1,155,424 1,154,696	40,513 39,785			1,114,911 ^a	
		(0.5 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 34,493			97,920 ^a	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
MANAGEMENT AND ADMINISTRATION OF OIT	13,682	5,671			8,011
Payment to Risk Management and Property Funds	17,928	16,673	1,122 ^b	133 ^c	
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 6,947			13,894 20,841
Moffat Tunnel Improvement District	92,958		92,958 ^e		(1.0 FTE)
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		4,488,696			
		4,501,650			

^a This amount shall be from indirect cost recoveries.

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

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
Division of Property Taxation	<u>2,729,557</u> 2,691,049	<u>1,305,288</u> 1,303,831 (15.7 FTE)		672,172 ^a (11.1 FTE)	<u>752,097^b</u> 715,046 ^b (11.7 FTE)	
State Board of Equalization	12,856	12,856				
Board of Assessment Appeals	<u>659,199</u> 658,107	<u>659,199</u> 658,107 (15.0 FTE)				
Indirect Cost Assessment	<u>66,718</u>				66,718 ^b	
	<u>3,468,330</u>					

^c 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.

^e 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.

(2) PROPERTY TAXATION

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
Indirect Cost Assessment	311,917				134,113^a	23,542 ^b	154,262
	<u>331,091</u>				153,287 ^c		
		32,542,301					
		32,529,929					

^a These amounts shall be from the Private Activity Bond Allocations Fund created in Section 24-32-1707 (6) (b), C.R.S.

^b 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.

^c These amounts shall be from the Building Regulation Fund created in Section 24-32-3309 (1), C.R.S.

(4) DIVISION OF LOCAL GOVERNMENT

(A) Local Government and Community Services

(1) Administration

Personal Services	1,550,534		874,844		494,953^a		180,737
	1,502,809		851,354		470,718 ^a		
			(10.3 FTE)		(7.0 FTE)		(3.1 FTE)
Operating Expenses	<u>131,351</u>		42,178		25,146 ^a		64,027
	1,681,885						
	1,634,160						

^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.

(2) Local Government Services

Local Utility Management

Assistance	151,817		151,817 ^a
			(2.0 FTE)

Conservation Trust Fund

Disbursements	46,600,000		46,600,000 ^b
			(2.0 FTE)

Volunteer Firefighter

Retirement Plans	4,163,651	4,163,651^c	
	4,014,623	4,014,623 ^c	

Volunteer Firefighter

Death and Disability Insurance	30,000	30,000 ^c	
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Environmental Protection

Agency Water/Sewer File Project	50,000		50,000
			(0.5 FTE)

United Health Rural

Health Care Grants	<u>150,000</u>		150,000 ^d
	51,145,468		
	50,996,440		

^a This amount shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6 (3) (b), C.R.S.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
<p>^b This amount shall be from the net lottery proceeds transferred to the Conservation Trust Fund pursuant to Section 3 (1) (b) (I) of Article XXVII of the Colorado Constitution. This amount is included for informational purposes, as net lottery proceeds are continuously appropriated by said section. Further, pursuant to Section 24-77-102 (17) (b) (IX), C.R.S., net lottery proceeds are not subject to the limitation on state fiscal year spending set forth in Section 20 of Article X of the Colorado Constitution.</p> <p>^c These amounts shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S. Pursuant to Section 31-30-1112 (2) (i), C.R.S., these amounts are included for informational purposes to comply with the limitation on state fiscal year spending imposed by Article X, Section 20, of the State Constitution and Section 24-77-103, C.R.S. Further, these amounts are transferred from the proceeds of insurance premium taxes pursuant to Sections 31-30-1112 (2) (g) and (h), C.R.S., and shall be deemed not to be an appropriation subject to the limitation on General Fund appropriations set forth in Section 24-75-201.1, C.R.S.</p> <p>^d This amount shall be from grants.</p>						
(3) Community Services						
Community Services						
Block Grant	5,190,947					5,190,947
(4) Waste Tire Fund						
Waste Tire Recycling, Reuse and Removal						
Grants	3,000,000			3,000,000 ^a (0.7 FTE)		

* Of these amounts, \$1,500,000 shall be from the Waste Tire Recycling Development Cash Fund created in Section 25-17-202 (3) (a), C.R.S., \$750,000 shall be from the Processors and End Users of Waste Tires Cash Fund created in Section 25-17-202.5 (1), C.R.S., and \$750,000 shall be from the Waste Tire Cleanup Fund created in Section 24-32-114 (1), C.R.S.

(B) Field Services

Program Costs	2,311,707	473,264	97,308 ^a	1,420,524^a	320,611
	2,220,631	461,436		1,341,276 ^b	
		(4.9 FTE)	(1.0 FTE)	(17.5 FTE)	(4.9 FTE)
Community Development Block Grant	6,818,995				6,818,995
Local Government Mineral and Energy Impact Grants and Disbursements ^{47a}	119,000,000		119,000,000 ^c		
Local Government Limited Gaming Impact Grants	7,183,111		7,183,111 ^d		
Search and Rescue Program	615,000		615,000 ^e		
			(1.3 FTE)		
Colorado Heritage Communities Grant Fund	200,000	200,000			
	62,000	62,000			
Colorado Heritage Communities Grants	<u>200,000</u>			200,000 ^f	
	136,328,813				
	136,099,737				

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
<p>^a This amount shall be from the Local Government Limited Gaming Impact Fund created in Section 12-47.1-1601 (1) (a), C.R.S.</p> <p>^b This amount 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.</p> <p>^c Of this amount, \$75,000,000 is estimated to be from the Local Government Severance Tax Fund created in Section 39-29-110 (1) (a) (I), C.R.S., and \$44,000,000 is estimated to be from federal mineral leasing revenues transferred to the Local Government Mineral Impact Fund pursuant to Section 34-63-102 (5), C.R.S. These amounts are included for informational purposes as the Department is statutorily authorized to distribute moneys from these funds. As the Local Government Mineral Impact Fund solely consists of federal mineral leasing revenues, moneys in this fund are not subject to the limitation on state fiscal year spending set forth in Section 20 of Article X of the Colorado Constitution.</p> <p>^d This amount shall be from the fund balance in the Local Government Limited Gaming Impact Fund created in Section 12-47.1-1601 (1) (a), C.R.S., which consists of funds transferred from the Limited Gaming Fund in the Department of Revenue during the prior fiscal year pursuant to Sections 12-47.1-701 and 12-47.1-1601, C.R.S. This amount is included for informational purposes as the Department is statutorily authorized to distribute moneys from this fund.</p> <p>^e This amount shall be from the Search and Rescue Fund created in Section 33-1-112.5, C.R.S.</p> <p>^f This amount shall be from the Colorado Heritage Communities Fund created in Section 24-32-3207, C.R.S.</p>						
(C) Indirect Cost						
Assessments	610,467			125,645 ^a	353,397 ^b	131,425 ^c
	689,213				432,143 ^b	

^a Of this amount, \$36,997 shall be from the Colorado Water Resources and Power Development Authority pursuant to Section 37-95-107.6 (3) (b), C.R.S., \$35,099 shall be from net lottery proceeds transferred to the Conservation Trust Fund pursuant to Section 3 (1) (b) (I) of Article XXVII of the Colorado Constitution, \$23,979 shall be from the Local Government Limited Gaming Impact Fund created in Section 12-47.1-1601 (1) (a), C.R.S., \$17,404 shall be from the Search and Rescue Fund created in Section 33-1-112.5, C.R.S., and \$12,166 shall be from the Waste Tire Recycling Development Cash Fund created in Section 25-17-202 (3) (a), C.R.S.

^b This amount 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.

^c Of this amount, \$83,029 is anticipated from the Community Development Block Grant, and \$48,396 is anticipated from the Community Services Block Grant.

~~197,957,580~~
197,610,497

(5) DIVISION OF EMERGENCY MANAGEMENT

Administration	2,444,957 2,444,228	501,756 501,027 (7.2 FTE)	64,241 ^a (1.0 FTE)	1,878,960 (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 18,066,377			

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
TOTALS PART XII						
(LOCAL AFFAIRS)	\$256,524,013	\$8,484,536	\$4,193,651 ^a	\$183,782,489	\$5,172,298	\$54,891,039
	<u>\$256,137,183</u>	<u>\$8,208,016</u>	<u>\$4,044,623^a</u>	<u>\$183,770,117</u>	<u>\$5,208,430</u>	<u>\$54,905,997</u>

^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.

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S. This amount is included as information for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20, of the State Constitution. As this amount is continuously appropriated by a permanent statute or constitutional provision, it is not subject to the limitation on General Fund appropriations as set forth in Section 24-75-201.1, C.R.S.

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

47a Department of Local Affairs, Division of Local Government, Field Services, Local Government Mineral and Energy Impact Grants and Disbursements -- It is the intent of the General Assembly that the Department of Local Affairs consider granting \$1,500,000 from the Local Government Mineral Impact Fund created in Section 34-63-102 (5) (a) (I), C.R.S., to the Department of Higher Education, State Board for Community Colleges and Occupational Education State System Community Colleges for faculty and the development of community college-level curricula on alternative, renewable, and existing energies.

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

Approved: March 12, 2009