

**DEPARTMENT OF PUBLIC SAFETY  
FY 2014-15 JOINT BUDGET COMMITTEE HEARING AGENDA**

**Friday, November 22, 2013  
9:00 am – 12:00 pm**

**9:00-9:05      INTRODUCTIONS AND OPENING COMMENTS**

**9:05-9:35      DISASTER EMERGENCY FUND – REVENUES, EXPENDITURES, AND FUND BALANCE**

1. Please provide details on what commitments the Governor has made to local governments regarding the non-federal match of local expenses. Has the Governor made any commitments to local governments to provide state funding for non-federal match local costs? If yes, provide detail on how the Governor is determining how much state funding to provide, when to provide the funding, and how the Governor is determining which counties to provide the funding to? How much is this additional state financial commitment going to cost the state over time?

*Response: The Governor is committed to helping local governments recover from the September 2013 floods and build back stronger. While there have been no specific dollar commitments to local governments to date, the Governor has proposed a framework wherein the State would assist with the required local match. We expect local governments to require a range of help with providing match money. In anticipation of those requests, the Governor is convening an advisory committee to hear from those local governments that may not be able to contribute matching funds or have constraints in that regard. The State does not have an assessment of its commitment over time because the magnitude of approved projects is still undetermined*

2. Are counties going to be able to accept state funding in light of their TABOR limits?

*Response: The TABOR-related impact of State assistance will vary from local government to local government. As locals request assistance from the State, we will work with them closely to provide this assistance in such a way as to mitigate any challenges related to TABOR revenue limits.*

3. Do counties have TABOR emergency reserves by individual county? Are counties in compliance with TABOR requirements for a reserve and can they draw down on their TABOR reserves to resolve some of their disaster emergency costs?

*Response: Yes, TABOR requires each local government to maintain emergency reserves, and we expect that all local governments are in compliance. We do anticipate that counties will draw on these emergency reserves in coping with this disaster. The committee described in*

*the response to #1 above will consider the availability of a local government's TABOR emergency reserves as one of many factors in determining how much State assistance to recommend.*

4. How does the FEMA process work with regard to claims being processed? Do all claims have to go through the state or are locals able to make claims directly to FEMA? How long do agencies have to submit claims after a disaster? How long does it take FEMA to respond to claims and reimburse the state or the local agency for the claims?

***Response:** The State and FEMA processes for Public Assistance grant administration can be found at: <https://docs.google.com/a/state.co.us/file/d/0By3887mRWf80e1BBQThjeTVfRFE/edit>.*

*A copy of this document has been provided for the JBC committee members.*

*DHSEM receives the Federal share (75 percent) of the project cost upon final approval/obligation of the project by FEMA. For small projects (<\$67,500 for declarations during FFY13), the applicants do not have to submit invoices to get reimbursed, the State will issue a PO and immediately make payment of the full Federal Share (75 percent of each total Project Work Order) and one-half of the state 12.5 percent contribution to local government applicants for the flooding event (DR-4145) with exception for Private Non-Profit entities that are not eligible for the State 12.5 percent contribution. The final half of the State share will be paid to local governments after the project is completed, and the applicant certifies that it was completed within the scope of work and performance period. For large projects, the State and the applicants sign a bilateral contractual agreement. Once the contract agreement is executed and becomes effective, the locals submit their reimbursement requests to the State on a quarterly basis or as often as needed to maintain appropriate cash flow. The State performs a review of the invoices prior to making payments. Additionally, in order to alleviate cash flow concerns and issues for the applicants, the State will make payments to the applicants based on unpaid invoices for their immediate cash needs.*

*Local jurisdictions cannot make claims directly with FEMA; all Public Assistance and Hazard Mitigation Grant Program funds are done as grants to a state and the state in turn provides the funds to the sub-grantee (applicant). All Public Assistance reimbursement requests are processed through the Colorado Division of Homeland Security and Emergency Management.*

*Applicants have 60 days following the Kickoff Meeting to identify and report damaged facilities to FEMA. Project completion deadlines are six months for emergency work and 18 months for permanent work. Extensions must be requested and approved in advance. However, the State may not grant extensions that modify the approved scope of work, such as where the project cost is dependent on the duration.*

*The Division is committed to processing requests for reimbursement or unpaid invoices from applicants within 30 days of receipt. The State draws down funds from the FEMA disaster account where these funds reside on a regular basis, in amounts equal to payments to applicants.*

5. The Disaster Emergency Fund table on page 19 of the JBC staff briefing document shows \$3.1 million of reimbursements for the High Park disaster event. Why are there no reimbursements listed for the Waldo Canyon disaster event? How many of the disaster events listed on the table on page 19 will qualify for reimbursement from the Federal Government? Provide an estimate of the total reimbursement by disaster event.

*Response: Reimbursements from FEMA for fires covered by Fire Management Assistant Grants (FMAG) and disasters with presidential declarations continue to be received. Before the State can request reimbursement from FEMA, the invoices from the vendors must be paid and then a request for reimbursement is submitted by the State. Due to the high volume of devastating fires and other disasters, this process may continue for a couple of years. While the program is 75 percent federal funding for eligible costs, the State averages 60 percent reimbursement of total costs submitted, since not all costs are deemed eligible by FEMA. Specific fires and disasters covered by the FEMA programs are: High Park, Waldo Canyon, Weber, Wetmore, Black Forest, Royal Gorge, East Peak, West Fork Complex, and the 2013 Colorado Flooding.*

*When a fire is caused by lightning (e.g. High Park) or other natural causes, reimbursement can happen pretty quickly after a submission of expenses to FEMA for review. FEMA writes a Project Worksheet, they obligate the money, and DFPC draws the money from the Payment Management System, which is the federal payment system. When a fire is human-caused (e.g. Waldo Canyon), the State is required to obtain a copy of the investigation report and develop a legal analysis that discusses the cause and what (if anything) the State plans to do to seek restitution from the party causing the fire. The legal analysis is written by the State Attorney General's Office and can take up to a year after the fire to complete and submit. The legal analysis for Waldo Canyon was submitted to FEMA on June 28, 2013. DFPC received notification on November 12, 2013 that an award was available for Waldo Canyon in the amount of \$715,700.51. A draw has been made and should be deposited into the DEF on November 18, 2013.*

*Ten of the fires listed on the table on page 19 received Fire Management Assistance Grants (FMAGs) from FEMA:*

*Duckett – DFPC is waiting for revised invoice from USFS in order to pay final expenditures so moneys could be drawn from the final FMAG money and close the grant.*

*Lower North Fork - FEMA has not yet made a decision on the legal analysis for this fire. If the analysis is accepted, the State can expect to receive approximately \$2,100,000 in reimbursement. Not all expenses have been paid.*

*High Park - The State can expect approximately \$15,000,000 in reimbursement. Not all expenses have been paid.*

*Waldo Canyon - The State can expect approximately \$3,705,000 in reimbursement. Not all expenses have been paid.*

*Weber - FEMA is holding the award pending a decision on restitution. The State can expect approximately \$1,281,000 in reimbursement. Not all expense has been paid.)*

*Wetmore - Pending acceptance of a legal analysis by FEMA, the State expects approximately \$2,109,000 in reimbursement. Not all expenses have been paid.*

*Royal Gorge - Pending acceptance of a legal analysis by FEMA, the State can expect approximately \$2,700,000 in reimbursement. Not all expenses have been paid.*

*Black Forest - Pending acceptance of a legal analysis by FEMA, the State can expect approximately \$7,800,000 in reimbursement. Not all expenses have been paid.*

*East Peak - The State can expect approximately \$1,800,000 in reimbursement. Not all expenses have been paid.*

*West Fork - Depending on the outcome of the Cost Share Agreement, and if the State's share remains around 25 percent, the State can expect approximately \$7,500,000 in reimbursement. Not all expenses have been paid.*

*Please note the following:*

*- Invoices from the federal agencies (USFS, BLM, FWS, NPS, and BIA) are typically the largest expenses paid on State fires and typically DFPC receives invoices from these federal agencies close to a year after the fire. That is why some of the total expenses appear to be small. DFPC is currently working through a backlog of federal invoices so these totals will soon increase significantly once those expenses are paid.*

*- Legal analyses have been submitted to FEMA for all 2012 fires that were human-caused (Lower North Fork, Waldo Canyon, Weber, Wetmore). To date, only the Waldo Canyon analysis has been accepted.*

6. Regarding the Controlled Maintenance Trust Fund (CMTF). How is the fund managed? In what kinds of investment vehicles is the fund invested? *[This question is also included in the Department of Treasury's Hearing agenda]*

*Response: Per statute, in May 2004, all investments in the Controlled Maintenance Trust Fund (CMTF) portfolio were sold, and the proceeds were deposited into the General Fund. Since then, the CMTF has been managed as part of the Treasury Pool. The Treasury Pool is a 0-5 year portfolio of fixed income securities per 24-36-109, C.R.S. through 24-36-113, C.R.S.*

**9:35-10:05 DIVISION OF FIRE PREVENTION AND CONTROL FUNDING REQUESTS**

- The Department is requesting an increase in appropriations to the Wildfire Preparedness Fund by \$900,000 from the previous year. Discuss the assumptions the Department used to calculate the need for \$4.2 million in FY 2014-15 and beyond.

*Response: The Wildfire Preparedness Fund (WPF) provides the funding for the DFPC fire management officers, wildfire command staff, aerial firefighting resources, State wildfire engines and staffing, wildfire hand crews, or the ordering and dispatching of equipment, and personnel to wildfires.*

*The demand for State support in wildland fire management has increased in recent years and all indications are that the need will continue to increase. The number, intensity, and complexity of wildfires in Colorado have grown exponentially and experts predict that it will get worse over the next couple of decades. In the 1960's the average annual number of wildfires in Colorado was 457 and these fires burned an average of 8,170 acres annually. By the 1990's the average number of fires and acres burned had more than doubled to about 1,300 fires with 22,000 acres burned. Between the 1990's and the 2000's, the average number of fires and acres burned had more than doubled again. The following table demonstrates the increase in wildfires, with the average number of fires per decade, along with the average number of acres burned:*

*Colorado Wildfires (includes State and private lands)*

Decade	Average # Fires	Average # Acres Burned
1960s	457	8,170
1970s	734	6,554
1980s	1,285	23,308
1990s	1,286	21,796
2000s	2,555	87,157
2010s	4,846	148,158

*Additionally, what used to be a 2-1/2 or 3 month fire season is now at least 6 months in duration. The increasing wildland fire problem has caused a corresponding increase in requests for DFPC assistance on wildfires (whether it be fire management, state engines, hand crews or aviation). As a result, the \$3,250,000 previously appropriated is no longer sufficient to support the level of wildfire suppression that is necessary.*

*The primary responsibility of DFPC with respect to wildfire is to provide technical assistance to local governments and assume the management of wildfires that exceed the capability of counties, upon the request of the sheriff, or when wildfires threaten to become State emergencies or disasters. Under the organization of the Colorado State Forest Service (CSFS) that existed prior to July 1, 2012, wildland fire management support was delivered to counties and fire districts through a combination of personnel from 17 CSFS District Offices, including the 17 District Foresters, 8 district staff that served as Line Officers, and 4 Fire Management Officers (FMOs). Under DFPC, the immediate field response to requests for assistance with wildfires comes from the FMO. Currently, DFPC has 9 Regional and 2 Area FMOs to cover Colorado's 9 all-hazard regions. These Regional and Area FMO's are funded from the WPF.*

*When a wildfire exceeds the capability of the counties, upon the request of the sheriff, or when wildfires threaten to become State emergencies or disasters, it is the responsibility of the DFPC FMOs to provide resources for a rapid initial state response. The FMOs have knowledge of local conditions and have relationships and experience with local agencies and personnel to make decisions on the appropriate management response to the wildfire.*

*One of the programs the FMO may draw upon to provide assistance to local jurisdictions when wildfires exceed the capability of local firefighting resources, or they are overburdened due to the number, complexity, and duration of wildland fires, is the DFPC State Engine Program. However, with current WPF funding, DFPC can only staff a maximum of two engines with state firefighters. In order to make the most of existing resources and continue to provide assistance to local entities in wildland firefighting, DFPC has implemented alternative staffing models, such as engines jointly staffed by DFPC and local personnel.*

*Another program the FMO (or local jurisdiction) may draw upon to manage a wildfire is the DFPC Fire Aviation Program. Historically, Colorado (like most other states) has relied on the federal interagency wildfire system to address its fire aviation needs. In order to increase the likelihood that fire aviation resources are available when needed, the State has supplemented the federal resources by entering into exclusive-use contracts for Single Engine Air Tankers (SEATs).*

*For the 2013 fire season, DFPC entered into an exclusive-use contract for 2 SEATs for 120 days each. The contract provided for the addition of a third SEAT if needed. The actual number of contract days and flight hours was based on need. The cost of the SEAT contract for 2013 is estimated at \$1.2 million. Salaries and operating costs add about \$700,000 to the cost of the fire aviation program, taking it to \$1.9 million (or 58 percent of the total WPF appropriation).*

*In addition to the fire management officers, state engine program, and aerial fire resources, the WPF also allows DFPC to train and equip state handcrews, support National Guard resources, coordinate non-federal resources in the national interagency dispatch system, train local firefighters, and support interagency incident management teams.*

*For FY 2012-13, expenditures from the WPF totaled \$3,434,426. In FY 2013-14, DFPC anticipates expending a total of \$4,102,158 from the WPF (not including a one-time transfer of \$1.3 million for other wildfire preparedness activities for Lower North Fork). It is projected that \$4,150,000 will be needed in the WPF for DFPC to meet its statutory responsibilities with respect to wildfire in FY 2014-15.*

8. Request 11 for state engine staffing was submitted with 15 operational engines in the narrative. Since that time, staff was informed that there are now only 13 operational engines. Describe the Division's replacement plan for the state firefighting engine fleet.

***Response:** DFPC has performed an assessment on the age, use, and condition of wildland fire engines that were transferred from the Colorado State Forest Service. The majority of the fleet (14 of 17 engines) is ten or more years old; eleven of them were purchased or built in 2003. Five of the 2003 fleet have 70,000 miles or more and are rapidly approaching the point of needing to be replaced to ensure firefighting crews are operating safe, reliable, and effective equipment.*

*Annually \$10,500 is budgeted per engine to provide for regular preventive maintenance; including, tires and wear and tear. Five of these engines have accrued over \$30,000 each in repair orders over and above the annual maintenance. With the availability of parts dwindling over time, repair costs can only be expected to increase. During wildfires these engines can be subjected to 12-16 hours per day of idling and operating in smoke, dust and ash filled environments for days and possibly weeks.*

*Reimbursements paid by partner agencies that order and use DFPC engines, with rates determined on a cost recovery basis will be set aside for engine replacement and will be used to purchase and build new engines based on DFPC's proposed Engine Replacement Schedule. Based on the typical number of assignments and reimbursements, this program should eventually become self-sustaining and allow DFPC to follow a regular replacement schedule as engines age and are ready to go out of service.*

*DFPC's Proposed Engine Replacement Schedule*

<b>Engine Call#</b>	<b>Type</b>	<b>Year, Make</b>	<b>Mileage</b>	<b>Location/Assig.</b>	<b>Replac.</b>
621*	6	03 FORD F550	80,000	SHOP	Mar-14
622	6	03 FORD F550	72,950	Berthoud	Sep-14
461	6	03 FORD F550	70,679	Canon	Dec-14
624	6	99 FORD Super Duty	85,950	SHOP	Mar-15
862*	6	03 FORD F550		SHOP	Sep-15
2061	6	03 FORD F550	33,342	El Paso	Dec-15
611	6	03 FORD F550	30,000	SHOP	Mar-16
615*	6	08 DODGE 5500	18,150	SHOP	Sep-16
623	6	99 FORD F450	74,781	SHOP	Dec-16
741	4	03 IHC 7400	40,450	Littleton	Mar-17
841	4	03 IHC 7400	40,557	Golden	Sep-17
44	4	03 IHC 7400	36,336	Fort Collins	Dec-17
612	6	03 FORD F550	54,712	SHOP	Mar-18
619	6	03 FORD F550	28,112	SHOP	Sep-18
2041	4	03 IHC 7400	16,989	Lyons	Dec-18
861	6	11 FORD F550	17,151	Boulder	
361**	4	INTERNATIONAL		SHOP	

\* These engines are currently inoperable because of maintenance/repair needs.

\*\* This engine is permanently out of service.

*It is important to note that consideration is being given to replacing at least some of the Type 6 engines with Type 3 or 4 engines due to the additional firefighting capability and operational flexibility.*

*An evident issue is the majority of engines that were transferred to DFPC are approaching or past the original replacement schedule established by the DFPC-WFMS fleet staff. Unfortunately, anticipated cost reimbursements from fire assignments will not accrue quickly enough to meet all of the replacement needs before engines become unreliable and potentially unsafe.*

8a. What is the mission of the State Firefighting Engine Program? Describe the State Firefighting Engine Program including: (a) how are current state engines and staff deployed around the state, (b) how are decisions made as to how engines and staff are deployed, (c) what are state engines and staff roles during the fall and winter months?

*Response: The State Engine Program provides assistance to local jurisdictions when wildfires exceed the capability of local firefighting resources, or they are overburdened due to the number, complexity, and duration of wildland fires. When areas of the State are under high or extreme fire danger, DFPC Engines may be prepositioned on "severity" assignments,*



*for the purpose of supplementing local resources for quick initial attack. In "shoulder seasons", when State and federal hand crews are virtually non-existent, the engine crews can be redeployed as hand crews or as overhead for cooperator hand crews. The State Engine Program has proven to be a valuable force multiplier in situations when other resources have been stretched thin.*

*During the fall and winter months the engine crews provide a wide range of forestry and fire related services, including critical wildland fire training to local jurisdictions. The engine crews also provide valuable fuels reduction services on State lands. In conjunction with the CSFS districts, the crews work on State lands to reduce hazardous fuels and increase forest health. This is done through various methods including, general thinning, chipping, pile burning, and broadcast burning.*

*DFPC currently maintains nine Type 6 Engines and four Type 4 Engines. However, the Division currently only has six firefighters, or the equivalent staffing needed for two wildland engines.*

*In order to make the most of existing resources and provide assistance to local entities in wildland firefighting, DFPC has implemented alternative staffing models, such as engines jointly staffed by DFPC and local personnel. Under this program, DFPC provides an engine and an engine captain, while the local jurisdiction provides two firefighters to staff the engine. These jointly staffed engines will be available for initial attack in the local jurisdiction and will be dispatched to State responsibility fires. The benefit of the jointly staffed engine program is that it provides for the immediate response of an engine to State and local wildfires for approximately one-third of the personnel costs to the state.*

*The current engine staffing assignments are as follows:*

*Engine 44 – Fort Collins: DFPC Tech III (this engine is currently staffed for project work and fires only)*

*Engine 461 – Canon City: This engine is currently out of service because the Tech II assigned to this engine is on light duty because of injuries sustained on a fire.*

*Engine 622 – Berthoud: This engine is staffed with one DFPC Tech III and two Berthoud firefighters.*

*Engine 2041 – Lyons: This engine is staffed with one DFPC Tech II and two Lyons firefighters.*

*Engine 841 – Golden: This engine is staffed with one DFPC Tech III and one DFPC Tech II. A cooperator is added to the staff for fire assignments.*

*DFPC also operates some of these engines that are staffed through cooperative agreements during the wildfire season. While not fully staffed on a daily basis, these engines can be quickly staffed when needed for fire responses.*

8b. Why does the State need to operate state firefighting engines and have state firefighters rather than focus on coordinating and supporting local resources? Would it be more effective for the State to fund a grant program to counties instead of managing a state firefighting program?

*Response: Approximately 245 of the 395 fire departments in the state (62 percent) are all-volunteer firefighting forces and another 92 or so combination departments (23 percent) are made up of mostly volunteer firefighters. Many of these departments have relatively few personnel, not a lot of firefighting equipment, and several have very large land areas to cover.*

*These volunteer firefighters are full-time farmers or ranchers, the store clerk, or the banker. The reason that many of them serve as volunteer firefighters is to help their neighbors. Generally speaking, most do not volunteer to be out on the fireline for days or weeks fighting a wildfire or to respond to a wildfire halfway across the state. Most are willing to sacrifice several hours or even a day to fight a wildfire that threatens their community, but expecting that they leave their paying jobs for extended periods of time is often too much to ask.*

*The number of fire departments in the state that can afford to send resources to fight wildfires in other jurisdictions is insufficient to meet the need. This is why, on large wildfires, there are often insufficient resources until help from neighboring states begins to arrive. An examination of any large wildfire in Colorado's history will show that a large number of the resources come from other states and they don't arrive until the extended attack period.*

*As mentioned above in question 8a, the State Engine Program provides assistance to local jurisdictions when wildfires exceed the capability of local firefighting resources, or when locals are overburdened due to the number, complexity, and duration of wildland fires.*

*While it is critically important that DFPC coordinate and support local resources, and funding a grant program to counties will likely increase equipment availability, it will not fill the resource gaps or provide the personnel needed to allow local volunteers to be relieved from the fireline to return to their paying jobs and families.*

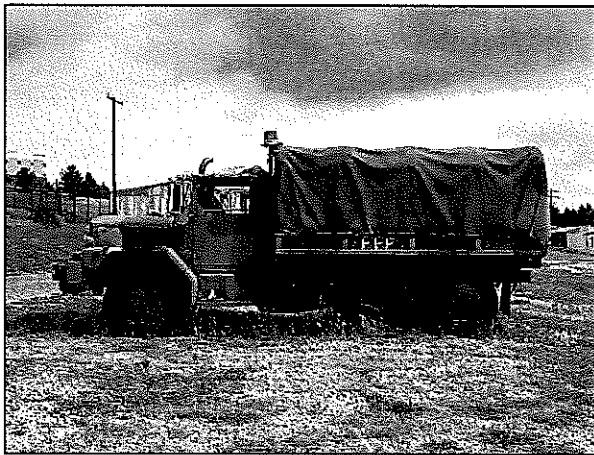
*Additionally, while suppression is the most visible function of the program, the State engine crews also provide a wide range of forestry and fire-related services, including, critical wildland fire training to local jurisdictions. Cooperatively, with the CSFS districts, the engine crews work on State lands to reduce hazardous fuels and promote forest health (mechanical treatments and prescribed fire). In order to perform these other functions, some level of State firefighting capability needs to be maintained.*

8c. Describe the Federal Excess Personal Property (FEPP) program and the State's role in it. The Department has stated that it builds out and maintains 120 FEPP engines for local firefighting agencies. Provide a list with the current deployment of the 120 engines. Describe the process for determining where the FEPP engines are sent throughout the state. Provide comparative statistics on how much it costs the Department to build out one FEPP engine and how much it would cost a local firefighting agency to purchase the engine or contract with a private contractor to build it out.

*Response: The Federal Excess Personal Property Program (FEPP) was begun in 1956 and encourages the loan of excess federal property for fire protection to states and through the states to local fire protection agencies. The U.S. Forest Service administers the program nationally and maintains a strong oversight role of the states which participate in the program. The FEPP enables DFPC to acquire federal equipment for fire protection use by local fire districts, municipal and volunteer fire departments, counties, and sheriff's departments.*

*The FEPP Program is authorized by the Federal Property and Administrative Services Act of 1949, as amended (P.L. 94-519) and section 7 of the Cooperative Forestry Assistance Act of 1978 (P.L. 95-313).*

*Colorado's FEPP program is managed by DFPC and currently maintains a fleet of 120 engines across the state. Under the Colorado program, DFPC acquires the surplus truck and then performs the required maintenance, building the truck into a firefighting engine that is loaned to and operated by the local jurisdiction for wildland and structural firefighting. The ownership of the truck remains with the U.S. Forest Service and the ownership of the fire package (tank, pump, etc.) remains with DFPC.*



Before



After

*It costs approximately \$50,000 to put one Type 4 FEPP Engine in service; of which, approximately \$30,000 is the fire package. It costs about \$6,000 more for the tools and hose needed to equip the engine. It takes the shop approximately 6-8 weeks to build a Type 4 FEPP Engine if all the parts are in stock.*

*It is not possible for a local jurisdiction to purchase equipment through the FEPP program. However, it is not required that the State convert the equipment for firefighting use. The state could require the local jurisdiction to convert the equipment for firefighting use as a condition of it being loaned, and it would have to do so within one year or forfeit the equipment.*

*Historically, the equipment was placed with local jurisdictions by the CSFS based upon request on a first-come, first-served basis. However, DFPC has implemented a "needs-based" approach to place the equipment where it is needed most, based on an assessment by the Regional FMO. Please see the attached list of the current deployment of the 120 FEPP engines.*

- 8d. Pursuant to Section 24-33.5-1227 (2) (b), C.R.S., the Department is responsible for updating the State Wildfire Preparedness Plan every March 15 and submitting a report to the Governor and the General Assembly no later than April 1. Summarize the 2013 Wildfire Preparedness Plan and provide detail on the \$4.3 million budget by expense category. Does the Department have any updates to the 2013 Plan?

***Response:** Following is a summary of the activities that were implemented to address the required components of the annual Wildfire Preparedness Plan*

- (1) *The amount of aerial firefighting resources necessary for the state of Colorado at times of high and low wildfire risk.*
- DFPC will develop and manage a fire aviation program which will include an Exclusive Use Single Engine Air Tanker (SEAT) Contract while evaluating options to diversify the State's Fire Aviation Program in the interest of increased effectiveness and efficiency.*
  - DFPC will coordinate Colorado fire aviation resources with interagency partners while considering current wildfire risk.*
- (2) *The availability of appropriate aerial firefighting equipment and personnel at times of high fire risk to respond to a wildfire.*
- DFPC will coordinate and execute cooperative wildfire management agreements with appropriate local, state, county and federal jurisdictions.*
  - DFPC will facilitate the development of Annual Operating Plans with each County and jurisdictions within the counties.*

(3) *The availability of state wildfire engines and staffing of the engines at different levels of wildfire risk.*

- *DFPC will maintain a staffed wildland engines program year round based on wildfire risk and need, and may include any number of potential staffing arrangements.*
- *DFPC will manage up to 140 wildland engines on loan to local fire departments.*

(4) *The availability of state inmate wildfire hand crews at different levels of wildfire risk.*

- *DFPC will continue to support the four State Wildland Inmate Fire Team (SWIFT) crews operated by CCI; providing training, logistical and/or overhead support that may be needed to ensure operational readiness and hazardous fuel reduction projects.*

(5) *A process for ordering and dispatching aerial firefighting equipment and personnel that is consistent with, and supportive of, the statewide mobilization plan prepared pursuant to Section 24-33.5-705.4, C.R.S.*

*DFPC will provide the technical assistance and program management that identifies local, county, and state resources; their qualification to national standards; and their listing in interagency zone dispatch centers and in the Colorado Statewide Resource Mobilization System.*

#### *2013 Preparedness Fund Budget*

*The budget below reflects funding specifically authorized and appropriated from 24-33.5-1226 (4) (a), C.R.S. It is based on the second half of State FY 2012-13 and the first half of FY 2013-14. The 2013 Calendar Year Budget is presented since work planning within the wildfire community typically follows a calendar year. Other funding sources available to support wildfire protection may align with the State Fiscal Year (July 1 through June 31), Local Government Fiscal Year (Calendar Year) or the Federal Fiscal Year (October 1 through September 30).*

*Division of Fire Prevention & Control  
2013 Wildfire Preparedness Budget Estimate*

<b>Expense Category</b>	<b>Resource</b>	<b>Cost (Expense)</b>	<b>Running Total</b>
<b>Beginning Fund Balance</b>			<b>\$4,267,088</b>
<u>Fire Aviation Program</u>	Salaries and Operating 2 SEATS (Exclusive Use) CONG Contingency Detection Flights	\$594,329 \$1,200,000 \$150,000 \$6,500	
	Subtotal	\$1,950,829	\$2,316,259
<u>Fire Management</u> 2 Area, 9 Regional FMOs	FMO Salaries, Benefits & Operating Wildland Fire Section Management	\$1,005,634 \$688,993	
	Subtotal	\$1,694,627	\$621,632
<u>State Engine Program</u> 2 Staffed Engines, 6 Firefighters (1)	Salaries, Benefits & Operating Severity Assignments	\$200,963 \$0	
	Subtotal	\$200,963	\$420,669
<u>Vehicle Maintenance Shop</u>	Salaries, Benefits & Operating Vehicle Maintenance & Repairs	\$82,260 \$296,409	
	Subtotal	\$378,669	\$42,000
<u>SWIFT Crew Support</u>	Hand Crew Contingency	\$42,000	0
<b>TOTALS</b>		<b>\$4,267,088</b>	<b>0</b>

*DFPC anticipates total expenditures of \$4,102,158 from the WPF in FY 2013-14, which does not include a one-time transfer of \$1.3 million for other wildfire preparedness activities.*

- 8e. Senate Bill 13-245 created a Colorado Firefighting Air Corps (C-FAC). The bill did not provide any funding for the C-FAC, however, pursuant to Section 24-33.5-1228 (4), C.R.S., the bill required that the Division of Fire Prevention and Control submit a report prior to April 1, 2014, that sets forth the Division's analysis of the feasibility of continuing the C-FAC and whether more efficacious firefighting alternatives to the C-FAC exist. Provide an update on the Department's progress in its analysis of the feasibility of implementing a Colorado Firefighting Air Corps.

**Response:** DFPC is working with its Advisory Committee on Wildfire and Prescribed Fire Matters, other stakeholders and subject matter experts to conduct the analysis necessary to prepare the required report. The process being followed is:

- a. Identify if gaps exist in fire aviation availability for initial and extended attack (including the time it takes to get needed aviation on fires). Identify any gaps by kind and type of aviation (i.e. Helicopter, Type 1; Large Air Tanker, etc.).
- b. Identify (to the extent possible, given limitations in data) the effectiveness of the various kinds and types of aviation in wildland fire containment and suppression.
- c. If identified gaps exist in fire aviation, what are the kinds and types of aviation needed to fill the gaps?
- d. Identify alternatives available to provide the needed aviation assets, i.e. FEPP, purchased, leased, contracted services, etc.
- e. Identify alternatives to C-FAC as well as opportunities to partner with other states to address gaps in fire aviation.
- f. Identify the budget necessary to support C-FAC.

Concurrently with the data collection effort, DFPC has been meeting with other western states, private contractors, and our federal partners to examine all possible options to address Colorado's fire aviation needs.

Although, the report is not due until April 1, 2014, DFPC thinks a preliminary report with recommendations could be available by the end of the year.

9. Request 5 is for a Budget Analyst IV in the Division of Fire Prevention and Control. Is there a standard schedule for when an extra budget analyst in a department is needed? Provide the assumptions used to request the budget analyst position at the BA IV level.

**Response:** The Department does not have a standard schedule for when an extra budget analyst in the department is needed. This request for additional staff is based upon the workload need.

In the past six years, three significant state programs and an additional 66.0 FTE have statutorily transferred to the Division of Fire Prevention and Control (DFPC). In January 2010 the oversight of Fire Code Enforcement and Certification of Fire Inspectors for Public Schools, Charter Schools and Junior Colleges was transferred to DFPC with the passage of

HB 09-1151. In July 2012, HB 12-1283 transferred fire prevention and suppression functions from the Colorado State Forest Service to the DFPC where the Wildland Fire Management Sections was created. Effective July 1, 2013, pursuant to HB 12-1268 and HB 13-1155, the Building, Fire, and Life Safety Code Enforcement and Certification of Inspectors of Health Facilities Licensed by the State of Colorado transferred to DFPC. With the transfer of these statutory programs came extremely complicated and intricate budgeting and financial processes. These increased duties incorporated budgeting and financial operations that DFPC was not previously familiar with performing, and brought a host of functions to an already complex mix of responsibilities within the Division and Department. With the complexity and variety of processes that have been transferred, the Division is in need of an analyst that will help direct the budget process of the Division; a process that may require negotiating resolutions of fiscal policy issues with federal agencies.

In the past, DFPC has relied on the Executive Director's Office (DPS-EDO) to provide budget/financial support, due to a lack of resources. Although legislation transferred a number of programs to DFPC, the critical aspect is that none of the staff that supported the programs were included in the transfer as they continued to support other programs at their respective departments. DFPC's finance/budgeting needs have exponentially increased and the EDO is no longer able to effectively and efficiently provide the necessary financial support that the division needs.

Currently, requests for budget related items are currently handled by staff whose primary responsibilities do not include budgeting. This situation reduces the overall efficiency of the Division and also creates the potential for a negative fiscal impact. Those staff unfamiliar with the budget process may miss budget deadlines, incorrectly estimate fiscal impacts on fiscal notes by not reviewing program budgets vs. spending on a monthly basis, among other issues. In previous years, the Division has made every attempt to meet required deadlines, but recently, has missed them the majority of the time as a result of not having the necessary budget staff.

Assumptions for the request for a Budget Analyst IV level were based on the responsibilities of the position requested. This person would be responsible for all financial related tasks for DFPC to include budget, annual projections, and budget and policy related items for the division. This person would also be responsible for supervising financial staff within the division. This structure is the same for all divisions within the Department.

10. Why was S.B. 13-270 written the way it was to provide funding to the Wildfire Preparedness Fund from a diversion of insurance premium taxes revenue deposited in the General Fund?

**Response:** The appropriateness of using the Federal Mineral Lease revenue to fund the Wildfire Preparedness Fund was discussed during the hearings of the Lower North Fork Wildfire Commission during the 2012 interim. The Commission concluded that a consistent



source of funding for the Wildfire Preparedness Fund other than federal mineral lease revenues needed to be identified, but did not take specific action to address this.

In response, and because the last statutorily authorized transfer from federal mineral lease revenue was set to occur on July 1, 2013, the Advisory Committee to DFPC on Wildfire and Prescribed Fire Matters took up the issue. The potential sources of funding identified and discussed by these groups included:

- Surcharge on water utility payments and well permits (direct nexus to watershed protection)
- Surcharge on other utilities (protection of critical infrastructure)
- Additional Fee on Hunting Licenses (modeled after search and rescue funding)
- Assessing a fee on every homeowner in the wildland/urban interface (similar to California) Surcharge on homeowners insurance (modeled upon Auto Theft Prevention Authority)
- Appropriation from insurance premium taxes already collected
- Tapping into lottery proceeds

The Advisory Committee concluded that the best source of funding for the State's wildfire preparedness and suppression activities was insurance premium tax dollars and made this recommendation that the Department pursued in S.B. 13-270 for the statutory changed.

11. Is the department currently engaged in discussions with the Governor or any other agency about further actions regarding wildfire mitigation efforts on federal and state land? What is the plan for future wildfire mitigation efforts?

*Response:* DFPC continues to dialogue with its state and local partners regarding wildfire mitigation efforts on federal and state land. The state and local partners are members of the "Advisory Committee to the Director of the DFPC on Wildland Fire and Prescribed Fire Matters" and meets monthly to discuss issues. In addition, DFPC is engaged in on-going discussions with DNR, CSFS, federal partners and other stakeholders concerning prescribed fire.

#### **10:05-10:35 COLORADO BUREAU OF INVESTIGATION NEW PUEBLO FACILITY**

12. Provide a detailed analysis of the process for determining the size and location of the proposed new Pueblo facility.

*Response:* The size of the regional CBI building needed was determined by the current staffing levels of both forensics and investigations. The number of staff in forensics is based upon the number of forensic scientists needed to handle the annual submissions for the region. Recent practices have been put into place to continue to reduce turn-around time. One such

*practice is the process of normalizing the backlog. This entails managing each laboratory's backlog and when one laboratory is experiencing a high number of submissions, cases can be shipped to another laboratory for efficient processing. The current number of investigative staff assigned to this regional office is based upon the number of requests received annually from law enforcement. This current figure does not have long term growth built in; it is to handle current needs only.*

*Below are tables showing the past workload numbers for the Pueblo facility.*

**Major Crime Pueblo Investigation Totals**

<b>Activity</b>	<b>FY 10 Actual</b>	<b>FY11 Actual</b>	<b>FY12 Actual</b>	<b>FY13 Actual</b>	<b>FY14 Projected</b>
Requests	212	165	238	202	250
Investigation Cases	112	104	124	127	130
Arrests	18	20	24	24	25

Note: FY13 actual current as of June 24, 2013.

**Pueblo Forensic Science Laboratory**

<b>Type of Specimen</b>	<b>FY 10 Actual</b>	<b>FY11 Actual</b>	<b>FY12 Actual</b>	<b>FY13 Actual</b>	<b>FY14 Projected</b>
Chemistry	1,584	1,060	759	523	539
Latent Fingerprints	813	1,010	1,005	1,531	1,577
Serology	4,416	6,030	6,023	5,290	5,449
DNA	3,084	2,733	2,825	2,676	2,756
Footwear/Tire Tracks	N/A	N/A	N/A	154	159
Firearms	N/A	N/A	N/A	65	66

*The location of the facility was based upon the need for response of CBI for both investigative assistance and our crime scene response to requesting agencies as well as law enforcement's ability to submit evidence in a timely manner for forensic analysis. Increased travel time from either the Denver or Grand Junction laboratories would inflate the risk of losing perishable evidence due to inclement weather or unsecured crime scenes. Increased travel time would also delay the time for gathering witness statements, conducting interviews, or interrogations. As time passes, witness recollection diminishes and it becomes difficult to locate them and schedule interviews.*

13. Discuss the assumptions used for calculating the total purchase and build-out cost of \$7.1 million over 20 years.

*Response:* This dollar figure was provided by the contracted architect via the feasibility study calculating \$538 per sq. ft. cost for build out of required laboratory and office space. The State Architect's Office calculated different financing options based upon the remodeling costs, interest rates and years of potential payments. Final costs will be calculated at the time of executing contracts and the current interest rates.

14. Provide a copy of the specific legislative language that the Department will need for this request to be realized.

*Response:* Pursuant to 24-82-801, C.R.S., state agencies must receive legislative approval through a bill other than the general appropriations act to engage in lease-purchase or capital lease agreements. The Department is working with the Department of Personnel and Administration, Division of Real Estate, to develop specific language appropriate for this project. The Department does not have specific legislative language at this time but will share a draft bill with the Committee when it is available and with the sponsors' consent.

15. Provide a copy of the letter the Department intends to submit to the JBC asking the Committee to sponsor legislative language related to Department Request 1.

*Response:* The Department is not requesting that the Joint Budget Committee carry legislation to authorize a lease purchase agreement for the Pueblo laboratory. The Department initially approached some members of the Committee about this potential legislation but the Department is not making an official request to the JBC for this legislation.

16. The Department request states that the Colorado Bureau of Investigation has made a final selection of the location for the new Pueblo CBI laboratory. Has there been a survey of other possible state locations that could be used for the laboratory rather than the location presented in the request? Are there any specific evidence transportation requirements that require the laboratory to remain in Pueblo? Does the new laboratory have to remain in Pueblo? Could existing space at the Pueblo airport, at Colorado State University-Pueblo, or space at the Colorado Mental Health Institute at Pueblo be used to house a new Pueblo CBI laboratory?

*Response:* The CBI considered and thoroughly reviewed 18 properties including: Pueblo Airport, Colorado State University-Pueblo, and Colorado Mental Health Institute at Pueblo. Evaluation and assessment of all 18 properties revealed the current proposed location is the most cost-effective and prudent use of tax payers' dollars and will lend itself to maximizing operational effectiveness of a forensic laboratory and investigative facility. See below table:

	<b>Property Address</b>	<b>Estimated Cost</b>	<b>Size (~sq ft)</b>
1	400 S. Union – Pueblo*	>\$20,000,000	35,300
2	413 Eagleridge Blvd. - Pueblo		45,866
3	4776 Eagleridge Circle - Pueblo		10,000+
4	1601 Erie Ave. – Pueblo		51,050
5	3 Jetway Ct. – Pueblo*	\$21,785,441	50,720
6	5 William White Blvd. - Pueblo		56,690
7	129 Enterprise Dr. - Pueblo West		70,440
8	CSU Pueblo Land – Pueblo*	\$26,047,547	~40,000
9	Old Ft. Lyon Correction Compound - Ft. Lyon, CO		Multi-building compound
10	St. Mary Corwin Hospital – Pueblo*	\$18,830,187	60,000
11	Colorado State Fair Grounds - Naval Reserve Building – Pueblo		Demolished
12	Colorado Mental Health Institute Building 20 - Pueblo		40,000
13	117-127 Hector Garcia Pl. – Pueblo		17,600
14	805 Eagleridge Blvd. – Pueblo		12,220
15	373 E Industrial Blvd. - Pueblo West		10,000
16	311 Lamkin St. – Pueblo		10,000
17	78 Silicon Dr. - Pueblo West		26,525
18	79 Silicon Dr. - Pueblo West*	\$7,100,000	13,260

\*Note: Properties in red indicate feasibility study conducted.

*The Pueblo regional facility office provides investigative assistance and forensic evidence analysis to support 34,000 square miles policed by Colorado law enforcement agencies. In this geographic area, there are approximately 125 law enforcement agencies for which the CBI provides case assistance, which includes: response to crime scenes by investigators and laboratory/crime scene personnel.*

*Pueblo is an ideal location for providing services to the law enforcement agencies for crime scene response, evidence drop off, case submission review, investigative response to major crimes, and accessibility for the district and municipal courts.*

17. Provide detailed information on all the clients of the Pueblo laboratory and the kinds of services the laboratory provides by client.

**Response:** *The Southern Colorado service area is extensive and comprised of all local, county and state law enforcement agencies and all southern Judicial Districts. The regional area covers southern counties from Park, Teller, and El Paso south to the New Mexico border east to the counties of Cheyenne, Kiowa, Prowers and Baca (Kansas border), and to the western border with Utah (the counties of Dolores, Montezuma, Saguache, Mineral and La Plata).*

*The services provided are based upon the crimes committed. Forensic services provide crime scene investigation to law enforcement agencies as well as all forensic services needed including: DNA, CODIS, latent print/footwear, firearms and tool marks and drug analysis. Additionally, testimony is required for cases that go to court in all 27 counties in the service area.*

*The Investigative Services section of CBI that operates from the Pueblo Regional Office has the same regional responsibilities which includes; interviewing witnesses, interrogating suspects, conducting polygraph examinations, meet with law enforcement agencies and district attorneys, courtroom testimony, meet with defense attorneys, partner with forensic services for the collection of evidence at crime scenes, fugitive apprehension, the initiation of complex criminal investigations in many different areas including homicide, sexual assault, arson, ID Theft, public corruption, cold case homicide, missing children, sex offender fugitives and other crimes as requested by law enforcement agencies.*

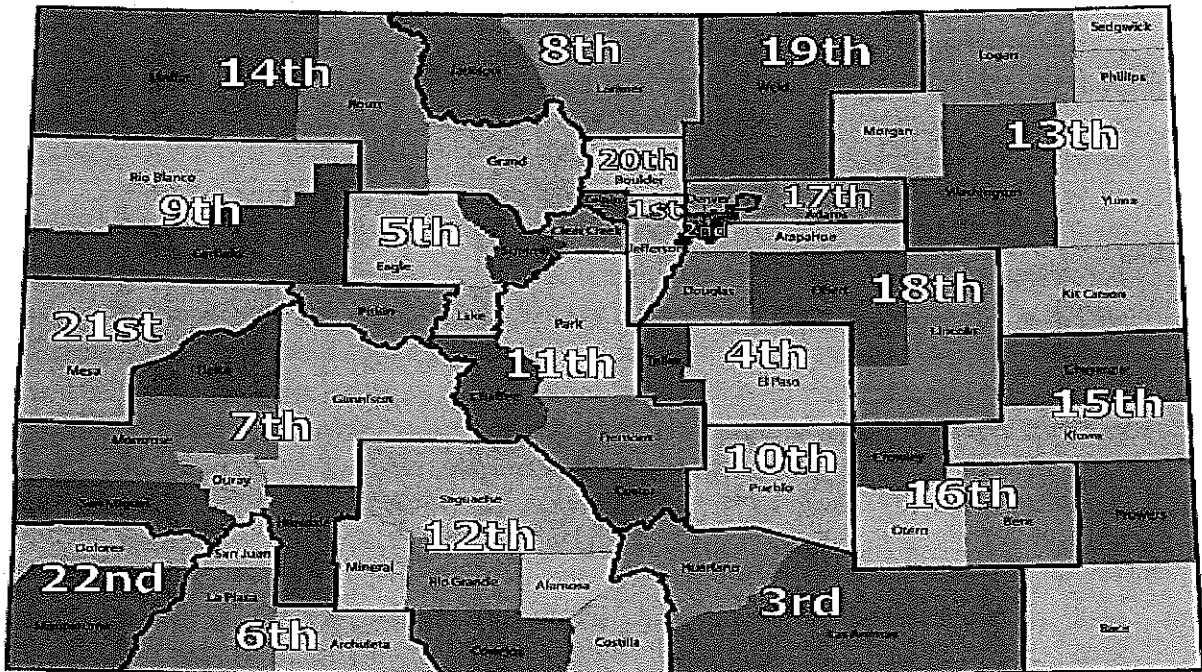
- 17a. Provide a map plot using Geographic Information Systems (GIS) of the whole CBI service area, the case locations where evidence is collected, and the locations of the courts where CBI staff have to appear for testimony in order to estimate the transportation time and distance requirements for CBI laboratory staff.

*Response: The CBI service area is the entire State of Colorado. Evidence from crime scenes are collected and submitted to CBI for forensic analysis from any location in Colorado, with the exception of evidence collected by the Denver Police Department within the City and County of Denver (2nd Judicial District). CBI's service areas for the three regional offices/laboratories are the following Judicial Districts (attached map):*

*Denver Service Area: 1st, 2nd, 8th, 13th, 17th, 18th, 19th, 20th*

*Pueblo Service Area: 3rd, 4th, 6th, 10th, 11th, 12th, 15th, 16th, 22nd*

*Grand Junction Service Area: 5th, 7th, 9th, 14th, 21st*



*Locations of courts are scattered throughout the state of Colorado. Each Judicial District has both District and County courtrooms within the confines of the district. Typically, CBI staff are subpoenaed to appear in District and County courts within their assigned service area as well as courts located outside of their service area for casework that involves either investigations or forensic analysis in those areas. Estimates of transportation times and distances are wholly contingent upon where the courtroom of appearance is and to which office the Agent is assigned. Additionally, required court appearances outside of the assigned service area typically involve longer travel distances and increased time and travel expenses (lodging, meals, etc.)*

17b. How does the CBI currently transport evidence to and from the CBI laboratories throughout the state? Could some evidence be transported through the United States Postal Service (USPS) using double-wrapped security carton procedures? Would using the USPS save the CBI any costs?

**Response:** *Most of the evidence received by the CBI is delivered by local law enforcement agencies. However, when the CBI does ship evidence to other labs, evidence is shipped via UPS, USPS, or FEDEX. Price agreements for state agencies are already established with these companies.*

18. Are controlled maintenance costs for the new Pueblo laboratory included in the lease-purchase costs identified in the request?

*Response: Yes, controlled maintenance costs for the new Pueblo facility were included in the amount requested in the Department's November 1, 2013 budget submission. The annual operating and maintenance costs are included in the table as follows:*

<b>Table 5: Estimated Additional Operating Expense Funding Need for Pueblo Facility</b>		
Row A	Average Operating Expense Per Square Foot for Grand Junction Laboratory	\$8.68 per sq. ft.
Row B	Total Square Footage at 79 N. Silicon Drive, Pueblo	13,200 sq. ft.
Row C	Estimated Annual Operating Expense (Row A * Row B)	\$114,598
Row D	Current Annual Operating Expenses Available (Table 3, Row C)	\$66,655
Row E	Unmet Need (Row C – Row D)	\$47,943

*The new Pueblo facility will be constructed similar to the Grand Junction office. Therefore, estimates for the additional operating expenses need are based on the Grand Junction facility's annual operating expenses. In FY 2012-13, the annual operating expenses for the Grand Junction facility were \$328,324 for a total area of 37,818 square feet. Therefore, the average cost per square foot for operating expenses is assumed at \$8.68 per square foot ( $\$328,324 / 37,818 \text{ sq. ft.} = \$8.68 \text{ per sq. ft.}$ ). The total square footage for the new Pueblo facility will be 13,200 square feet. Based on these assumptions, the total annual operating expenses need for the new facility is estimated at \$114,598 (13,200 sq. ft. x \$8.68 per sq. ft.). Currently, annual operating expenses for the Pueblo facility are averaging \$66,655. Therefore, the additional operating expenses funding requested is estimated at \$47,943.*

19. Did the Department coordinate with the State Architect (OSA) when developing the master plan for the new Pueblo laboratory? If yes, what is the State Architect's opinion of the feasibility of this project? If no, why was the State Architect not consulted?

*Response: Yes, the Office of State Architect, Division of State Real Estate is working with CBI and has provided consultation services. They have setup real estate tours, worked with local economic organizations, conducted feasibility studies through the contracted architect, provided appropriate state financing personnel for consultation and oversight assistance. The OSA agrees with the CBI on the identification of the requested property as the best real estate for the location, purchase price, and total renovation cost.*

20. The Forensic and Laboratory Services Program has stated that one of its main program strategic policy initiatives is to reduce the turnaround time for providing forensic analysis and results to submitting agencies for all disciplines from 147 days currently to 90 days within one year and to 60 days within three years. What is the current turnaround time for forensic analysis? How is funding of a new Pueblo laboratory going to help the Department achieve its strategic policy initiative to reduce forensic analysis turnaround time?

*Response: The current turnaround time is averaging 139 calendar days. The new Pueblo facility will be designed properly to ensure enough space for equipment and staff. Currently, the staff needs to share equipment, and must wait for examination rooms. Two analysts cannot be in the same room at the same time due to potential contamination issues. These constraints add time to the case turnaround time. The new laboratory will ensure that the flow of evidence will not be inhibited by space and equipment limitations. This will enable the staff to show an increase in production and decrease in turnaround times.*

21. Could the CBI undertake the Department of Public Health and Environment (DPHE) toxicology laboratory functions that the DPHE has discontinued recently? Is this a proper function for the CBI laboratory to undertake? Does the CBI have the capacity to undertake toxicology testing within existing resources? Could the CBI use the equipment that DPHE used for toxicology testing? If not, what would it cost to fund a toxicology laboratory, similar to the one in DPHE, within the CBI? Would a statutory change be required to add a toxicology laboratory within the CBI?

*Response: The CBI is currently reviewing the feasibility of taking on DUI and DUI-D toxicology operations. This operation is a forensic discipline and does meet the mission of a forensic science laboratory. However, the CBI does not have the ability to absorb this program with existing resources. The CBI is in process of reviewing all facets of the DPHE DUI and DUI-D toxicology program to determine appropriate requirements. A review of the statute in conjunction with the State Attorney General's Office is under way to determine if any statutory changes are necessary.*

22. Please describe your understanding of the toxicology laboratory process as it relates to Driving Under the Influence (DUI) offenses. What is the cost of testing each DUI, who pays the cost of testing, do costs get billed back to the alleged offenders?

*Response: The Department is participating in a working group with Department of Public Health and Environment (DPHE) and other stakeholders regarding the toxicology laboratory process. Once there is information available, the Department will provide it to the committee.*

23. Provide comparison statistics on the cost of testing blood related to alleged DUI offenses in private laboratories versus the costs of the former state toxicology lab housed in the DPHE.

*Response: As commented in question 22, the Department will provide information to the committee once it is available.*



24. The request for the new Pueblo laboratory mentions that there are currently 2,200 square feet in the new building that are in addition to what the CBI needs, what is the plan for utilizing the extra 2,200 square feet?

*Response:* According to H.B. 13-1020, future funding will be necessary to meet the requirements of increased capacity for DNA casework. With the anticipated increase in evidence submissions, additional square footage will be added to the building to meet the demand of mandatory submission of forensic medical evidence. The additional space would provide adequate space to accommodate four additional DNA analysts and the necessary equipment for them to perform analysis on the forensic medical evidence.

**10:35-10:40 BREAK**

**10:40-11:10 FUNDING FOR H.B. 13-1020 TESTING OF SEXUAL ASSAULT**

25. Provide an analysis of the total costs related to H.B 13-1020, including the \$14.0 million General Fund placeholder in the Governor's November 1, 2013, budget submittal letter.

*Response:* As noted in the fiscal note, the bill anticipated state funding to increase the Department's budget up to \$14 million in the first fiscal year and then decrease to approximately \$5.3 million each full fiscal year thereafter. The initial appropriation of \$14 million would provide funding for both startup and ongoing costs necessary to process and analyze the ongoing forensic medical evidence submitted by law enforcement agencies. Included in the initial start-up costs is an estimate for acquiring new leased space and/or renovation of existing capital complex and commercial leased space for the Denver and requested property for the Pueblo Regional Facility. The Department would also need to acquire additional personnel, equipment and commodities.

26. The fiscal note for H.B 13-1020 estimated a need of 9.8 FTE in the second year of implementation of the bill. Why does the latest department plan list the need for 19.0 FTE?

*Response:* The fiscal note assumes that only 1,600 additional evidence kits would be received in FY 2013-14 and every fiscal year thereafter. The fiscal note calculations were based on the Department's estimate that for every 800 evidence kits processed, one DNA "setup" would be required. Each DNA setup requires: 4.0 Criminal Investigator IIs, 0.3 Criminal Investigator III (Supervisor), 0.3 Technician III (Evidence Technician) and 0.3 Administrative Assistant II. Therefore, the fiscal note assumes that two DNA setups would be required and 9.8 FTE (8.0 Criminal Investigators IIs 0.6 Criminal Investigator Supervisor, 0.6 Laboratory Technician, and 0.6 Administrative Assistant 8.0 + 0.6 + 0.6 + 0.6).

*However, the Department's plan estimates that 3,252 additional evidence kits would be received each fiscal year. Dividing this figure by the Department's estimate of 800 kits per DNA setup translates into four DNA setups. Having this number of setups would require four Criminal Investigator IIs per setup (or 16.0 FTE total), and for every three such setups, the Department would require 1.0 FTE Criminal Investigator III (Supervisor), 1.0 FTE Technician III (Evidence Technician), and 1.0 FTE Administrative Assistant III. Therefore, the total number needed would be 19.0 FTE (annualized)*

27. In the Department's latest Plan on Analyzing Forensic Medical Evidence the Department states that it believes that with the FY 2013-14 appropriation of \$6,351,002 it can contract to analyze between 2,750 and 3,000 kits. The fiscal note estimated that the Department could analyze 4,234 kits with the \$6,351,002. Why has the Department increased the cost estimate of contracting for the testing of kits?

*Response: During the development of the fiscal note, the cost estimates received from calls to potential vendors were based upon analysis of evidence only. There are a number of factors that were not taken into consideration including, but not limited to: testimony & travel costs, shipment of evidence to laboratories around the country as well as complexity of cases (number of samples that may need analysis versus the average number of samples in a forensic medical evidence kit).*

28. Does the backlog of sexual assault kits have to be eliminated within FY 2014-15 or could it be done over a longer period of time?

*Response: The funding for the backlog project has already been appropriated in FY 2013-14. However, the procurement process takes time and the Department anticipates that contracts will be awarded in December 2013. Once contracts have been awarded, the CBI will begin to ship cases in January 2014 to various private laboratories. The CBI anticipates this process will be completed by June 30, 2015.*

29. Provide an analysis of the estimated costs (capital, personal services, operating expenses) for the CBI to continue testing sexual assault kits once the backlog has been eliminated. How many sexual assault kits does the Department anticipate having to test each year?

*Response: Utilizing data from NIBRS (National Incident Based Reporting System), UCR (Uniform Crime Reporting) and research that has been conducted in two judicial districts, it is assumed that the annual submission of forensic medical evidence will increase by four times. The table below outlines a model or setup of FTE, equipment, commodities, and space needs (2,536 sq. ft.) required to work 800 cases. Based on this model, the CBI will need four additional laboratory setups.*

Description	Quantity	Cost	Total Cost
Hamilton robot	1	\$156,765	\$156,765
Automates (DNA Extraction)	2	\$40,000	\$80,000
DNA Quantitative Analysis	2	\$47,500	\$95,000
DNA Amplification	4	\$20,000	\$80,000
DNA Genetic Analyzer	1	\$200,000	\$200,000
Laboratory Supplies	1	\$38,800	\$38,800
Genemapper Software License	1	\$50,000	\$50,000
DNA Commodities	800	\$420,000	\$420,000
Criminal Investigators II (Personal Services only)	4	\$85,850	\$343,400
Total			\$1,463,965

**11:10-11:40 FUNDING REQUESTS FOR THE SUSTAINABILITY OF THE STATE FUSION CENTER AND THE COLORADO CYBER-CRIME INITIATIVE**

30. Justify why the State should fund a federal program fusion center after it appears that the federal government is going to significantly reduce funding for such programs?

*Response: State Homeland Security Program (SHSP) funding to the State has declined from \$7.3 million in FFY04 to \$1.3 million in FFY13. Funding for the CIAC will expire August 2014. Without alternative funding, the CIAC must close down, eliminating a necessary source of intelligence and interagency cooperation in Colorado. Given the CIAC is the intelligence branch for the State and primarily responsible for prevention-related activities, eliminating the fusion center would jeopardize public safety in Colorado and the extensive number of relationships that have been formed with local, state and federal partners since the CIAC's inception.*

*The CIAC benefits from the support of federal, such as the FBI and DHS, both in terms of equipment and personnel, but is by no means exclusively deferential to these agencies. The value proposition inherent in the CIAC is only partially attributable to the CIAC's relationship with its federal partners. More important are the multitude of local and state partners that benefit from CIAC programs or receive products and services that enhance public safety in Colorado. The CIAC 2012 Annual Report provides an in-depth overview of the range of products and services offered by the CIAC, along with related performance metrics.*

31. JBC staff mentioned that the Colorado Information Analysis Center (CIAC) has received HUTF "Off-the-Top" support over the years. Please justify the use of HUTF "Off-the-Top" for intelligence/homeland security functions.

*Response: As of FY 2009-10, the CIAC no longer receives HUTF "Off-the-Top" support. Prior to FY 2009-10, funding deficiencies in the areas of Homeland Security required that the Department use other appropriated resources in order to ensure effective operation of this critical program. Because of the primary source of personnel funding within the Department*

is HUTF "Off-the-Top", no other option for augmenting this program was available. Without dedicating these additional resources to the Homeland Security Unit, operations within the CIAC would have halted, thereby compromising the safety and security of Colorado's citizens.

- 31a. Would it be more cost-effective to reduce Colorado State Patrol (CSP) assets within the CSP and move those assets in order to populate the CIAC? If this was a brand new program, would the Department have made the same decision to leverage existing CSP assets in the CIAC or would the Department simply requested addition funding? Why or why not?

*Response: Save for their longstanding relationship and ardent support for the CIAC, the CSP is not unlike any other local, state or federal agency that donates its personnel resources in support of the CIAC because the agency believes in and supports its homeland security mission. As such, the CSP could elect at any time to remove their personnel resources from the CIAC, which would obviously prove detrimental. The funding requested in the Department's R-3, Sustainability of State Fusion Center decision item does not include funding for support that the CSP currently contributes to the CIAC. The resources requested in the decision item are currently funded 100 percent with federal funds. Because funding for the CIAC will end August 2014, the Department is requesting funding for personnel and operating expenses that are currently funded with federal funds. Reallocating General Fund appropriations from the CSP to the CIAC to fund criminal analysts will create a gap in resources within the CIAC because the CSP would not have the funding to provide the resources that currently support the CIAC, similar to the support provided by other local, state and federal agencies. The Department does not believe that the CSP General Fund appropriations should be reallocated because the CSP support of the CIAC is voluntary and in the best interest of the Department.*

- 31b. What functions of the CIAC will the Federal Government continue to fund starting with FY 2014-15 and beyond? Is the Federal Government going to continue to commit U.S. Department of Homeland Security and Federal Bureau of Investigation personnel to the efforts of the CIAC?

*Response: Ideally, none of them. The Department would prefer to have the CIAC fully sustainable without the need for federal funding. With respect to the federal partners, DHSEM has no indication that they intend to reduce support to the CIAC. An example of this exception could be for possible reductions in personnel coverage that could arise due to mandatory furloughs.*

32. Please provide a historical analysis of actual funding since inception of the CIAC by funding source (please include all state and federal funding sources). Provide the Department's projections of future funding needs by funding source.

*Response: Please see the charts below for the historical data for the CIAC's personal services and operating expenses by funding source since its inception in FY 2004-05.*

**Personal Services**

Year	DHS Grant	General Fund	HUTF	Grand Total
2005	\$ 183,595.34		\$ 115,763.80	\$ 299,359.14
2006	\$ 482,712.35		\$ 720,734.91	\$ 1,203,447.26
2007	\$ 498,218.30	\$ 355,722.80	\$ 395,630.91	\$ 1,249,572.01
2008	\$ 440,486.13	\$ 679,969.26	\$ 1,236.17	\$ 1,121,691.56
2009	\$ 515,282.94	\$ 740,376.74	\$ 5,881.63	\$ 1,261,541.31
2010	\$ 578,613.70	\$ 713,066.00	\$ 11,570.83	\$ 1,303,250.53
2011	\$ 667,599.57	\$ 774,639.72		\$ 1,442,239.29
2012	\$ 540,514.62	\$ 555,092.35		\$ 1,095,606.97
2013	\$ 382,443.08	\$ 606,019.99		\$ 988,463.07
Grand Total	\$ 4,289,466.03	\$ 4,424,886.86	\$ 1,250,818.25	\$ 9,965,171.14

**Expenditures**

Year	DHS Grant	General Fund	HUTF	Grand Total
2005	\$ 521,311.45		\$ 14,571.83	\$535,883.28
2006	\$586,651.80	\$12.03	\$ 26,948.73	\$613,612.56
2007	\$156,393.84		\$36,921.53	\$193,315.37
2008	\$219,528.35	\$ 511.80	\$31,214.49	\$251,254.64
2009	\$210,355.95		\$41,877.84	\$252,233.79
2010	\$448,166.31		\$45,042.42	\$493,208.73
2011	\$271,379.34	\$73,669.39		\$345,048.73
2012	\$213,734.14	\$98,462.88		\$312,197.02
2013	\$229,409.60	\$86,964.31		\$316,373.91
Grand Total	\$2,856,930.78	\$259,620.41	\$ 196,576.84	\$3,313,128.03

33. Provide data on how the Department is going to measure success of the Proposed Cyber Crime Task Force.

*Response: The Cyber Crime Task Force will be a cooperative effort between Colorado Information Security Office (CISO), Governor's Office of Information Technology (OIT), CIAC, FBI, Division of Homeland Security and Emergency Management (DHSEM), state and federal prosecutors. This will allow the task force to adopt investigative priorities and*

referrals for investigations. Monthly statistical reporting by the task force will be critical to measure success. The establishment of goals and objectives under strategic planning for all aspects of the task force will be a key element for the task force.

The task force will define its mission within Colorado and move forward with a realistic expectation of the desired capabilities and resources of the task force keeping in mind that our responsibilities should be beneficial to our partners at all levels.

Outreach by the task force will be critical to the success of the unit. This outreach needs to be done with federal, state, local law enforcement and private sector partners. The development of a liaison program will be a critical goal that needs to be established that will build a strong network of partnerships for the task force.

The task force will need to prepare for cyber incidents and have protocols in place for response. The development of roles and responsibilities within the task force will be critical along with established capabilities and training. Training should include tabletop exercises related to cyber-attacks.

Many of the targeted workload indicators and strategic outcomes will be driven by the Cyber Crime Task Force, but several priority areas can readily be identified given the nature of this threat:

- Protect against data breaches/compromise
- Reduce network security incidents
- Produce intelligence work products
- Conduct intelligence briefings/presentations
- Expand the audience for intel products
- Minimize network downtime / disruptions
- Successful attribution of offenders
- Number of cyber-training provided
- Number of cyber intrusions detected/deterred
- Reduce volume of cyber attacks
- Enhance number of cyber-criminal investigations
- Restitution recovered following prosecution
- Number of felony arrests
- Number of prosecution referrals
- Number of successful prosecutions
- Number of investigative assists to other local and state agencies
- Time to produce criminal filings
- Percentage of state systems continually assessed for risk and compliance.

34. Why is the Department not proposing to make the Cyber Crime Task Force more robust through a more clear definition of roles and responsibilities in statute?

**Response:** With the creation of the Cyber Crime Task Force under the current blueprint that involves CBI, OIT and DHSEM, partnerships are created that will already allow for a robust approach without the need for definition of roles and responsibilities in statute. These agencies have already been meeting on a monthly basis and continue to work together with establishing

*a program model that will clearly define roles and responsibilities. The current best practice seen nationwide is the formulation of partnerships for cybercrime detection, prevention, analysis and investigation, and this task force should mirror those practices to ensure a proper response to the problem.*

*There is a need for a statute change establishing original jurisdiction for CBI in the investigation of cybercrime. With CBI being primarily an agency that operates under request from local agencies, having original jurisdiction for an investigation which exceeds local jurisdiction and requires seamless initiation and interstate coordination, will be a critical need and will provide the one area where statute will help define role and responsibilities.*

35. Please explain why the proposed Cyber Crime Task Force is necessary and what exactly will it be tasked with?

***Response:** Domestic and international actors are launching a significant number of cyber-attacks against Colorado. Most if not all cyber-attacks and successful intrusions against State networks are not actively investigated or prosecuted, creating an atmosphere of virtual immunity from consequences emanating from the attacks. Local law enforcement agencies in Colorado struggle to investigate cybercrime because it can span multiple jurisdictions, multiple states, and international borders and can involve multiple threat actors. A significant data breach, denial of service attack, or theft of proprietary or classified data remain prime concerns for the state. IT networks are highly interconnected and a sophisticated attack affecting one jurisdiction can quickly migrate to other networks and systems, causing unintended consequences and cascading effects that are difficult to anticipate or thwart. The state lacks full situational awareness of various attack vectors used against state systems and networks, adversary capabilities and motivations, and most importantly, those responsible for the most serious cyber-attacks in Colorado. CBI lacks the investigative capacity and original jurisdiction to investigate cybercrime, which hinders the state's ability to protect its own systems and networks; efficiently and aggressively initiate investigations of multi-jurisdictional, multi-state, and international cyber criminals; and enables offenders to operate with impunity in Colorado. Without trained CBI investigators, both the state and most local law enforcement agencies in Colorado will need to rely solely upon the FBI for cybercrime investigations, and this creates a large gap between incidence and investigation.*

*CBI, working cooperatively with the CISO, OIT, CIAC, FBI, DHSEM and state and federal prosecutors, will adopt investigative priorities and thresholds as the volume of malicious cyber-attacks far exceeds available resources. OIT will ensure that the state maintains advanced protections through a variety of information technology tools such as antivirus and malware protection; real-time monitoring of systems; employee training and awareness; adoption of effective prevention and mitigation strategies; and compliance with industry best practices such as the SANS Critical Security Controls. Attribution of offenders through digital fingerprinting and forensic analysis represent OIT's greatest contribution to CBI's*

*investigative and prosecutorial efforts, in addition to their role of actively defending networks through real-time monitoring. Colorado will remain vulnerable if it remains dependent upon the FBI for all investigative resources and assistance. CBI's Cyber-Crime Task Force will collaborate and coordinate with OIT, Homeland Security, FBI, Colorado District Attorneys Council, Colorado Attorney General's Office and the US Attorney's Office to unify efforts and maximize use of resources. CBI is projected to investigate ten or fewer serious cybercrimes affecting state networks and systems each year. This does not include investigative assistance rendered to local jurisdictions or private sector entities.*

36. Will information gathered by the Cyber Crime Task Force be shared with local agencies?

***Response:** Yes. A key approach of the Cyber Crime Task Force will be the sharing of information with local agencies. The information shared will be from input at the federal, state and local level. The partnerships here – CBI, OIT, DHSEM, Colorado District Attorneys, FBI, and the US Attorney's Office will provide robust information gathered at many levels to be put into communications that will be shared with all local agencies to insure that the risks are known by all and help build a culture of risk awareness at every level and provide the proactive awareness to help negate attacks at all levels. The information disseminated will be relevant, timely and actionable information for local agencies with the goal of prevention, mitigation, and recovery.*

36a. What agencies on the federal level are responsible for fighting cyber crime/terrorism? How are these agencies organized to achieve their goals? Is the Colorado Cyber Crime Task Force initiative modeled on an existing federal structure?

***Response:** The FBI and the National Guard are agencies at the Federal level who are responsible for fighting cyber-crime/terrorism. The National Guard would need to be requested by the Governor to investigate a cyber-attack at the state level. The FBI currently reports that cases exceeding \$100,000 in economic damages or implicating national security at the federal level remain the bureau's chief priorities. The organizational structure of these two units is not known.*

*The Colorado Cyber Crime Task Force working group is currently meeting on a monthly basis with GOIT, DHSEM, the FBI, and National Guard personnel to develop a model program with the experience of all of the agencies involved. This approach is not modeled on an existing federal structure but rather best practices based on information and approaches from our working group.*

36b. If arrests are made as a result of action by the proposed Cyber Crime Task Force, will local law enforcement be used to confront and arrest the suspect(s)? How will the state collaborate on joint state-federal-local investigations? What rules of evidence will be used and what



would be considered legal procedures? How will the Department confront civil rights issues arising from the investigations?

*Response: When arrests are made as the result of the Cyber Crime Task Force, the task force will make sure the local jurisdiction is aware and the arrest is coordinated, but the primary agency for arrest will be the task force.*

*CBI values partnerships on the state, local and federal level and are involved in collaborative efforts on a regular basis. This is a standard practice and will continue to involve open communication and seek the use of shared resources and investigative practices.*

*All rules of evidence will be followed including best practices for preservation, storage and search warrant requirements. The primary practice will be to follow state rules of evidence, but there may also be federal rules of evidence that will need to be followed. CBI encounters those on a regular basis and follows every rule of evidence required for investigations.*

*The confronting of civil rights issues that arise from investigations should be non-existent based on standard investigative practices followed by CBI agents that ensure an individual is taken into custody under standards of reasonable grounds or the issuance of a warrant by review of the court. There also must be probable cause for the issuance of search warrants that are reviewed by prosecutors and issued by courts before they are executed.*

#### **11:40-12:00 HIGHWAY USERS TAX FUND (HUTF) "OFF-THE-TOP" FUNDING AND GROWTH**

37. The Department's FY 2014-15 total appropriation request for HUTF "Off-the-Top" funding is above the allowable 6.0 percent appropriation growth by \$435,180. Please provide an analysis of how the Department plans to bring the FY 2014-15 request in balance. What supplemental requests using HUTF "Off-the-Top" funding does the Department anticipate submitting for FY 2013-14?

*Response: As indicated in the R-10, Acquisition of Portable Radios, change request submitted in the November 1, 2013 Budget Request, the Department is planning to submit an FY 2013-14 supplemental for the remaining 356 radios that need to be replaced. With the inclusion and approval of this supplemental request the Department's FY 2014-15 total appropriation request for HUTF "Off-the-Top" funding when recalculated, will not be within the allowable 6.0 percent appropriation growth*

38. Request 9 is for additional operating expenses in the State Patrol and the Colorado Bureau of Investigation related to an increase in the per mile vehicle variable rate charged by the State Fleet Management program in the Department of Personnel. Why is the State Patrol being charged higher rates? Is this part of common policies set by the Department of Personnel? Are other agencies submitting requests for funding as a result of higher vehicle per mile rates charged by the Department of Personnel?

**Response:** The Department of Personnel and Administration (DPA) reviews the costs related to maintaining and operating fleet vehicles annually. The “vehicle variable rate costs” are collected from the State Patrol through a vehicle variable or per mile charge. The vehicle variable per mile charge is adjusted annually from DPA. The vehicle variable rate to be charged in FY 2013-14 and projected to FY 2014-15 is higher than the rate charged in FY 2012-13. The change in the vehicle variable rate is not included as part of the common policies by the Department of Personnel because the variable vehicle rate an operating expense, separate from the vehicle lease costs which are included in the annual common policy adjustments.

The Department is unaware of other agencies submitting requests for funding as a result of higher vehicle per mile rates charged by the Department of Personnel.

39. Provide an analysis of Department vehicle per mile rates charged by State Fleet Management by division and vehicle category type for the past 5 years. As part of the analysis, provide the per mile variable rate by vehicle category as well as total operating costs spent by division on vehicle variable costs for the past 5 years. [This question is also included in the Department of Personnel's Hearing agenda for an analysis of statewide vehicle per mile rates]

**Response:** Attachment A includes a summary of variable vehicle rate operating expenses for the past 5 years, by vehicle category, for both the CBI and CSP.

The table below shows the “per mile” variable rate by vehicle category for FY 2008-09 through FY 2012-13. DPA establishes variable vehicle rates by Department. Therefore, CSP and CBI have the same rates for each fiscal year.

Class	FY09	FY09	FY10	FY11	FY12	FY13
1	\$0.211	\$0.123	\$0.136	\$0.145	\$0.191	\$0.175
2	\$0.447	\$0.261	\$0.299	\$0.293	\$0.316	\$0.298
3	\$0.644	\$0.393	\$0.567	\$0.534	\$0.450	\$0.544
4	\$0.351	\$0.198	\$0.227	\$0.252	\$0.299	\$0.273
5	\$1.488	\$0.967	\$0.352	\$0.439	\$0.569	\$0.603
7	\$0.216	\$0.118	\$0.132	\$0.178	\$0.219	\$0.203
8	\$0.311	\$0.188	\$0.191	\$0.155	\$0.216	\$0.242
9	\$0.551	\$0.303	\$0.699	\$0.425	\$0.921	\$0.645
10	\$0.421	\$0.253	\$0.316	\$0.320	\$0.360	\$0.288
12	\$0.378	\$0.230	\$0.250	\$0.267	\$0.328	\$0.305
15	\$0.347	\$0.279	\$0.292	\$0.405	\$0.391	\$0.320
16					\$0.102	\$0.088
17			\$0.081	\$0.128	\$0.128	\$0.117

**ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED**

1. Provide a list of any legislation that the Department has: (a) not implemented or (b) partially implemented. Explain why the Department has not implement or has partially implemented the legislation on this list.

*Response: H.B. 13-1031 is partially implemented as the Division of Homeland Security and Emergency Management (DHSEM) is working with federal dispatch partners on a Lean project to harmonize state and federal wildfire dispatch systems. Once the Lean project is complete and DHSEM knows the necessary skill set needed for the dispatch personnel, DHSEM will finish the resource mobilization program hires.*

*The CBI has partially implemented the requirements from S.B. 13-123, Collateral Consequences and H.B. 13-1229, Criminal Background Checks for Firearms Transfers. S.B. 13-123 requires the CBI to create a software flag in the Colorado Crime Information Center (CCIC) to indicate if a person has an approved order of collateral relief on record. This work is estimated to cost \$15,000 General Fund in FY 2013-14. H.B. 13-1229 requires the CBI to coordinate with the State Court Administrator to electronically send judicial orders of incapacitation, commitment, or involuntary certification for treatment of mental illness orders to CBI within 48 hours of entry. This work is estimated to cost \$80,000 cash funds in FY 2013-14. Both projects have completed and approved statements of work. The CBI expects both projects to be completed by June 30, 2014 as both were funded with one-time funds in FY 2013-14.*

2. Does Department have any outstanding high priority recommendations as identified in the "Annual Report of Audit Recommendations Not Fully Implemented" that was published by the State Auditor's Office on June 30, 2013? What is the department doing to resolve the outstanding high priority recommendations?

[http://www.leg.state.co.us/OSA/coauditor1.nsf/All/D36AE0269626A00B87257BF30051FF84/\\$FILE/1337S%20Annual%20Rec%20Database%20as%20of%2006302013.pdf](http://www.leg.state.co.us/OSA/coauditor1.nsf/All/D36AE0269626A00B87257BF30051FF84/$FILE/1337S%20Annual%20Rec%20Database%20as%20of%2006302013.pdf)

*Response: The Department had one recommendation. The outstanding recommendation was made to state agencies that were identified as not being in compliance with state regulations regarding cash funds balances. This recommendation is not classified as an internal control issue and has been outstanding for four years. The Department agrees that two of the Division of Fire Prevention and Control (DFPC) funds are not in compliance with 24-75-402, C.R.S. The Department, through DFPC has accumulated excess uncommitted reserves for the purpose of developing and acquiring a database to be used as a tool in monitoring various licensing programs and training certifications of fire-fighting professionals. The funds have been out of compliance for several years due to problems with the selected vendor's performance. The contract with that vendor was terminated in March, 2013 and DFPC has restarted the procurement process. DFPC will be writing and issuing a Request for Proposal (RFP) with a new vendor being selected by the end of fiscal year 2014. Work on a new system should begin during fiscal year 2015.*

3. Does the department pay annual licensing fees for its state professional employees? If so, what professional employees does the department have and from what funding source(s) does the department pay the licensing fees? If the department has professions that are required to pay licensing fees and the department does not pay the fees, are the individual professional employees responsible for paying the associated licensing fees?

*Response: The Department does not pay for annual licensing fees for its state employees.*

4. Does the department provide continuing education, or funds for continuing education, for professionals within the department? If so, which professions does the department provide continuing education for and how much does the department spend on that? If the department has professions that require continuing education and the department does not pay for continuing education, does the employee have to pay the associated costs?

*Response: DHSEM expects to provide funding using FF for continuing education for the Colorado Infrastructure Protection Coordinator. Because the position is new, steps are being taken to pursue the two required certifications (see above) over the next three years, and upon successful certification, a certain number of CPE credits will be required annual to maintain certification. There is not enough information to project how much these costs will be as there is a long-time horizon before the requirement is triggered.*

*DHSEM also provides funding for Certified Flood Plain Manager certification to Mitigation and Recovery personnel and provides training and/or funding that can lead to Certified Emergency Manager certification with both the Colorado Emergency Management Association (CEMA) and the International Association of Emergency Management (IAEM). The employees currently pay the fees to CEMA and IAEM.*

5. During the hiring process, how often does the number one choice pick candidate turn down a job offer from the department because the starting salary that is offered is not high enough?

*Response: Only one offer was rejected this year. There is no information as to the reason why the offer was rejected.*

6. What is the turnover rate for staff in the department?

*Response: The Department of Personnel will provide a statewide report in response to this question during the Department of Personnel's hearing with the Joint Budget Committee.*



**CDFFC LIST OF FEPP ENGINES**

# EQUIP.	# COOP.	FM REGIONS	COUNTY	COOPERATOR	STATION	AGREEMENT #	EQUIPMENT DESCRIPTION	ENGINE TYPE	FEPP IDENTIFICATION
1	1	NORTHWEST	GRAND	EAST GRAND FPD	RED DIRT STATION	25-08	AM GENERAL 2.5 T 6X6, 1987	TYPE 4	AG0001598846
2	2	NORTHWEST	GRAND	HOT SULPHUR SPRINGS PARSHALL FPD	COUNTY SHOP	25-09	AM GENERAL 2.5 T 6X6, 1989	TYPE 4	AG0001721679
3	3	NORTHWEST	JACKSON	NORTH PARK FPD	GOULD	29-05	KAISER JEEP 2.5T 6X6, 1968	TYPE 4	AG0001388893
4	4	NORTHWEST	JACKSON	NORTH PARK FPD	RAND	29-04	AM GENERAL 2.5T 6X6, 1972	TYPE 4	AG0001598252
5	5	NORTHWEST	JACKSON	NORTH PARK FPD	WALDEN	29-06	AM GENERAL 2.5T 6X6, 1993	TYPE 4	AG0001721731
6	6	NORTHWEST	MOFFAT	MOFFAT COUNTY SHERIFF	CRAIG	41-09	AM GENERAL 2.5T 6X6, 1967	TYPE 4	AG0001171508
7	7	NORTHWEST	MOFFAT	MOFFAT COUNTY SHERIFF	CRAIG	41-08	AM GENERAL 2.5T 6X6, 1973	TYPE 4	AG0001598793
8	8	NORTHWEST	MOFFAT	MOFFAT COUNTY SHERIFF	CRAIG	41-12	AM GENERAL 2.5T 6X6, 1991	TYPE 4	AG0001721674
9	9	NORTHWEST	MOFFAT	MOFFAT COUNTY SHERIFF	CRAIG	41-10	AM GENERAL 2.5T 6X6, 1993	TYPE 4	AG0001750498
10	10	NORTHWEST	MOFFAT	MOFFAT COUNTY SHERIFF	CRAIG	41-11	FORD T1 4X4, 1997	TYPE 6	STATE OWNED
11	11	NORTHWEST	RIO BLANCO	RIO BLANCO FPD	MEEKER	52-04	AM GENERAL 2.5T 6X6, 1972	TYPE 4	AG0001388834
12	12	NORTHWEST	RIO BLANCO	RIO BLANCO FPD	MEEKER	52-03	CHEV. T1 4X4, 1985	TYPE 6	AG0001721696
13	13	NORTHWEST	ROUTT	NORTH ROUIT FPD	STATION #2	54-05	AM GENERAL 2.5T 6X6, 1975	TYPE 4	AG0001598315
14	14	NORTHWEST	ROUTT	OAK CREEK FPD	OAK CREEK	54-10	AM GENERAL 2.5T 6X6, 1978	TYPE 4	AG0001598801
15	15	NORTHWEST	ROUTT	WEST ROUIT FPD	HAYDEN	54-09	AM GENERAL 2.5T 6X6, 1993	TYPE 4	DDC093434562
16	16	NORTHWEST	ROUTT	YAMPA FPD	PHIPPSBURG	54-07	CHEV. T1 4X4, 1986	TYPE 6	AG0001721687
17	17	NORTHWEST	LARIMER	BIG THOMPSON	CEDAR PARK FIRE STATION	35-19	KAISER JEEP 2.5T 6X6, 1968	TYPE 4	AG0001715106
18	18	NORTHEAST	LARIMER	FIRE EQUIPMENT SHOP	FIRE EQUIPMENT SHOP	NA	AM GENERAL 2.5T 6X6, 1993	TYPE 4	AG0001721745
19	19	NORTHEAST	LARIMER	FIRE EQUIPMENT SHOP	FIRE EQUIPMENT SHOP	NA	AM GENERAL 2.5T 6X6, 1993	TYPE 4	DDC000499429
20	20	NORTHEAST	LARIMER	FIRE EQUIPMENT SHOP	FIRE EQUIPMENT SHOP	NA	REO 2.5T 6X6, 1977	TYPE 4	1102838469
21	21	NORTHEAST	LARIMER	FIRE EQUIPMENT SHOP	FIRE EQUIPMENT SHOP	NA	AM GENERAL 2.5T 6X6, 1968	TYPE 4	AG0001483531
22	22	NORTHEAST	LARIMER	FIRE EQUIPMENT SHOP	FIRE EQUIPMENT SHOP	NA	AM GENERAL 2.5T 6X6, UNK	TYPE 4	DDC010242621
23	23	NORTHEAST	LARIMER	FIRE EQUIPMENT SHOP	FIRE EQUIPMENT SHOP	NA	KAISER JEEP 2.5T 6X6, 1969	TYPE 4	AG0001127312
24	24	NORTHEAST	LARIMER	FIRE EQUIPMENT SHOP	FIRE EQUIPMENT SHOP	NA	KAISER JEEP 2.5T 6X6, 1969	TYPE 4	AG0001227312
25	25	NORTHEAST	LARIMER	FIRE EQUIPMENT SHOP	FIRE EQUIPMENT SHOP	NA	KAISER JEEP 2.5T 6X6, 1968	TYPE 4	AG0001171507
26	26	NORTHEAST	LARIMER	GLACIER VIEW FPD	STATION #1	35-25	AM GENERAL 2.5T 6X6, UNK	TYPE 4	AG0001598826
27	27	NORTHEAST	LARIMER	GLEN HAVEN VFD	STATION #2	35-24	KAISER JEEP 2.5T 6X6, 1968	TYPE 4	AG0001483573
28	28	NORTHEAST	LARIMER	LIVERMORE FPD	LIVERMORE	35-28	AM GENERAL 2.5T 6X6, 1979	TYPE 4	AG0001388918
29	29	NORTHEAST	LARIMER	POUDRE CANYON FPD	STATION #1, POUDRE PARK	35-18	KAISER JEEP 2.5T 6X6, 1968	TYPE 4	AG0001483533
30	30	NORTHEAST	LARIMER	POUDRE CANYON FPD	STATION #2	35-29	UNK 2.5T 6X6, 1970	TYPE 4	AG0001598794
31	31	NORTHEAST	LARIMER	RIST CANYON VFD	STATION #1	35-20	AM GENERAL 2.5T 6X6, 1969	TYPE 4	AG0001255684
32	32	NORTHEAST	LARIMER	RIST CANYON VFD	STATION #3	35-21A	KAISER JEEP 2.5T 6X6, 1968	TYPE 4	AG0001483538
33	33	NORTHEAST	PHILLIPS	HOLYOKE RURAL FPD	SANDHILLS	48-02	KAISER JEEP 2.5T 6X6, 1967	TYPE 4	1102455739
34	34	NORTHEAST	YUMA	ECKLEY/YUMA RURAL FPD	ECKLEY	63-04	CHEV. T1 4X4, 1986	TYPE 6	AG0001598258
35	35	NORTHEAST	YUMA	WAUNETA/YUMA RURAL FPD	WAUNETA	63-03	AM GENERAL 2.5T 6X6, 1991	TYPE 4	AG0001721713
36	36	NORTH CENTRAL	BOULDER	FOUR MILE FPD	STATION #3	07-2DA	KAISER JEEP 2.5T 6X6, 1966	TYPE 4	AG0001227331
37	37	NORTH CENTRAL	BOULDER	INDIAN PEAKS FPD	WARD	07-18	AM GENERAL 2.5T 6X6, 1993	TYPE 4	AG0001721727
38	38	NORTH CENTRAL	BOULDER	LYONS FPD	MAIN STATION	07-20B	AM GENERAL 2.5T 6X6, 1987	TYPE 4	AG0001721653
39	39	NORTH CENTRAL	BOULDER	NEBERLAND FPD	MAIN STATION	07-22	KAISER JEEP 2.5T 6X6, 1970	TYPE 4	AG0001598253
40	40	NORTH CENTRAL	BOULDER	NEBERLAND FPD	MAIN STATION	NA	5 T	TYPE 3	AG0001750489

41	NORTH CENTRAL	BOULDER	SUGARLOAF FPD	STATION #3	07-27	KAISER JEEP 2.5T 6X6, 1971	TYPE 4	AG000125756
42	NORTH CENTRAL	BOULDER	SUNSHINE FPD	STATION #2	07-19	AM GENERAL 2.5T 6X6, 1973	TYPE 4	AG0001598811
43	NORTH CENTRAL	CLEAR CREEK	CLEAR CREEK SHERIFF	DUMONT	10-06	CHEV. IT 4X4, 1985	TYPE 6	AG0001721688
44	NORTH CENTRAL	CLEAR CREEK	CLEAR CREEK SHERIFF	DUMONT	10-05	AM GENERAL 2.5T 6X6, 1993	TYPE 4	AG0001721747
45	NORTH CENTRAL	DOUGLAS	JACKSON 105 FPD	MAIN STATION	18-19	FORD F350 4X4, 2003	TYPE 6	AG0001721700
46	NORTH CENTRAL	DOUGLAS	WEST DOUGLAS FPD	SEDALIA	18-18	KAISER JEEP 2.5T 6X6, 1969	TYPE 4	AG0001517862
47	NORTH CENTRAL	DOUGLAS	WEST DOUGLAS FPD	MOONRIDGE STATION #1	18-15	KAISER JEEP 2.5T 6X6, 1972	TYPE 4	AG0001598803
48	NORTH CENTRAL	ELBERT	AGATE VFD	AGATE	20-07	KAISER JEEP 2.5T 6X6, 1966	TYPE 4	AG0001165544
49	NORTH CENTRAL	ELBERT	ELBERT VFD	ELBERT	20-05	AM GENERAL 2.5T 6X6, 1993	TYPE 4	DDCO11591080
50	NORTH CENTRAL	GILPIN	TIMBERLINE FPD	STATION #2	24-02	AM GENERAL 2.5T 6X6, 1967	TYPE 4	AG0001517844
51	NORTH CENTRAL	JEFFERSON	COAL CREEK CANYON FPD	COAL CREEK CANYON	30-15	AM GENERAL 2.5T 6X6, 1970	TYPE 4	AG0001483532
52	NORTH CENTRAL	JEFFERSON	FOOTHILLS FPD	COUNTRY CLUB	30-18	AM GENERAL 3.5T 6X6, 1969	TYPE 4	AG0001255685
53	COLORADO RIVER	EAGLE	BASALT FPD	EL JEBEL	49-05	KAISER JEEP 2.5T 6X6, 1971	TYPE 4	AG0001598804
54	COLORADO RIVER	EAGLE	GREATER EAGLE FPD	STATION #9	19-08	AM GENERAL 2.5T 6X6, 1968	TYPE 4	AG0001483537
55	COLORADO RIVER	GARFIELD	COLORADO RIVER FIRE RESCUE	STATION #2	23-09	KAISER JEEP 2.5T 6X6, 1966	TYPE 4	AG000171492
56	COLORADO RIVER	MESA	GLADE PARK FPD	GLADE PARK	39-12	KAISER JEEP 2.5T 6X6, 1966	TYPE 4	AG0001483571
57	COLORADO RIVER	MESA	GRAND VALLEY FPD	MAIN STATION	23-08	KAISER JEEP 2.5T 6X6, 1967	TYPE 4	AG0001517904
58	COLORADO RIVER	PITKIN	CARBONDALE FPD	MARBLE	49-04	KAISER JEEP 2.5T 6X6, 1967	TYPE 4	AG0001255673
59	COLORADO RIVER	PITKIN	CARBONDALE FPD	CARBONDALE	26-06	AM GENERAL 2.5T 6X6, 1970	TYPE 4	AG0001598792
60	WEST	DELTA	CRAWFORD VFD	CRAWFORD	15-03	AM GENERAL 2.5T 6X6, 1994	TYPE 4	AG0001721670
61	WEST	DELTA	HOTCHKISS FPD	REDLANDS	15-04	UNK 2.5T 6X6, 1989	TYPE 4	AG0001721680
62	WEST	DELTA	PAONIA FPD	PAONIA	15-07	CHEV. IT 4X4, 1986	TYPE 6	AG0001598768
63	WEST	GUNNISON	CRESTED BUTTE FPD	STATION #4	26-06	CHEV. IT 4X4, 1984	TYPE 6	AG0001598257
64	WEST	HINSDALE	LAKE CITY FPD	MAIN STATION	27-03	KAISER JEEP 2.5T 6X6, 1970	TYPE 4	AG0001598339
65	WEST	MESA	GATEWAY-UNAWEEP	GATEWAY	39-11	AM GENERAL 2.5T 6X6, 1973	TYPE 4	AG0001598798
66	WEST	OURAY	HORSELEY VFD	STATION #1	46-04	CHEV. IT 4X4, 1985	TYPE 6	AG0001493512
67	WEST	SAN MIGUEL	NORWOOD VFD	NORWOOD FIRE STATION	57-02	AM GENERAL 2.5T 6X6, 1993	TYPE 4	AG0001721744
68	WEST	SAN MIGUEL	SAN MIGUEL COUNTY SHERIFF	NORWOOD FIRE STATION	57-04	KAISER JEEP 2.5T 6X6, 1968	TYPE 4	AG000115595
69	SOUTH CENTRAL	CHAFFEE	CHAFFEE COUNTY FPD	STATION #1	08-08	AM GENERAL 2.5T 6X6, 1977	TYPE 4	AG0001388891
70	SOUTH CENTRAL	CHAFFEE	CHAFFEE COUNTY FPD	STATION #1	08-06	KAISER JEEP 2.5T 6X6, 1968	TYPE 4	AG0001598311
71	SOUTH CENTRAL	CHAFFEE	CHAFFEE COUNTY FPD	MAIN STATION	08-07	AM GENERAL 2.5T 6X6, 1993	TYPE 4	AG0001721746
72	SOUTH CENTRAL	CHAFFEE	CHAFFEE COUNTY FPD	DFPC SHOP	08-04	AM GENERAL 2.5T 6X6, 1993	TYPE 4	DDCO13121460
73	SOUTH CENTRAL	EL PASO	HANOVER FPD	DFPC SHOP	21-09	KAISER JEEP 2.5T 6X6, 1972	TYPE 4	AG0001598796
74	SOUTH CENTRAL	PARK	PALMER LAKE FPD	PALMER LAKE	21-08	AM GENERAL 2.5T 6X6, 1980	TYPE 4	AG0001721709
75	SOUTH CENTRAL	PARK	JEFFERSON COMO FPD	STATION #2	47-13	CHEV. IT 4X4, 1986	TYPE 6	AG0001598271
76	SOUTH CENTRAL	PARK	NORTH WEST FPD	STATION #5	47-10	KAISER JEEP 2.5T 6X6, 1969	TYPE 4	AG0001517866
77	SOUTH CENTRAL	PARK	MOUNTAIN COMMUNITIES FPD	LUTHERAN VALLEY RANCH	47-11	AM GENERAL 2.5T 6X6, 1973	TYPE 4	AG0001171498
78	SOUTH CENTRAL	TELLER	MOUNTAIN COMMUNITIES FPD	LUTHERAN VALLEY RANCH	60-06	AM GENERAL 2.5T 6X6, 1968	TYPE 4	AG0001493535
79	SOUTH CENTRAL	TELLER	VICTOR FIRE RESCUE	VICTOR	60-05	CHEV. IT 4X4, 1985	TYPE 6	AG0001598256
80	SOUTH CENTRAL	TELLER	CAMPO VFD	CAMPO	60-07	CHEV. IT 4X4, 1985	TYPE 6	AG0001517920
81	SOUTHEAST	BACA	WALSH VFD	WALSH	05-08	AM GENERAL 2.5T 6X6, 1993	TYPE 4	DDCO10051660
82	SOUTHEAST	BENT	HASTY-McCLAVE FPD	HASTY	05-05	AM GENERAL 2.5T 6X6, UNK	TYPE 4	AG0001721694
83	SOUTHEAST	CROWLEY	SUGAR CITY VFD	SUGAR CITY	06-03	KAISER JEEP 2.5T 6X6, 1970	TYPE 4	AG0001598795
84	SOUTHEAST	KIOWA	SUGAR CITY VFD	SUGAR CITY	13-03	AM GENERAL 2.5T 6X6, 1993	TYPE 4	AG0001721726
85	SOUTHEAST	PROWERS	WILEY RURAL FPD	EADS	31-02	KAISER JEEP 2.5T 6X6, 1989	TYPE 4	AG0001598827
86	SOUTHEAST	PROWERS	WILEY RURAL FPD	WILEY	50-02	STUDEBAKER 2.5T 6X6, 1952	TYPE 4	AG000116717

87	63	SOUTH	CUSTER	WET MOUNTAIN FPD	LAKE DEWEESSE FS	14-02	CHEV. IT 4X4, 1986	TYPE 6	DDCCZ735877
88	64	SOUTH	FREMONT	TALLAHASSEE VPD	COUNTY SHOP	22-03	KAISER JEEP 2.5T 6X6, 1969	TYPE 4	AG0001483370
89	65	SOUTH	FREMONT	TALLAHASSEE VPD	COUNTY SHOP	22-04	AM GENERAL 2.5T 6X6, 1993	TYPE 4	DDCO10594500
90	66	SOUTH	FREMONT	WESTERN FREMONT FPD	COALDALE	22-06	FORD F350 4X4, 2004	TYPE 6	AG0001721741
91	67	SOUTH	FREMONT	FREMONT COUNTY SHERIFF	SHERIFF'S OFFICE	22-05	AM GENERAL 2.5T 6X6, 1969	TYPE 4	AG0001483536
92	68	SOUTH	HUERFANO	HUERFANO COUNTY FPD	WALSENBURG	28-04	AM GENERAL 2.5T 6X6, 1993	TYPE 4	DDCO13040807
93	69	SOUTH	HUERFANO	LA VETA FPD	CUCHARA	28-07	KAISER JEEP 2.5T 6X6, 1966	TYPE 4	AG0001255683
94	70	SOUTH	HUERFANO	LA VETA FPD	CUCHARA STATION #2	28-05	DODGE 5/AT 4X4, 1977	TYPE 6	AG0001517856
95	71	SOUTH	HUERFANO	LA VETA FPD	LA VETA	28-09	FORD L9000, 1991	TYPE 4	STATE OWNED
96	72	SOUTH	HUERFANO	FISHERS PEAK FPD	STARKVILLE	36-12	FORD F350 4X4, 2002	TYPE 6	AG0001721668
97	73	SOUTH	LAS ANIMAS	FISHERS PEAK FPD	STARKVILLE	36-10	INTERNATIONAL 1600T, 1978	TYPE 4	STATE OWNED
98	74	SOUTH	LAS ANIMAS	FISHERS PEAK FPD	STARKVILLE	36-16	UNK 2.5T 6X6, 1968	TYPE 4	STATE OWNED
99	75	SOUTH	LAS ANIMAS	KIM VFD	KIM	36-13	FORD F350 2X4, 1989	TYPE 6	AG0001598272
100	76	SOUTH	LAS ANIMAS	SPANISH PEAKS/BON CARBO FPD	GUJARRE	36-09	AM GENERAL 2.5T 6X6, 1969	TYPE 4	AG0001517912
101	77	SOUTH	LAS ANIMAS	SPANISH PEAKS/BON CARBO FPD	BON CARBO	36-07	UNK 2.5T 6X6, 1989	TYPE 4	AG0001721684
102	78	SOUTH	LAS ANIMAS	STONEWALL FPD	STONEWALL	NA	KAISER JEEP M715 4X4, 1967	TYPE 6	1102456140
103	79	SOUTH	LAS ANIMAS	STONEWALL FPD	STONEWALL	36-08	AM GENERAL 2.5T 6X6, 1973	TYPE 4	1102832634
104	80	SOUTH	LAS ANIMAS	STONEWALL FPD	STONEWALL	36-11	AM GENERAL 2.5T 6X6, 1970	TYPE 4	AG0001598810
105	81	SOUTHWEST	ARCHULETA	ARCHULETA COUNTY SHERIFF	EOC	04-05	CHEV. IT 4X4, 1986	TYPE 6	AG0001598836
106	82	SOUTHWEST	ARCHULETA	ARCHULETA COUNTY SHERIFF	EOC	04-03	AM GENERAL 2.5T 6X6, 1993	TYPE 4	AG0001721724
107	83	SOUTHWEST	ARCHULETA	PAGOSA FPD	STATION #4	04-06	BRIGGS & STRATTON SLIP IN UNIT	NA	AG0001721716
108	84	SOUTHWEST	ARCHULETA	PAGOSA FPD	STATION #4	04-06	BRIGGS & STRATTON SLIP IN UNIT	NA	AG0001721717
109	85	SOUTHWEST	LA PLATA	FORT LEWIS-MESA FPD	STATION #4	34-12	AM GENERAL 2.5T 6X6, 1969	TYPE 4	AG0001155594
110	86	SOUTHWEST	LA PLATA	FORT LEWIS-MESA FPD	STATION #4	34-13	AM GENERAL 2.5T 6X6, 1970	TYPE 4	AG0001483572
111	87	SOUTHWEST	LA PLATA	FORT LEWIS-MESA FPD	STATION #4	34-14	AM GENERAL 2.5T 6X6, 1973	TYPE 4	AG0001598797
112	88	SOUTHWEST	MONTEZUMA	LEWIS ARRICOLA FPD	COUNTY RD 5	42-08	KAISER JEEP 2.5T 6X6, 1968	TYPE 4	AG0001388889
113	89	SOUTHWEST	MONTEZUMA	MANCOS FPD	MANCOS	42-09	CHEV. IT 4X4, 1984	TYPE 6	AG0001598262
114	90	SOUTHWEST	MONTEZUMA	MANCOS FPD	MANCOS	42-06	CHEV. IT 4X4, 1984	TYPE 6	AG0001598260
115	91	SOUTHWEST	MONTEZUMA	PLEASANT VIEW VFD	HWY 491	42-07	CHEV. IT 4X4, 1985	TYPE 6	AG0001517919
116	92	SAN LUIS VALLEY	CONEJOS	SOUTH CONEJOS FPD	CONEJOS	11-04	CHEV. IT 4X4, 1984	TYPE 6	AG0001721686
117	93	SAN LUIS VALLEY	COSTILLA	FORT GARLAND FPD	FORT GARLAND	12-02	KAISER JEEP 2.5T 6X6, 1966	TYPE 4	AG0001598800
118	94	SAN LUIS VALLEY	MINERAL	CREEDE VFD	CREEDE CAVE	40-02	AM GENERAL 2.5T 6X6, 1970	TYPE 4	AG0001598824
119	95	SAN LUIS VALLEY	RIO GRANDE	DEL NORTE FPD	DEL NORTE	53-05	KAISER JEEP 2.5T 6X6, 1968	TYPE 4	AG0001517840
120	96	SAN LUIS VALLEY	RIO GRANDE	SOUTH FORK VFD	SOUTH FORK	53-06	AM GENERAL 2.5T 6X6, 1993	TYPE 4	AG0001750499

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**Attachement A - Question 39 DPS Hearing Agenda Questions**  
**CSP & CBI OPERATING COSTS BY CLASS - (FY09 to FY13)**

<b>FY09</b>					
Department	Division	Vehicle_Class_Code	Miles Billed	Actual CPM	Total Cost
CDPS	CBI	1	351,053	\$0.123	\$43,283.05
CDPS	CBI	2	845	\$5.136	\$4,339.90
CDPS	CBI	4	331,904	\$0.146	\$48,501.37
CDPS	CBI	5	8,432	\$0.389	\$3,279.89
CDPS	CBI	7	52,728	\$0.137	\$7,205.86
CDPS	CBI	10	77,802	\$0.291	\$22,613.46
CDPS	CBI	12	196,680	\$0.135	\$26,469.45
CDPS	CSP	1	119,233	\$0.152	\$18,148.22
CDPS	CSP	2	104,557	\$0.234	\$24,418.62
CDPS	CSP	3	141,830	\$0.500	\$70,850.27
CDPS	CSP	4	1,903,274	\$0.220	\$417,907.05
CDPS	CSP	5	199,623	\$0.334	\$66,745.27
CDPS	CSP	7	2,803	\$0.126	\$354.06
CDPS	CSP	8	22,424	\$0.132	\$2,960.22
CDPS	CSP	9	8,920	\$0.553	\$4,928.34
CDPS	CSP	10	106,054	\$0.320	\$33,989.18
CDPS	CSP	12	13,364,005	\$0.232	\$3,104,517.70
CDPS	CSP	15	247,351	\$0.329	\$81,319.43
CDPS	CSP	17	23,134	\$0.083	\$1,927.83
<b>Total</b>			<b>17,262,652</b>	<b>\$0.231</b>	<b>\$3,983,759.17</b>

<b>FY10</b>					
CDPS	CBI	1	366,100	\$0.131	\$48,077.18
CDPS	CBI	2	1,422	\$1.942	\$2,761.56
CDPS	CBI	4	280,283	\$0.180	\$50,586.20
CDPS	CBI	5	6,488	\$0.471	\$3,058.54
CDPS	CBI	7	44,611	\$0.155	\$6,931.39
CDPS	CBI	10	68,847	\$0.277	\$19,057.86
CDPS	CBI	12	161,301	\$0.182	\$29,356.15
CDPS	CBI	16	73	\$0.298	\$21.78
CDPS	CSP	1	140,859	\$0.147	\$20,734.05
CDPS	CSP	2	97,082	\$0.221	\$21,495.30
CDPS	CSP	3	24,984	\$0.458	\$11,451.78
CDPS	CSP	4	1,900,361	\$0.230	\$437,782.44
CDPS	CSP	5	303,291	\$0.383	\$116,022.06
CDPS	CSP	7	23,500	\$0.147	\$3,456.46
CDPS	CSP	8	17,172	\$0.138	\$2,376.86
CDPS	CSP	9	11,956	\$0.341	\$4,072.37
CDPS	CSP	10	147,474	\$0.274	\$40,375.19
CDPS	CSP	12	13,049,742	\$0.237	\$3,093,581.43
CDPS	CSP	15	192,382	\$0.329	\$63,206.52
CDPS	CSP	17	30,968	\$0.108	\$3,335.49
<b>Total</b>			<b>16,868,896</b>	<b>\$0.236</b>	<b>\$3,977,740.61</b>

**Attachement A - Question 39 DPS Hearing Agenda Questions**  
**CSP & CBI OPERATING COSTS BY CLASS - (FY09 to FY13)**

**FY11**

CDPS	CBI	1	354,793	\$0.160	\$56,765.71
CDPS	CBI	2	137	\$0.620	\$84.93
CDPS	CBI	4	328,993	\$0.213	\$70,115.96
CDPS	CBI	5	6,265	\$0.829	\$5,191.06
CDPS	CBI	7	39,476	\$0.195	\$7,683.93
CDPS	CBI	10	98,605	\$0.250	\$24,650.21
CDPS	CBI	12	164,407	\$0.153	\$25,182.14
CDPS	CBI	16	4,027	\$0.099	\$400.44
CDPS	CSP	1	130,342	\$0.181	\$23,539.43
CDPS	CSP	2	122,631	\$0.259	\$31,774.18
CDPS	CSP	3	10,605	\$0.522	\$5,540.73
CDPS	CSP	4	2,114,736	\$0.245	\$518,870.02
CDPS	CSP	5	258,152	\$0.472	\$121,972.74
CDPS	CSP	7	0	\$0.000	\$0.00
CDPS	CSP	8	26,617	\$0.196	\$5,210.33
CDPS	CSP	9	3,901	\$1.358	\$5,296.12
CDPS	CSP	10	170,317	\$0.300	\$51,133.79
CDPS	CSP	12	12,245,428	\$0.270	\$3,303,275.14
CDPS	CSP	15	196,037	\$0.326	\$63,994.23
CDPS	CSP	17	46,164	\$0.102	\$4,712.25
<b>Total</b>			<b>16,321,633</b>	<b>\$0.265</b>	<b>\$4,325,461.79</b>

**FY12**

CDPS	CBI	1	364,160	\$0.193	\$70,318.38
CDPS	CBI	2	640	\$0.817	\$523.06
CDPS	CBI	4	341,192	\$0.234	\$79,866.09
CDPS	CBI	5	5,872	\$1.253	\$7,358.77
CDPS	CBI	7	43,511	\$0.183	\$7,980.79
CDPS	CBI	10	91,132	\$0.300	\$27,339.86
CDPS	CBI	12	104,175	\$0.208	\$21,638.69
CDPS	CBI	16	533	\$0.078	\$41.45
CDPS	CSP	1	171,594	\$0.207	\$35,571.03
CDPS	CSP	2	120,266	\$0.299	\$35,949.76
CDPS	CSP	3	14,541	\$0.366	\$5,326.37
CDPS	CSP	4	2,294,494	\$0.292	\$669,822.05
CDPS	CSP	5	266,222	\$0.579	\$154,085.89
CDPS	CSP	7	59	\$0.000	\$0.00
CDPS	CSP	8	26,303	\$0.252	\$6,640.97
CDPS	CSP	9	4,342	\$0.475	\$2,061.21
CDPS	CSP	10	166,296	\$0.282	\$46,819.77
CDPS	CSP	12	11,954,519	\$0.313	\$3,741,232.57
CDPS	CSP	15	225,595	\$0.310	\$70,011.16
CDPS	CSP	16	8,914	\$0.113	\$1,010.74
CDPS	CSP	17	41,835	\$0.126	\$5,263.13
<b>Total</b>			<b>16,246,195</b>	<b>\$0.307</b>	<b>\$4,988,861.74</b>

**Attachement A - Question 39 DPS Hearing Agenda Questions  
 CSP & CBI OPERATING COSTS BY CLASS - (FY09 to FY13)**

**FY13**

CDPS	CBI	1	340,165	\$0.189	\$64,280.50
CDPS	CBI	2	425	\$1.275	\$541.85
CDPS	CBI	4	290,452	\$0.248	\$72,156.11
CDPS	CBI	5	4,170	\$0.799	\$3,333.12
CDPS	CBI	7	31,405	\$0.211	\$6,619.77
CDPS	CBI	10	106,345	\$0.282	\$29,985.29
CDPS	CBI	12	103,264	\$0.242	\$24,959.56
CDPS	CSP	1	167,382	\$0.239	\$39,961.01
CDPS	CSP	2	389,032	\$0.350	\$136,226.84
CDPS	CSP	3	18,867	\$0.362	\$6,829.69
CDPS	CSP	4	2,839,487	\$0.306	\$869,847.18
CDPS	CSP	5	247,232	\$0.672	\$166,206.90
CDPS	CSP	8	22,246	\$0.217	\$4,827.92
CDPS	CSP	9	1,037	\$1.186	\$1,229.90
CDPS	CSP	10	153,156	\$0.351	\$53,691.24
CDPS	CSP	12	11,882,307	\$0.317	\$3,764,413.79
CDPS	CSP	15	177,829	\$0.408	\$72,492.72
CDPS	CSP	16	10,668	\$0.108	\$1,150.72
CDPS	CSP	17	25,485	\$0.167	\$4,260.86
<b>Total =</b>			<b>16,810,954</b>	<b>\$0.317</b>	<b>\$5,323,014.97</b>
<b>5 Year Totals =</b>			<b>83,510,330</b>	<b>\$0.271</b>	<b>\$22,598,838.28</b>

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**DEPARTMENT OF PUBLIC SAFETY  
FY 2014-15 JOINT BUDGET COMMITTEE  
UPDATED  
HEARING AGENDA**

**Friday, November 22, 2013  
9:00 am – 12:00 pm**

**9:00-9:05      INTRODUCTIONS AND OPENING COMMENTS**

**9:05-9:35      DISASTER EMERGENCY FUND – REVENUES, EXPENDITURES, AND FUND BALANCE**

1. Please provide details on what commitments the Governor has made to local governments regarding the non-federal match of local expenses. Has the Governor made any commitments to local governments to provide state funding for non-federal match local costs? If yes, provide detail on how the Governor is determining how much state funding to provide, when to provide the funding, and how the Governor is determining which counties to provide the funding to? How much is this additional state financial commitment going to cost the state over time?
2. Are counties going to be able to accept state funding in light of their TABOR limits?
3. Do counties have TABOR emergency reserves by individual county? Are counties in compliance with TABOR requirements for a reserve and can they draw down on their TABOR reserves to resolve some of their disaster emergency costs?
4. How does the FEMA process work with regard to claims being processed? Do all claims have to go through the state or are locals able to make claims directly to FEMA? How long do agencies have to submit claims after a disaster? How long does it take FEMA to respond to claims and reimburse the state or the local agency for the claims?
5. The Disaster Emergency Fund table on page 19 of the JBC staff briefing document shows \$3.1 million of reimbursements for the High Park disaster event. Why are there no reimbursements listed for the Waldo Canyon disaster event? How many of the disaster events listed on the table on page 19 will qualify for reimbursement from the Federal Government? Provide an estimate of the total reimbursement by disaster event.
6. Regarding the Controlled Maintenance Trust Fund (CMTF). How is the fund managed? In what kinds of investment vehicles is the fund invested? *[This question is also included in the Department of Treasury's Hearing agenda]*

**9:35-10:05 DIVISION OF FIRE PREVENTION AND CONTROL FUNDING REQUESTS**

7. The Department is requesting an increase in appropriations to the Wildfire Preparedness Fund by \$900,000 from the previous year. Discuss the assumptions the Department used to calculate the need for \$4.2 million in FY 2014-15 and beyond.
8. Request 11 for state engine staffing was submitted with 15 operational engines in the narrative. Since that time, staff was informed that there are now only 13 operational engines. Describe the Division's replacement plan for the state firefighting engine fleet.
- 8a. What is the mission of the State Firefighting Engine Program? Describe the State Firefighting Engine Program including: (a) how are current state engines and staff deployed around the state, (b) how are decisions made as to how engines and staff are deployed, (c) what are state engines and staff roles during the fall and winter months?
- 8b. Why does the State need to operate state firefighting engines and have state firefighters rather than focus on coordinating and supporting local resources? Would it be more effective for the State to fund a grant program to counties instead of managing a state firefighting program?
- 8c. Describe the Federal Excess Personal Property (FEPP) program and the State's role in it. The Department has stated that it builds out and maintains 120 FEPP engines for local firefighting agencies. Provide a list with the current deployment of the 120 engines. Describe the process for determining where the FEPP engines are sent throughout the state. Provide comparative statistics on how much it costs the Department to build out one FEPP engine and how much it would cost a local firefighting agency to purchase the engine or contract with a private contractor to build it out.
- 8d. Pursuant to Section 24-33.5-1227 (2) (b), C.R.S., the Department is responsible for updating the State Wildfire Preparedness Plan every March 15 and submitting a report to the Governor and the General Assembly no later than April 1. Summarize the 2013 Wildfire Preparedness Plan and provide detail on the \$4.3 million budget by expense category. Does the Department have any updates to the 2013 Plan?
- 8e. Senate Bill 13-245 created a Colorado Firefighting Air Corps (C-FAC). The bill did not provide any funding for the C-FAC, however, pursuant to Section 24-33.5-1228 (4), C.R.S., the bill required that the Division of Fire Prevention and Control submit a report prior to April 1, 2014, that sets forth the Division's analysis of the feasibility of continuing the C-FAC and whether more efficacious firefighting alternatives to the C-FAC exist. Provide an update on the Department's progress in its analysis of the feasibility of implementing a Colorado Firefighting Air Corps.
9. Request 5 is for a Budget Analyst IV in the Division of Fire Prevention and Control. Is there a standard schedule for when an extra budget analyst in a department is needed? Provide the assumptions used to request the budget analyst position at the BA IV level.

10. Why was S.B. 13-270 written the way it was to provide funding to the Wildfire Preparedness Fund from a diversion of insurance premium taxes revenue deposited in the General Fund?
11. Is the department currently engaged in discussions with the Governor or any other agency about further actions regarding wildfire mitigation efforts on federal and state land? What is the plan for future wildfire mitigation efforts?

**10:05-10:35 COLORADO BUREAU OF INVESTIGATION NEW PUEBLO FACILITY**

12. Provide a detailed analysis of the process for determining the size and location of the proposed new Pueblo facility.
13. Discuss the assumptions used for calculating the total purchase and build-out cost of \$7.1 million over 20 years.
14. Provide a copy of the specific legislative language that the Department will need for this request to be realized.
15. Provide a copy of the letter the Department intends to submit to the JBC asking the Committee to sponsor legislative language related to Department Request 1.
16. The Department request states that the Colorado Bureau of Investigation has made a final selection of the location for the new Pueblo CBI laboratory. Has there been a survey of other possible state locations that could be used for the laboratory rather than the location presented in the request? Are there any specific evidence transportation requirements that require the laboratory to remain in Pueblo? Does the new laboratory have to remain in Pueblo? Could existing space at the Pueblo airport, at Colorado State University-Pueblo, or space at the Colorado Mental Health Institute at Pueblo be used to house a new Pueblo CBI laboratory?
17. Provide detailed information on all the clients of the Pueblo laboratory and the kinds of services the laboratory provides by client.
- 17a. Provide a map plot using Geographic Information Systems (GIS) of the whole CBI service area, the case locations where evidence is collected, and the locations of the courts where CBI staff have to appear for testimony in order to estimate the transportation time and distance requirements for CBI laboratory staff.
- 17b. How does the CBI currently transport evidence to and from the CBI laboratories throughout the state? Could some evidence be transported through the United States Postal Service (USPS) using double-wrapped security carton procedures? Would using the USPS save the CBI any costs?
18. Are controlled maintenance costs for the new Pueblo laboratory included in the lease-purchase costs identified in the request?

19. Did the Department coordinate with the State Architect when developing the master plan for the new Pueblo laboratory? If yes, what is the State Architect's opinion of the feasibility of this project? If no, why was the State Architect not consulted?
20. The Forensic and Laboratory Services Program has stated that one of its main program strategic policy initiatives is to reduce the turnaround time for providing forensic analysis and results to submitting agencies for all disciplines from 147 days currently to 90 days within one year and to 60 days within three years. What is the current turnaround time for forensic analysis? How is funding of a new Pueblo laboratory going to help the Department achieve its strategic policy initiative to reduce forensic analysis turnaround time?
21. Could the CBI undertake the Department of Public Health and Environment (DPHE) toxicology laboratory functions that the DPHE has discontinued recently? Is this a proper function for the CBI laboratory to undertake? Does the CBI have the capacity to undertake toxicology testing within existing resources? Could the CBI use the equipment that DPHE used for toxicology testing? If not, what would it cost to fund a toxicology laboratory, similar to the one in DPHE, within the CBI? Would a statutory change be required to add a toxicology laboratory within the CBI?
22. Please describe your understanding of the toxicology laboratory process as it relates to Driving Under the Influence (DUI) offenses. What is the cost of testing each DUI, who pays the cost of testing, do costs get billed back to the alleged offenders?
23. Provide comparison statistics on the cost of testing blood related to alleged DUI offenses in private laboratories versus the costs of the former state toxicology lab housed in the DPHE.
24. The request for the new Pueblo laboratory mentions that there are currently 2,200 square feet in the new building that are in addition to what the CBI needs, what is the plan for utilizing the extra 2,200 square feet?

**10:35-10:40 BREAK**

**10:40-11:10 FUNDING FOR H.B. 13-1020 TESTING OF SEXUAL ASSAULT**

25. Provide an analysis of the total costs related to H.B 13-1020, including the \$14.0 million General Fund placeholder in the Governor's November 1, 2013, budget submittal letter.
26. The fiscal note for H.B 13-1020 estimated a need of 9.8 FTE in the second year of implementation of the bill. Why does the latest department plan list the need for 19.0 FTE?
27. In the Department's latest Plan on Analyzing Forensic medical Evidence the Department states that it believes that with the FY 2013-14 appropriation of \$6,351,002 it can contract to analyze between 2,750 and 3,000 kits. The fiscal note estimated that the Department could analyze 4,234 kits with the \$6,351,002. Why has the Department increased the cost estimate of contracting for the testing of kits?



28. Does the backlog of sexual assault kits have to be eliminated within FY 2014-15 or could it be done over a longer period of time?
29. Provide an analysis of the estimated costs (capital, personal services, operating expenses) for the CBI to continue testing sexual assault kits once the backlog has been eliminated. How many sexual assault kits does the Department anticipate having to test each year?

**11:10-11:40 FUNDING REQUESTS FOR THE SUSTAINABILITY OF THE STATE FUSION CENTER AND THE COLORADO CYBER-CRIME INITIATIVE**

30. Justify why the State should fund a federal program fusion center after it appears that the federal government is going to significantly reduce funding for such programs?
31. JBC staff mentioned that the Colorado Information Analysis Center (CIAC) has received HUTF "Off-the-Top" support over the years. Please justify the use of HUTF "Off-the-Top" for intelligence/homeland security functions.
- 31a. Would it be more cost-effective to reduce Colorado State Patrol (CSP) assets within the CSP and move those assets in order to populate the CIAC? If this was a brand new program, would the Department have made the same decision to leverage existing CSP assets in the CIAC or would the Department simply requested addition funding? Why or why not?
- 31b. What functions of the CIAC will the Federal Government continue to fund starting with FY 2014-15 and beyond? Is the Federal Government going to continue to commit U.S. Department of Homeland Security and Federal Bureau of Investigation personnel to the efforts of the CIAC?
32. Please provide a historical analysis of actual funding since inception of the CIAC by funding source (please include all state and federal funding sources). Provide the Department's projections of future funding needs by funding source.
33. Provide data on how the Department is going to measure success of the Proposed Cyber Crime Task Force.
34. Why is the Department not proposing to make the Cyber Crime Task Force more robust through a more clear definition of roles and responsibilities in statute?
35. Please explain why the proposed Cyber Crime Task Force is necessary and what exactly will it be tasked with?
36. Will information gathered by the Cyber Crime Task Force be shared with local agencies?

- 36a. What agencies on the federal level are responsible for fighting cyber crime/terrorism? How are these agencies organized to achieve their goals? Is the Colorado Cyber Crime Task Force initiative modeled on an existing federal structure?
- 36b. If arrests are made as a result of action by the proposed Cyber Crime Task Force, will local law enforcement be used to confront and arrest the suspect(s)? How will the state collaborate on joint state-federal-local investigations? What rules of evidence will be used and what would be considered legal procedures? How will the Department confront civil rights issues arising from the investigations?

**11:40-12:00 HIGHWAY USERS TAX FUND (HUTF) "OFF-THE-TOP" FUNDING AND GROWTH**

37. The Department's FY 2014-15 total appropriation request for HUTF "Off-the-Top" funding is above the allowable 6.0 percent appropriation growth by \$435,180. Please provide an analysis of how the Department plans to bring the FY 2014-15 request in balance. What supplemental requests using HUTF "Off-the-Top" funding does the Department anticipate submitting for FY 2013-14?
38. Request 9 is for additional operating expenses in the State Patrol and the Colorado Bureau of Investigation related to an increase in the per mile vehicle variable rate charged by the State Fleet Management program in the Department of Personnel. Why is the State Patrol being charged higher rates? Is this part of common policies set by the Department of Personnel? Are other agencies submitting requests for funding as a result of higher vehicle per mile rates charged by the Department of Personnel?
39. Provide an analysis of Department vehicle per mile rates charged by State Fleet Management by division and vehicle category type for the past 5 years. As part of the analysis, provide the per mile variable rate by vehicle category as well as total operating costs spent by division on vehicle variable costs for the past 5 years. *[This question is also included in the Department of Personnel's Hearing agenda for an analysis of statewide vehicle per mile rates]*

**ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED**

1. Provide a list of any legislation that the Department has: (a) not implemented or (b) partially implemented. Explain why the Department has not implement or has partially implemented the legislation on this list.
2. Does Department have any outstanding high priority recommendations as identified in the "Annual Report of Audit Recommendations Not Fully Implemented" that was published by the State Auditor's Office on June 30, 2013? What is the department doing to resolve the outstanding high priority recommendations?  
[http://www.leg.state.co.us/OSA/coauditor1.nsf/All/D36AE0269626A00B87257BF30051FF84/\\$FILE/1337S%20Annual%20Rec%20Database%20as%20of%2006302013.pdf](http://www.leg.state.co.us/OSA/coauditor1.nsf/All/D36AE0269626A00B87257BF30051FF84/$FILE/1337S%20Annual%20Rec%20Database%20as%20of%2006302013.pdf)
3. Does the department pay annual licensing fees for its state professional employees? If so, what professional employees does the department have and from what funding source(s) does the department pay the licensing fees? If the department has professions that are required to

pay licensing fees and the department does not pay the fees, are the individual professional employees responsible for paying the associated licensing fees?

4. Does the department provide continuing education, or funds for continuing education, for professionals within the department? If so, which professions does the department provide continuing education for and how much does the department spend on that? If the department has professions that require continuing education and the department does not pay for continuing education, does the employee have to pay the associated costs?
5. During the hiring process, how often does the number one choice pick candidate turn down a job offer from the department because the starting salary that is offered is not high enough?
6. What is the turnover rate for staff in the department?