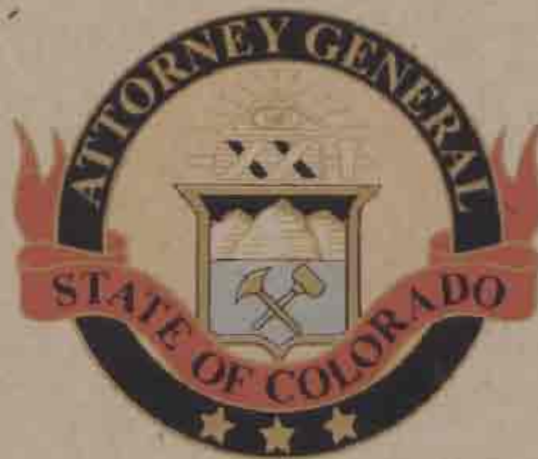


Department of Law
FY 2012-2013
Strategic Plan
&
Budget Request



John W. Suthers
Attorney General

Colorado Department of Law Strategic Plan and Budget Request

Table of Contents

Item	Pg. No.
Department of Law Overview & Annual Reports:	
Departmental Organizational Chart.....	1-1
FY13 Budget in Brief	1-5
Annual Report	1-7
Strategic Plan and Objectives	
Department of Law Summary Objectives	2-1
Administration	2-1
Business & Licensing Strategic Plan.....	2-5
State Services Strategic Plan.....	2-23
Natural Resource Strategic Plan	2-29
Civil Litigation & Employment Strategic	2-39
Change Requests..... 3-1	
Change Request 1-Consumer Protection Investigation Enhancement	3-3
Change Request 2-Consumer Credit Unit Unlicensed Entities Compliance Effort.....	3-11
Change Request 3-Case Management System	3-19
Change Request 4-Deputy Attorney General FTE	3-25
Change Request 5-Appellate 1.5% Base Reduction Reinstatement.....	3-31
Change Request 6-Lobato Base Reduction.....	3-37
Change Request 7-Vehicle Lease Payments.....	3-39
Change Request 8-OIT Legal Increase.....	3-41
Change Request 9-Governor’s Energy Office Increase	3-43
Summary Schedules:	
Schedule 2 – Summary by Long Bill Group.....	4-1
Schedule 5 – Line Item to Statute	4-3
Schedule 6 – Special Bills Summary	4-9
Schedule 7 – Supplement Bill Summary	4-17
Schedule 8 – Common Policy Summary	4-23
Health/Dental/Life (HLD)	4-23
Short Term Disability (STD).....	4-24
Amortization Equalization Disbursement (AED)	4-25
Supplemental Amortization Equalization Disbursement (SAED)	4-26
Salary Survey for Classified Employees (SSC)	4-27
Salary Survey for Exempt Employees (SSE)	4-28
Performance-based Pay for Classified Employees (PBP Classified)	4-29
Performance-based Pay for Exempt Employees (PBP Exempt).....	4-30

Workers' Compensation.....	4-31
Vehicle Lease Payments.....	4-32
Capitol Complex Leased Space.....	4-33
ADP Capital Outlay.....	4-34
Information Technology.....	4-35
Lease Space Storage.....	4-36
Communication Service Payments.....	4-37
CLE Registration Fees.....	4-38
Building Security.....	4-39
ALJ's.....	4-40
Schedule 9 – Cash Funds Reports	4-75
LSSA Table 1 & 2.....	4-131

Administration:

Administration Organizational Chart.....	5-1
Administration Program Narrative.....	5-3
Administration Reconciliation of Request.....	5-9
Administration Schedules 2, 3 & 4.....	5-15

Legal Services to State Agencies:

Organizational Chart.....	6-1
Business and Licensing Narrative.....	6-3
State Services Narrative.....	6-21
Criminal Justice - Department of Public Safety Narrative.....	6-41
Civil Litigation & Employment Law Narrative.....	6-45
Natural Resources Narrative.....	6-51
Consumer Protection – Office of Consumer Counsel.....	6-61
LSSA Reconciliation of Request.....	6-65
LSSA Budget Schedules.....	6-69

Criminal Justice and Appellate:

Organizational Chart.....	7-1
Criminal Justice & Appellate Reconciliation of Request.....	7-3
Special Prosecutions Narrative	7-7
Schedules 2, 3 & 4.....	7-31
Insurance Fraud Narrative	7-19
Securities Fraud Narrative	7-25
Auto Theft Prevent Grant	
Schedules 2, 3 & 4.....	7-43

Appellate	
Narrative	7-53
Schedules 2, 3 & 4	7-57
Medicaid Fraud Unit	
Narrative	7-67
Schedules 2, 3 & 4	7-75
POST Board Unit	
Narrative	7-85
Schedules 2, 3 & 4	7-93
Safe 2 Tell	
Narrative	7-105
Schedules 2, 3 & 4	7-107
Victims' Assistance:	
Narrative	7-117
Schedules 2, 3 & 4	7-121
Indirect Cost Assessment:	
Assumptions and Calculations.....	6-162
Indirect Cost Assessment Schedules 2, 3 & 4.....	6-164
Natural Resources and Water Rights:	
Organizational Chart	8-1
Program Narrative	8-3
Reconciliation of Department Request.....	8-9
Federal & Interstate Water Unit	
Schedules 2, 3 & 4	8-13
Defense of the Colorado River Compact	
Schedules 2, 3 & 4	8-23
Defense of the Republican River Compact	
Schedules 2, 3 & 4	8-33
Consultant Expense	
Schedules 2, 3 & 4	8-41
CERCLA	
Schedules 2, 3 & 4	8-43
CERCLA Contracts	
Schedules 2, 3 & 4	8-53
Natural Resources Damage Claims at Rocky Mountain Arsenal	
Schedules 2, 3 & 4	8-57
NR Indirect Cost Assessment:	
NR Indirect Cost Assessment Schedules 2, 4	8-67

Consumer Protection:

Organizational Chart	9-1
Narrative.....	9-3
Reconciliation of Department Request.....	9-15
Consumer Protection & Anti-Trust Unit:	
Schedules 2, 3 & 4	9-17
Consumer Credit Unit:	
Narrative	9-29
Schedules 2, 3 & 4	9-39
Uniform Consumer Credit Code:	
Schedules 2, 3 & 4	9-51
Collection Agency Board	
Schedules 2, 3 & 4	9-63
CP - Indirect Cost Assessment:	
Schedules 2, 3 & 4	9-73

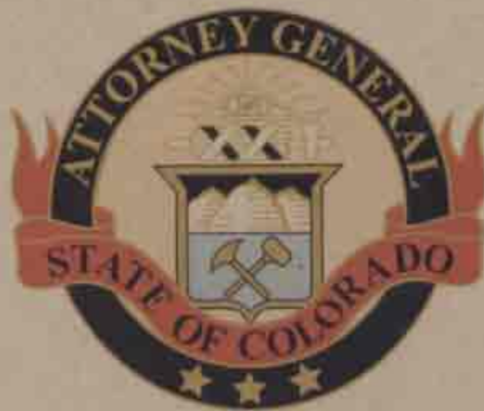
Special Purpose Line Items:

Reconciliation of Department Request	10-1
DA Salaries Schedules 2, 3 & 4.....	10-3
Litigation Management Fund Schedules 2, 3 & 4	10-7
Statewide HIPAA Schedules 2, 3 & 4	10-15
Tobacco Litigation Schedules 2, 3, & 4	10-19
Lobato Litigation Expenses Schedules 2, 3 & 4	10-23

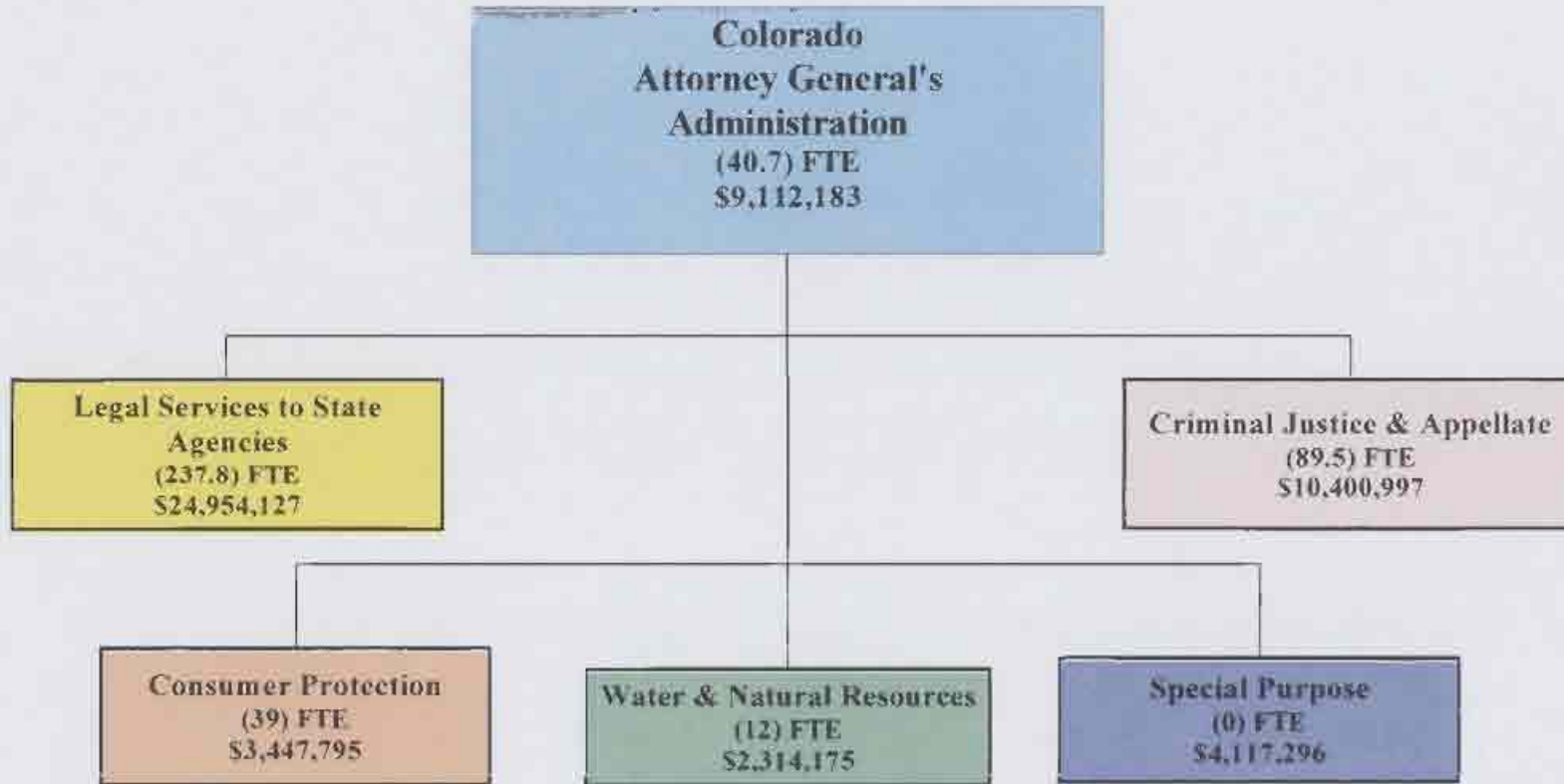
Custodial Funds

CP Custodial 146	11-1
Special Prosecution 147.....	11-3
Natural Resources 148.....	11-5
Uniform Consumer Credit Code 16B.....	11-7
Collection Agency Board 19A.....	11-11
Attorneys Fees and Cost 13H	11-15
POST 14P	11-17
Identity Theft Financial Fraud 19Q	11-19

Department Organizational Chart

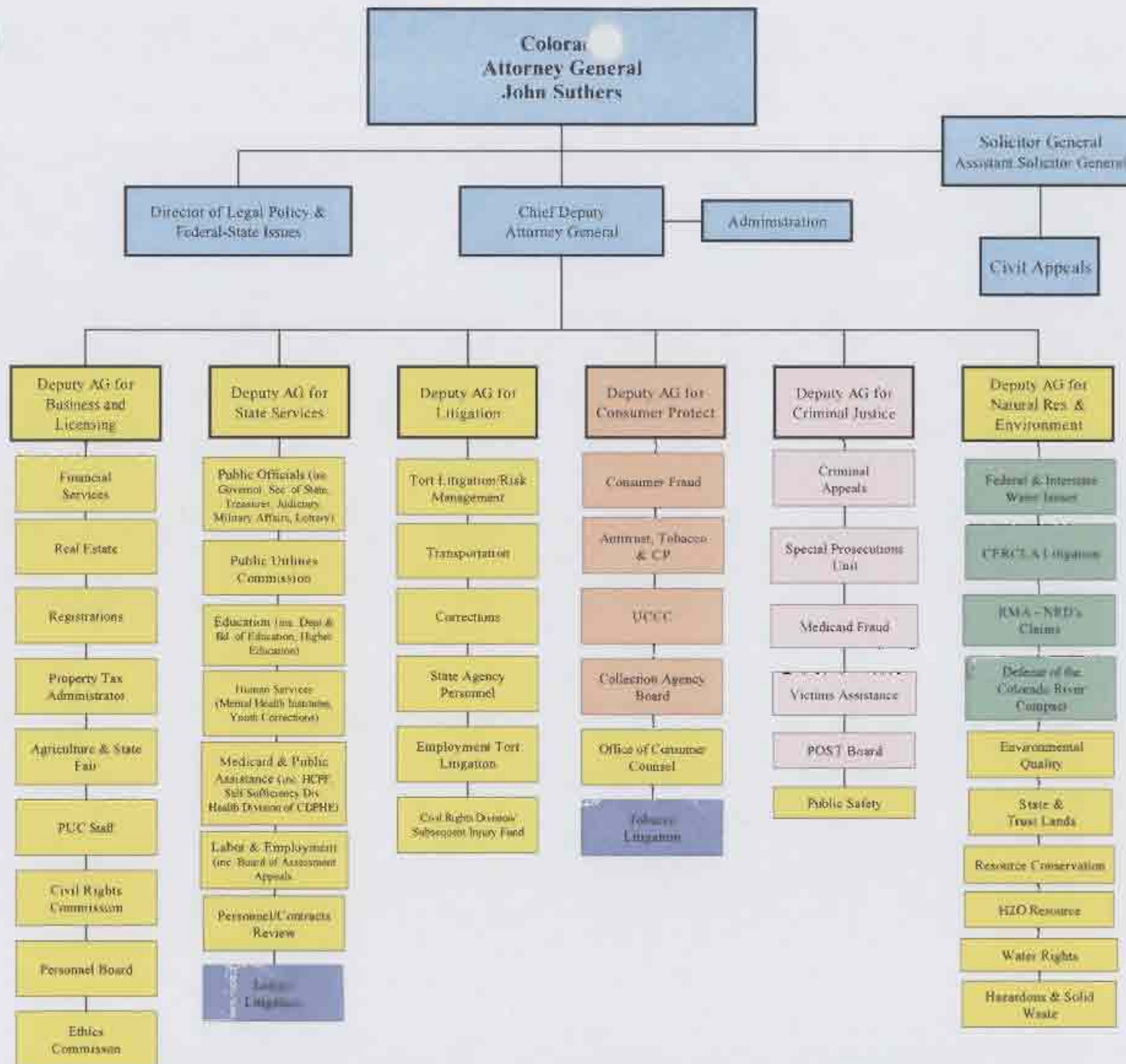


Colorado Department of Law
FY 12



FY 11-12 Dept Total
\$54,346,573 (419) FTE

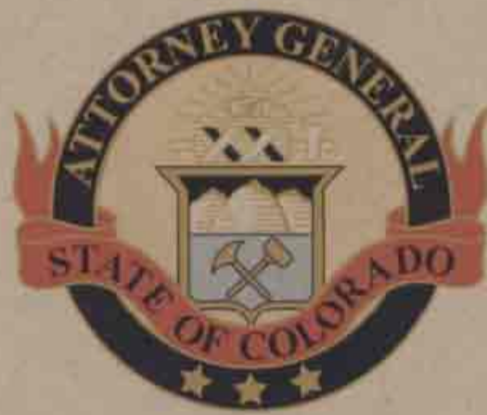
GF = \$9,393,105 CF = \$10,391,750
RA = \$33,061,507 FF = \$1,500,211



Long Bill Funding Sources: LSSA=Yellow Criminal Justice & Appellate=Pink Administration=Blue

Natural Resources & Water Rights=Light Green Consumer Protection=Orange Special Purpose =Purple

FY13 Budget in Brief



Department of Law FY13 Budget in Brief

The FY 13 Department of Law budget request totals \$56,831,994 and 427.5 FTE. This is an all fund source \$1.3M (4.6 %) increase over the FY12 appropriation. The increase is due to a \$776,000 increase due to the State PERA contribution going back to 10.15% from a onetime decrease to 7.65% in FY 12. The balance of the increase is due to other state paid benefits, such as AED and SAED increasing, as well as department initiated decision item requests. The department is requesting the same state paid Health, Life and Dental premiums per employee as provided during FY 12.

The Department is submitting various decision items listed below to address critical and priority efforts of the agency. These include:

- Decision Item #1 – 5.0 FTE Consumer Protection Enhancement. This request will allow the Department of Law, to better protect Colorado consumers across a whole range of deceptive trade practices. Additionally, these resources will enable the agency to manage the huge number of consumer complaints and inquiries received each year, better manage a growing number of lawsuits, and more efficiently investigate and resolve complaints.
- Decision Item #2 – 2.0 FTE Consumer Credit Unit Unlicensed Entities Compliance Effort. This request will allow the Department of Law to better protect Colorado consumers involved in lending, debt management, credit repair, and debt collection activities. Additionally, these resources will enable the unit to better support these industries by maintaining a level playing field for those companies that lawfully provide these services to Colorado residents while enforcing the laws against those that fail to comply.
- Decision Item #3 – 1.0 FTE Case Management System. This request will enable the Department of Law to implement a case management system. The Department has no case management system and yet handles thousands of cases and documents annually. The benefits of having such a system are substantial and a case management system is necessary to handle a continuing growing case load.
- Decision Item #4 – 1.0 FTE Deputy Assistant Attorney General. This request will allow the Department of Law to support an additional Deputy Attorney General in the Legal Services to State Agencies (LSSA) Line item. The department has witnessed extensive growth in FTE to support client agencies the past two legislative sessions. Due to this growth, the department is witnessing a span of control concern.
- Decision Item #5 – Appellate Unit 1.5% base reduction reinstatement. This request is seeking the reinstatement of the FY 2011-12 1.5% base reduction to the Appellate Unit for \$37,428.

Other budget changes November submission:

- Requesting a \$382,500 RF decrease to the Lobato Litigation Line Item due to this case moving into the appeal phase.
- The Governor's Office of Information Technology and the Governor's Energy Officer are initiating requests for additional legal support. These requests total 0.8 FTE and associated spending authority for the Legal Services to State Agencies Line Items.

Department of Law

Annual Report

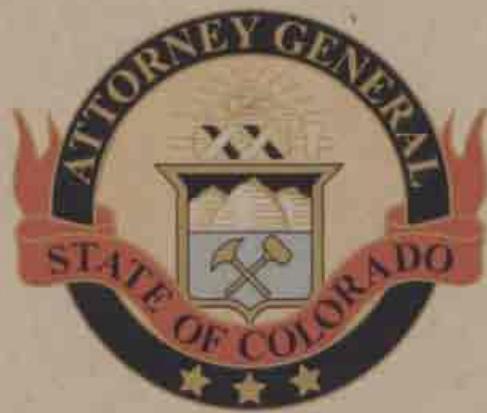
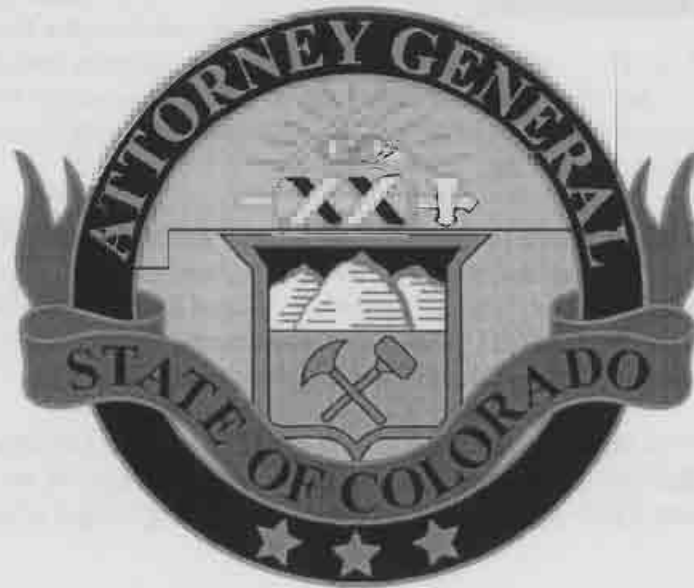


Table of Contents

Office of the Attorney General – 2
 Budget and Legislation – 5
 Consumer Protection – 6
 Criminal Justice – 14
 Appellate Division – 23
 Natural Resources – 25
 State Service – 31
Civil Litigation and Employment Law – 35
 Business and Licensing – 39



Attorney General John W. Suthers



On January 4, 2005, John W. Suthers was appointed as Colorado's 37th Attorney General. In November of 2006, the voters of Colorado elected Attorney General Suthers to serve a full, four-year term. Suthers was re-elected in November 2010 with more than 960,000 votes — more than any other statewide candidate.

As Attorney General, Suthers is charged with representing and defending the interests of the People of the State of Colorado, and serves as chief legal counsel and advisor to state government, its statewide elected officials, and its many state agencies, boards, and commissions.

Attorney General Suthers graduated magna cum laude from the University of Notre Dame with a degree in government in 1974, and from the University of

Colorado Law School in 1977. From 1977 to 1981, he served as a deputy and chief deputy district attorney in Colorado Springs. From September of 1979 to January of 1981, he headed the Economic Crime Division of the DA's office and co-authored a nationally published book on consumer fraud and white-collar crime.

In January 1981, Mr. Suthers entered private practice as a litigation partner in Colorado Springs firm of Sparks Dix, P.C. He remained with the firm until November 1988, when he ran against and defeated the incumbent district attorney for the 4th Judicial District. He was elected to a second term as district attorney in 1992. After serving two terms in office, he returned to Sparks Dix, P.C. as senior counsel in charge of the firm's litigation section.

In 1999, Mr. Suthers was appointed executive director of the Colorado Department of Corrections by Gov. Bill Owens. As head of the state's correctional system, he oversaw an organization with almost 6,000 employees and an annual operating budget of approximately \$500 million.

On July 30, 2001, Mr. Suthers was nominated by President George W. Bush to be the United States Attorney for the District of Colorado. He was unanimously confirmed by the U.S. Senate, and represented the United States in all criminal and civil matters within the District.

In his tenure as Attorney General, Mr. Suthers has founded a safe surfing initiative to protect Colorado's children from internet predators. He also has convened a Mortgage and Foreclosure Fraud Task Force which has led to several pieces of legislation designed to combat mortgage and foreclosure fraud. Attorney General Suthers has been a champion for Colorado's environment, leading the charge to reclaim damages for the Rocky Mountain Arsenal superfund site.

He serves as co-chair of the National Association of Attorneys General Criminal Law Committee, as chair of the National Association of Attorneys General Campus Safety Committee, and as a member of the U.S. Attorney General's Executive Working Group.

Mr. Suthers has served on the board of numerous civic organizations. He served as president of the El Paso County Bar Association during 1990 and 1991, president of the Colorado District Attorney's Council during 1994 and 1995, and senior vice president of the Colorado Bar Association in 1996 and 1997. In 1992, Suthers was appointed by the Colorado legislature to serve as a delegate to the National Conference on Uniform State Laws, serving as such until January 1997. In the summer of 2000, Mr. Suthers received a Gates Foundation Fellowship to attend the Government Executives Program at Harvard University's Kennedy School of Government.

John and his wife, Janet, have been married for more than three decades and have two daughters, Alison, a graduate of Georgetown University Law School and attorney with Holland & Hart in Washington, D.C., and Kate, a Lieutenant J.G. in the United States Navy.

Daniel D. Domenico
Solicitor General



Attorney General Suthers appointed Dan Domenico as Solicitor General of Colorado in April 2006. Before joining the Office of the Attorney General, Mr. Domenico was special assistant to the solicitor of the U.S. Department of the Interior. In that role, he advised the secretary and senior management of the department on a wide range of matters relating to National Parks, federal land, water resources, energy production, and other issues important to Coloradans and citizens of the American West.

Prior to his work at the Interior Department, Mr. Domenico practiced for several years in the Denver and Boulder offices of the national law firm Hogan & Hartson. He also clerked for Judge Tim Tymkovich of the U.S. Court of Appeals for the 10th Circuit (himself a former Colorado solicitor general), and also worked with U.S. Senator John Thune.

Mr. Domenico, a Boulder native, received his undergraduate degree, magna cum laude, from Georgetown University. He attended the University of Virginia School of Law, where he served as editor for two academic journals, including the Virginia Law Review, and was elected to the Order of the Coif.

Cynthia Coffman

Chief Deputy Attorney General



Cynthia Honssinger Coffman serves as chief of staff for the Department of Law's legal and administrative support team. Mrs. Coffman joined the Attorney General's Office in March 2005 after serving as chief legal counsel to Colorado Governor Bill Owens.

Prior to her work at the State Capitol, Mrs. Coffman worked with the Colorado Department of Public Health and Environment. In that position, she oversaw legal and regulatory issues and worked extensively on the state's bioterrorism-preparedness efforts and emergency planning.

Coffman is a founding member of the Public Health Law Association, a national professional organization formed in conjunction with the Centers for Disease Control and Prevention. She has served for five years on the faculty of the agency's annual public health law conference and remains active in the field of health law.

Geoff Blue

Deputy Attorney General for Legal Policy and Governmental Affairs

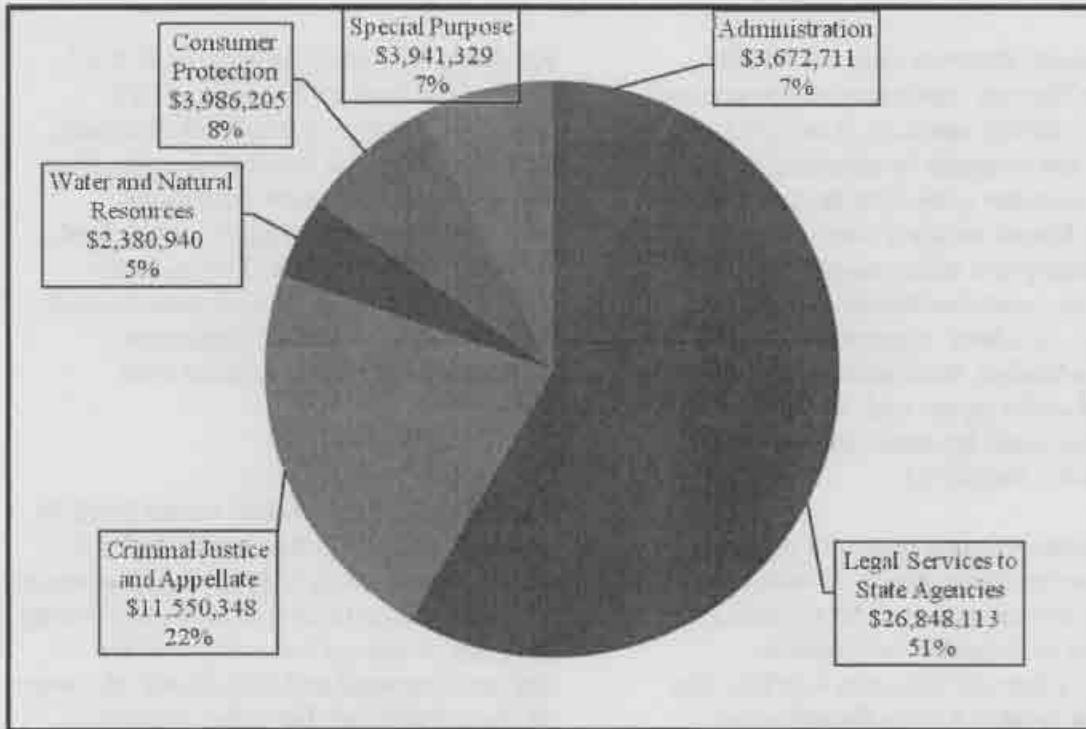


Geoff Blue joined the Attorney General's Office in early 2008 as a senior policy adviser to the Attorney General and the office's liaison to the governor, General Assembly and local governments.

Prior to joining the office, Mr. Blue practiced law with Farfield and Woods, P.C., as a general commercial litigator. His legal experience includes stints with Higgins, Hopkins, McLain & Roswell, LLC, Wheeler Trigg & Kennedy, P.C., and Wolf, Block, Schorr & Solis-Choen, LLP.

Mr. Blue received his bachelor of arts degree in politics from Princeton University. From there, Mr. Blue matriculated to Victoria University of Manchester, England, where he earned a master of arts in health care ethics. Finally, Mr. Blue was granted a JD from the Georgetown University Law Center in 1998. During law school, he served as president of the Society of Law, Health and Bioethics.

The Department of Law budget by the numbers



2010 Legislative Initiatives

The Office of the Attorney General had a great 2010 legislative session with every bill it pushed becoming law. The office's successes ranged from securing better funding for police training initiatives to strengthening the state's consumer protection laws. The bills that became law were:

- **House Bill 1081**, which created a generally applicable felony for money laundering and made it a predicate component of "racketeering" under the Colorado Organized Crime Control Act;
- **House Bill 1277**, which closed a loophole that allowed employees and volunteers at juvenile detention facilities to escape prosecution for engaging in sexual activity with an inmate over the age of 18; and,
- **Senate Bill 27**, which allows the state to fine people who divert groundwater in violation of an order of the state engineer in an amount of up to \$500 per day. (Gov. Bill Ritter signed Senate Bill 27 into law on April 14, 2010.)

The Office of the Attorney General also worked hard to help pass several criminal justice bills:

- **House Bill 1338**, which allows a judge more flexibility in sentencing convicts with two or more felony convictions, provided none of those convictions are for violent crimes;
- **House Bill 1347**, which stiffens the penalties for repeat drunken driving offenders;
- **House Bill 1352**, which lowers the penalties for the simple possession of most controlled substances — with the exception of methamphetamine — and directs most of the cost savings into drug-offender treatment services; and,
- **House Bill 1373**, which creates a statutory distinction between an escapee who walks away from community corrections or other similar programs and the inmate who escapes from a secure Colorado Department of Corrections facility.

Consumer Protection Section

The Colorado Attorney General's Office protects Colorado consumers and businesses against fraud and maintains a competitive business environment by enforcing state and federal consumer protection laws; enforcing state and federal antitrust laws; implementing and enforcing provisions of the tobacco master settlement agreements; enforcing state laws on consumer lending, predatory lending, debt collection, rent-to-own, and credit repair; and, advocating for residential, small business, and agricultural public utility ratepayers.

The Attorney General promotes consumer protection through a variety of initiatives and enforcement activities. His consumer protection enforcement activities are handled by four distinct units which he has formed in order to handle the numerous consumer protection laws that have been enacted. The enforcement activities of these units in 2010 are discussed in more detail below.

Consumer Fraud, Antitrust and Tobacco Settlement Enforcement

The Consumer Fraud and the Consumer Protection, Antitrust & Tobacco Units enforce a variety of state and federal consumer protection and antitrust statutes, as well as the terms of the Tobacco Master Settlement Agreement and related statutes. The laws enforced by this unit includes the Colorado No-Call List Act (§ 6-1-901, et seq., C.R.S.), the Colorado Antitrust Act (§ 6-4-101, et seq., C.R.S.), the Foreclosure Protection Act enacted in 2006 (§ 6-1-1101, et seq., CRS) and the mortgage fraud related laws that were enacted in 2007 (§§ 12-61-

905.5 and -911 and § 38-40-105, C.R.S.). Most of the work of this unit in 2010 focused on mortgage fraud and addressing the fallout from the foreclosure crisis. This unit also launched a new educational program to prevent bid rigging on federal, state and local contracts. This unit also continues to enforce the Colorado No-Call Act, the Tobacco Master Settlement Agreement and related tobacco laws.

Loan Modification and Foreclosure Relief Scams

Foreclosures again reached record levels in Colorado in 2010. Scam artists used this unfortunate situation to prey on homeowners who were trying to save their homes. During 2010 the Attorney General took action against companies and individuals who were taking upfront fees, but doing nothing to lower the home owners' mortgage payments or stop their foreclosures.

Examples of these actions include:

- *State, ex rel. Suthers v. American Mortgage Consultants, Oliver Maldonado and Santiago Pineda*
Maldonado claimed to have expertise and success with lenders in negotiating a loan modification. He took upfront fees in the amounts of \$1,500 to \$3,000 from homeowners in foreclosure across the nation. He never reached any success for these borrowers. The Attorney General sued Maldonado and his salesman, Pineda and reached a consent judgment with them on July 26, 2010. The consent judgment bars them from offering any loan modification, mortgage or foreclosure relief serves and requires them to pay \$450,000.
- *State, ex. rel Suthers v. Sherron Lewis*
Lewis convinced homeowners facing foreclosure to pay him several thousand dollars in order to file frivolous motions in

order to challenge their foreclosures. These foreclosure challenges were never successful and the borrower generally ended up losing their homes. The Attorney General filed this action on July 26, 2010. Lewis never appeared and default judgment against him on January 3, 2011 for \$181,244. The judgment also bars him from offering foreclosure relief services.

- *State, ex rel. Suthers v. Jason Lynn and Superior Financial Group and State, ex rel. Suthers v. Patrick Brunner, Jerry Ohu, Greg Hoffman, William Schultz and Platinum Financial Group*

The Attorney General filed actions against these individuals and companies on October 14, 2010 for their part in an equity stripping scheme that resulted in several homeowners losing their homes. These actions are currently pending.

Mortgage Fraud

In 2010, the Attorney General continued to take action against the mortgage brokers and lenders who placed homeowners in risky loans without disclosing the material terms or risks of these loans to the homeowners. As a result of false advertising and deceptive origination practices, homeowners are facing higher interest rates and monthly mortgage payments that are putting them at risk of foreclosure.

Other major 2010 cases include:

- *Wells Fargo Pick-A-Pay Settlement*
In October 2010 the Attorney General reached a settlement with Wells Fargo to provide relief to those borrowers who are in default on option ARM loans that it holds as a result of acquiring Wachovia and World Savings. Wachovia and World Savings originated option ARM loans under the name of "Pick-a-Pay" loans. They failed to disclose several risky features of these loans, such as the fact that the low teaser rate would quickly escalate within one to three months of the loans origination and the negative amortization features of these loans. Under this settlement Wells Fargo agrees to modify these loans to eliminate

these risky features. It also paid Colorado a total of \$1.1 million.

- *State, ex rel. Suthers v. Assurity Financial Services and Calvin and Troy Hamler*
This suit was filed as a result of numerous deceptive mailings that Assurity issued to homeowners nationwide who were looking to refinance. Assurity used several deceptive tactics to get customers to respond to their mailings. One of their tactics was to make the letters look like they were from a government agency offering a rebate. They also issued mailings that appeared to come from the homeowner's lender, which indicated that the borrower was in default on the loan. The solicitations tried to hide the fact that the solicitation was for a refinancing. The action is currently pending.
- *State, ex rel. Suthers v. Independence Planning, d/b/a Alternative Lending, April Bigler and James Dale*
This action was originally filed in 2009 against a mortgage brokerage firm, its owner and its top producing broker who were putting borrowers in high cost loans without disclosing material risks such as upwardly adjusting interest rates. In 2010 April Bigler and James Dale agreed to settle this action by surrendering their mortgage brokers licenses and paying a total judgment of \$78,655.
- *State, ex rel. Suthers v. Home Mortgage Solutions, Toan (James) Le, An Nguyen and Leonard Smith*

This action was originally filed in 2008 against a mortgage brokerage firm, its owners and manager who were using deceptive mailings featuring a low teaser rates to get customers into option ARM loans. These loans had rapidly escalating interest rates that would increase from 2 percent in the first month to upwards of 8 percent in the second month and each succeeding month. Defendants failed to disclose this escalating interest rate along with other risky features of the option ARM loan to the borrowers. In March 2010, the Attorney General settled with An Nguyen for \$35,000 and the general manager, Leonard Smith, for \$10,000.

Foreclosure Prevention

The Attorney General continued to take a leading role on a national level in combating mortgage fraud. The Attorney General holds leadership positions on two separate taskforces that are designed to enforce laws that will protect fair lending and prevent mortgage scams. The Attorney General is the co-chair of the criminal enforcement working group of the Financial Fraud Enforcement Task Force. He also serves on the executive committee of the recently formed Mortgage Fraud Working Group. The Mortgage Fraud Working Group was formed in October 2010 after allegations came to light that some lenders were rushing loans into foreclosure without following state foreclosure laws.

Also in 2010:

- The Attorney General testified before Financial Crisis Inquiry Commission in January 2010 and provided additional information to the Commission throughout 2010 as part of its investigation into the causes of the financial crisis in 2008. The Commission's final report can be found at www.fcic.gov.
- The Attorney General's Office participated in trainings throughout the year that alerted public trustees and housing counselors to the signs of foreclosure relief fraud and loan modification fraud.
- Co-Authored comments with the Illinois Attorney General's Office to Federal Trade Commission in April 2010 regarding proposed rules about loan modification and foreclosure relief firms. These comments were joined by 38 other states. The FTC's rules adopting many of these comments can be found at 75 Fed. Reg. 75092.

Consumer Fraud

Complaint intake volume increased 36 percent comparable to 2009 levels, totaling 6,462 general complaints and 901 mortgage-

specific complaints. In addition to these written complaints, intake received 13,509 phone calls, 1,757 pre-recorded message inquiries and 1,200 pieces of mail from consumers. We designed and implemented an email notification system to keep consumers informed of our active cases and our website summaries of consumer protection cases generates more than 500 clicks each month. Complaints are received by phone, mail, e-mail and through the agency's Web site.

Key Litigation

During 2010, the Consumer Fraud Unit took a series of actions, including:

- *State of Colorado vs. Global Acquisitions*
Unit attorneys filed a complaint against a Greenwood Village firm that deceptively marketed their business brokerage services to small privately owned businesses throughout the United States. Owners Tyrone Tymkovich and Sam Levine and their associates misled business owners to believe that they had a willing and able buyer interested in the purchase of the business at an inflated price. Tymkovich and Levine collected as much as much as \$10,000 upfront from claiming the money would be used for an certified appraisal of the business necessary to effectuate the sale. The appraisal cost was only \$750 and defendants pocketed the remainder. We obtained a consent judgment for two million dollars along with a contempt judgment against Tymkovich and an injunction preventing the defendants from any further brokering.
- *State v. Immigration Center, et al.*
Immigration Center deceptively marketed itself as affiliated with the federal immigration service. Defendants falsely claimed to be able to provide immigration legal services (without a law license) but actually provide little more than the governmental application forms readily available at the actual USCIS Web site. The court ordered the company to cease operations and to pay \$2.5 million.

Individual owners of the company were also enjoined from further immigration work and were ordered to pay \$85,000.

- *State of Colorado v. Real Talk Network/David Burke*
This nationwide company advertised their debt counseling services in radio infomercials designed to appear as if they were station approved talk shows. In the end, the infomercials were a pitch for consumers to attend a high-pressure sales seminar designed to convince consumers to pay \$2,000 to \$3,500 for their services. The seminars falsely promised services the company did not provide (e.g., no-interest lines of credit; special relationships with banks, etc.) and refused refund requests. We shut this company down through the filing of a temporary restraining order and a litigated hearing involving extensive consumer testimony. The court approved our seizure of more than \$140,000.
- *State of Colorado vs. At The Beach*
The Colorado Attorney General's complaint alleged that At The Beach sales people routinely misled consumers to believe they could cancel their contracts at any time and failed to disclose that cancellation would result in a cancellation fee of \$175 or half of the remainder of the one year contract. The tanning salon company agreed to install recordings equipment in all twenty-four stores so as to prevent commissioned based salespeople from misrepresenting the company's written cancellation policy. The company also agreed to pay an estimated \$200,000 in consumer restitution, along with \$75,000 in fines and \$38,500 to reimburse the state for its investigative costs. As a result of the investigation, At The Beach has already paid more than \$40,000 in restitution.

Uniform Consumer Credit Code & Collection Agency Board

The Consumer Credit Unit enforces eight state credit-related laws – the Uniform Consumer Credit Code (consumer finance) including the Consumer Equity Protection

Act (predatory lending) and the Deferred Deposit Loan Act (payday loans), the Fair Debt Collection Practices Act (collections), the Debt-Management Services Act (debt management/settlement), the Credit Services Organization Act (credit repair), the Rental Purchase Agreement Act (rent-to-own), and as of November 1, 2010 the Refund Anticipation Loans Act. Highlights from 2010 include:

Lending Practice

During 2010, the Unit:

- Supervised 872 licensed lenders consisting of payday lenders (44 percent), mortgage companies (42 percent), finance companies (13 percent), and small installment and other lenders (1 percent). Enforced credit laws against 1,294 companies that pay notification fees, including creditors, rent-to-own companies, and sales finance companies that collect those contracts.
- Conducted 463 compliance examinations of licensed lenders, creditors, and sales finance companies and required them to take corrective action and refund overcharges as appropriate.
- Investigated 531 written consumer complaints against licensed lenders, creditors, sales finance companies, and credit repair companies.
- Required refunds of \$1,639,027 in overcharges to consumers from compliance examinations, investigations, and legal and administrative actions of lenders, creditors, and credit repair companies. Collected \$453,500 in penalties, educational funds and cost reimbursements.
- Investigated or litigated 28 cases against lenders, creditors, and credit repair companies including resolving a lawsuit against a licensed lender that made small installment loans to resolve allegations that it failed to assess consumers' repayment ability, falsified application information, and charged excessive fees. Under a court-approved Consent Agreement, the lender refunded over \$260,000 to consumers, paid \$125,000 in penalties and attorneys fees, and ceased making loans in Colorado.

- Entered into an assurance of discontinuance with a licensed payday lender for collecting loans after its license expired and failing to take required corrective actions. The lender agreed to pay \$250,000 in consumer refunds and penalties.
- Entered into an assurance of discontinuance with an unlicensed internet payday lender for making loans without a license and excess charges. The lender agreed to make consumer refunds of over \$150,000.
- Sued, by raising counterclaims in an Answer defending a lawsuit, two litigation funding companies for making supervised loans without a license, exceeding the Uniform Consumer Credit Code's permitted finance charges, and other violations.
- Obtained a decision from the Colorado Supreme Court involving our ability to investigate unlicensed internet payday lenders that claim to be tribal entities of two Native American Indian tribes. The court remanded the case to the trial court for additional evidence and a determination of whether the tribal entities are "arms of the tribe."
- Continued litigation against a large Colorado credit repair company alleging that its practice of splitting services into separate components violates the Credit Services Organization Act's advance fee ban.
- Sent 10 cease and desist advisory notices to unlicensed payday lenders.
- Adopted rules to implement the new payday lending requirements mandated by House Bill 10-1222. Conducted informal visits to payday lenders to advise them of the new law's requirements.
- Sent advisory notices to refund anticipation loan facilitators about House Bill 10-1400, a new law requiring facilitators to make certain disclosures about tax refund anticipation loans.
- Investigated 72 written complaints against debt-management providers.
- Investigated or litigated 30 cases against debt management companies for excessive fees and unregistered activity.
- Filed three lawsuits against debt settlement companies, including a law firm that allegedly was used in name only to evade the requirements of the debt-management law. Obtained an injunction in one case and resolved part of a second case with a Consent Order for a permanent injunction and restitution of \$150,000 suspended upon payment of \$50,000. The other matters are pending.
- Entered into 27 settlements and obtained refunds of \$225,726 in enrollment fees for Colorado consumers and penalties of \$79,750 from unregistered providers.
- Sent approximately 300 informational letters about the debt-management law to companies based on internet searches and other media advertisements.
- Sent three cease and desist advisory notices to unregistered debt management companies.

Debt Collection

During 2010, the Unit:

- Oversaw the activities of 751 licensed collection agencies.
- Investigated 1,109 written complaints against collection agencies in addition to telephone complaints and inquiries.
- Investigated or litigated 53 cases and obtained \$70,500 in fines.
- Filed lawsuits against and obtained temporary restraining orders against two unlicensed collection agencies. One agency continued to collect debts after it chose not to renew its license. The other agency collected debts after its application for a license was denied. Both matters are pending.
- Obtained a final agency order that a collection agency violated the law for continued communications with a consumer after a request to cease communication. The agency was fined \$4,000.
- Obtained a consent decree in a lawsuit against a collections law firm and its principals that threatened legal action on old

Debt Settlement

During 2010, Unit attorneys and staff members:

- Registered 51 credit counseling and debt settlement companies under the Debt Management Services Act.
- Conducted 15 compliance examinations on registered debt-management providers,

debts beyond the statute of limitations and misrepresented that civil penalties were due prior to obtaining court judgments. The defendants were enjoined from violating the collection laws, banned from collections in Colorado for periods ranging from three years to lifetime bans, agreed to pay \$200,000 to reimburse the state its costs and attorneys fees.

- Filed administrative charges against a collection agency for continued communications after being informed the agency was contacting the wrong person, harassment, and false or misleading representations. The matter is pending.
- Distributed over \$10,000 from a collection agency's surety bond to clients that established that the agency collected amounts due from consumers but failed to remit payments to the clients.
- Issued 57 cease and desist advisory notices to unlicensed collection agencies.
- Adopted rules to implement the statutory in-state office requirements mandated by House Bill 10-1222.

Office of Consumer Counsel

The Office of Consumer Counsel Unit provides legal support and represents the Office of Consumer Counsel. By statutory mandate, the Office of Consumer Counsel advocates on behalf of residential, small business and agricultural interests before the Colorado Public Utilities Commission and in other forums on issues concerning electricity, natural gas, and telephone issues. On behalf of the Office of Consumer Counsel, the Unit appeared or worked on 76 matters before the Public Utilities Commission, including protests, interventions and rulemaking activities.

In fiscal year 2010, consumers realized savings of approximately \$46.6 million based on the Office of Consumer Counsel's work. Significant cases include:

- Public Service Company of Colorado filed in November 2007 its 2007 Colorado resource plan that identifies future electric generating needs through 2015. In addition, the Public Service Company of Colorado requested that the commission waive its competitive procurement rules to approve the Company's proposal, for carbon reduction purposes, to replace two coal units at its Cameo Station, east of Grand Junction, and two coal units at its Arapahoe Station in Denver with a new 480 mW natural gas combined cycle facility at the Arapahoe Station. The commission issued its Phase I Decision which included the closure of the Cameo and Arapahoe Stations. Phase II Decision by the commission approved the Public Service Company of Colorado's generation resources through 2015. In March 2010 the Office of Consumer Counsel appealed the commission's Phase II Decision to the District Court for the City and County of Denver, which is still pending.
- On September 8, 2008, Qwest Corporation filed an application to set the maximum price for residential basic local exchange service, and for an order from the commission approving its proposed rates and tariffs for residential basic local exchange service, measured service, message service, the tribal lifeline credit and the low income telephone assistance program. After a hearing the commission set a maximum cap of \$16.52 for residential basic local exchange service which will be increased to \$17 one year after the effective date of the order. The Office of Consumer Counsel filed a complaint and writ of certiorari regarding the commission's decision in Denver District Court. On January 6, 2011, Denver District Court Judge Herbert L. Stern, III reversed the commission's decision and remanded it back for further action.
- On May 1, 2009, Public Service filed advice letter No. 1535, which was a Phase I (revenue requirements) and Phase II (rate allocation) electric rate case. The Public Service Company of Colorado proposed an electric revenue requirement increase of approximately \$180 million over the rates

set in its previous electric rate case discussed above. After the Phase I hearing a settlement among various parties, but not including the Office of Consumer Counsel, was reached which included an electric revenue requirement increase of approximately \$136 million. The commission modified the settlement agreement and authorized a revenue increase of approximately \$128 million. Because Comanche 3 would not be in-service until 2010, the commission authorized an increase of approximately \$67 million effective January 1, 2010 with the remaining increase to be effective when Comanche 3 came on line in 2010.

- On August 27, 2009, Qwest filed an application seeking authorization from the commission to “recover actual costs incurred for the relocation of infrastructure or facilities requested by the state or a political subdivision”, pursuant to § 40-3-115, C.R.S. The relocation costs totaled approximately \$4.5 million, of which approximately \$2.6 million was associated with intrastate, regulated services. A settlement in principle was agreed to between Qwest and the commission staff in which the relocation costs were reduced to approximately \$2 million and the intrastate, regulated services to approximately \$1 million. The Office of Consumer Counsel opposed the settlement agreement. On August 12, 2010, the administrative law judge issued his recommended decision in which he did not approve the settlement agreement. The administrative law judge’s recommended decision was upheld by the commission in its December 1, 2010 order.
- On March 10, 2010, Public Service filed an application seeking commission approval of a certificate of public convenience and Necessity for SmartGridCity, a pilot project in Boulder. In Public Service’s last electric rate case the commission allowed Public Service to collect the costs of the SmartGrid City project, approximately \$44.5 million, pending a certificate of public convenience and necessity application. In the certificate of public convenience and necessity proceeding, the Office of Consumer Counsel recommended a spending cap of \$27.5

million. On August 27, 2010 a settlement agreement among Public Service, staff and the Governor’s Energy Office was filed with the commission supporting the \$44.5 million cost recovery. A hearing was held on August 31 through September 3, 2010. The administrative law judge granted on October 27, 2010 the certificate of public convenience and necessity and all of the expenses requested by Public Service as set forth in the settlement agreement. The Office of Consumer Counsel, among other parties, filed on November 16, 2010 exceptions to the administrative law judge’s recommended decision. The commission at its January 5, 2011 deliberations meeting granted Public Service cost recovery of \$27.5 million.

- On May 17, 2010, the commission issued its Order opening a proceeding based on House Bill 10-1365, the Clean Air Clean Jobs Act, which the governor signed into law April 19, 2010. House Bill 10-1365 required all rate-regulated utilities that own or operated coal-fired electric generating facilities in Colorado to submit to the commission, on or before August 15, 2010, an emission reduction plan. Public Service filed its emission reduction plan on August 13, 2010. The commission held a meeting on June 1, 2010 and allowed 40 parties to intervene. Public Service’s initial emission reduction plan preferred plan was rejected by the commission because it did not comply with the Clean Air Clean Jobs Act, which required the emission reduction plan to be fully implemented by December 31, 2017 and required that the Colorado Department of Public Health and Environment approve the emission reduction plan and determine that the emission reduction plan would be compliant with “reasonably foreseeable requirements of the Federal Clean Air Act.” Public Service submitted a new emission reduction plan with additional potential scenarios four days after the start of the hearing. The hearing was held from October 21 to November 2 and November 18 to November 20, 2010. On December 15, 2010, the commission issued its order approving an amended emission reduction plan, which included the following: Arapahoe 3 will be shutdown in

2013, Arapahoe 4 will be fuel switched from coal to natural gas in 2013, Cherokee 1 and 2 will be shutdown in 2011, Cherokee 3 will be shutdown in 2015, Cherokee 4 will be converted from coal to natural gas by the end of 2017, Valmont 5 will be shutdown in 2017, selective catalytic reduction will be

installed on Pawnee in 2014, selective catalytic reduction will be installed on Hayden 1 in 2015, selective catalytic reduction will be installed in 2016 on Hayden 2 in 2016 and a 2x1 combined cycle natural gas facility will be installed at Cherokee in 2015.

Criminal Justice Section

The Criminal Justice Section of the Colorado Attorney General's Office assists local prosecutors and law enforcement agencies throughout the state on matters that occur in more than one local jurisdiction, including presenting cases to the Statewide Grand Jury and serving as special district attorneys as requested. Section members provide special assistance to district attorneys in complex homicides, cold cases, and gang activity cases and administer the Peace Office Standards and Training Board.

The Criminal Justice Section also coordinates the prosecution of foreign fugitives and represents the Department of Public Safety. The Section also prosecutes white-collar crimes, environmental crimes and multi-jurisdictional matters through direct filings and the use of the Statewide Grand Jury.

Securities Fraud

Pursuant to Colorado statute, the Attorney General has original jurisdiction to prosecute criminal violations relating to securities and securities fraud. The Office of the Attorney General independently investigates and prosecutes allegations of securities violations statewide and in cooperation with the Colorado Division of Securities and other law enforcement agencies. The Unit is made up of two attorneys, two investigators and a paralegal.

The Unit obtained 11 convictions involving securities fraud in 2010. The convictions resulted in restitution orders totaling more than \$7.6 million on behalf of 186 victims. In each of eight plea-bargained cases, the

defendant pleaded guilty to one or more charges of class-three felony securities fraud. Four defendants, three of them first-time criminal offenders, were sentenced to the Colorado Department of Corrections.

In 2010, the Unit opened 10 investigations, five of which were initiated by the Unit's investigators. Five cases were referred to the Unit by the Colorado Division of Securities.

Noteworthy cases include:

- Jason Brooks sold investments in an electronics resale enterprise. He paid early investors with money solicited from later investors, and used investor monies for his personal expenses, including approximately \$1.5 million in gambling losses. Brooks pleaded guilty to four counts of Securities Fraud. A first-time offender, he was sentenced to 32 years in the Department of Corrections, eight years on each count to be served consecutively. He owes more than \$5 million dollars in restitution to 55 victims.
- Kenneth Berry defrauded investors who believed they were investing in state-of-the-art biotechnology software secured by U.S. government contracts. Berry, who used his investors' money to pay his personal expenses, never told investors that he had been previously convicted of multiple fraud and theft-related felonies. Berry pleaded guilty to one count of securities fraud and one count of theft, both class-three felonies. He was sentenced to 20 years in the Department of Corrections — 10 years on each count to be served consecutively — and ordered to pay more than \$116,000 in restitution to five victims.

The Unit tracked restitution payments of 71 defendants during 2010, during which time the Unit collected \$195,076 on behalf of victims.

Medicaid Fraud Control Unit

The Medicaid Fraud Control Unit defends the financial integrity of the state's Medicaid program and the safety of patients in Medicaid-funded facilities. It investigates and prosecutes fraud by providers against the Medicaid program. The Unit also investigates and prosecutes patient abuse, neglect and exploitation in Medicaid-funded facilities and serves as an authority and training resource on abuse investigation and prevention. It also pursues civil recoveries and damages against providers under the Colorado Medicaid False Claims Act, which became law on May 26, 2010.

Colorado paid more than \$4.5 billion to more than 10,000 participating Colorado Medicaid providers (such as nursing homes, physicians, psychologists and mental health therapists, dentists, pharmacies, laboratories, hospitals, clinics and durable medical equipment companies) on behalf of nearly 700,000 citizens who qualified for benefits in 2010. The goal of the Medicaid Fraud Control Unit is to preserve state resources devoted to Colorado's Medicaid program and to protect these funds against fraud.

In 2010, the Medicaid Fraud Control Unit opened 103 new investigations (97 fraud, five abuse, and one financial-exploitation investigation) and eight new criminal cases were filed. Five criminal convictions and 12 civil settlements were obtained, with recoveries totaling more than \$3.9 million. Thirty-nine cases were resolved and closed. The Unit currently has 136 active investigations.

The Unit also works closely with its counterparts in other states and the federal government on a broad range of fraud cases

that span multiple jurisdictions. Several of these cases resulted in regional and national settlements that included activities occurring in Colorado; other cases resulted in federal criminal charges being filed against individuals and corporations. Representatives of the Unit also participate in several working groups of local law enforcement and civilian agencies dedicated to combating health care fraud.

Foreign Prosecutions

The Foreign Prosecutions Unit has saved Colorado millions of dollars in the apprehension, prosecution and incarceration of fugitives tried and sentenced to a Mexican Federal Prison under the Article IV program of the Colorado Attorney General's Office. This Unit's working relationship ensures that fugitives in Mexico are brought to justice, through extradition to the United States or prosecution in Mexico.

This Unit is responsible for the investigation and case preparation of foreign prosecutions cases under the authority of Article IV of the Mexican Federal Penal Code and based on the international treaty with the Mexican Government in providing an alternative to extraditions. The investigator in this Unit works with the respective law enforcement agencies throughout the state when a defendant charged with a serious felony in Colorado has fled to the Republic of Mexico to avoid prosecution in this state. The decision to seek a foreign prosecution rests with the local district attorney of the judicial district in the location of occurrence. The Unit works closely with local prosecutors.

If the local district attorney decides to have the case prosecuted in Mexico, months of case preparation and document translation is

conducted. The case is presented to the Mexican Federal Attorney General's International Affairs Unit in Mexico City. With the case filing, a request and application for a federal arrest warrant is prepared with the Mexican authorities for apprehension of the fugitive.

The investigator in this Unit focuses primarily on homicide cases and currently has eleven open murder cases filed with the Federal Attorney General's Office in the Republic of Mexico. One of the cases, filed in December of 2009 and warrants issued in January of 2010, involved three suspects in a 2006 homicide in Montrose. Two additional homicide cases were in the preparation stages during the course of this year for the Adams County Sheriff's Office and the Thornton Police Department.

Four fugitives responsible for murders in the jurisdictions of Grand Junction in Mesa County, City of Thornton in Adams County, Greeley in Weld County, and the City of Lafayette in Boulder County are currently in custody in Mexico awaiting a court hearing and sentencing.

Several local, state and federal law enforcement agencies and district attorneys' offices call upon the Foreign Prosecutions Unit for assistance in locating perpetrators, victims and witnesses believed to be in Mexico that were involved in Colorado criminal investigations. This Unit has developed strong working relationships and collaboration of criminal justice efforts with all levels of law enforcement and government agencies throughout Mexico

The Foreign Prosecutions Unit investigator has been an integral part of the training of Mexican law enforcement agents and

prosecutors hosted by the Office of the Attorney General and the Conference of Western Attorneys General. This one-week intense training is held annually and focuses on the adversarial judicial system and investigation techniques. In June 2010 this office hosted nearly 70 investigative agents and prosecutors from Mexico with the assistance of the Adams County Sheriff's Office, the Colorado Bureau of Investigation, Adams, Denver and Jefferson county courts. The participants represented nine states from the Republic of Mexico.

Special Prosecutions

The Attorney General has statutory authority to prosecute specifically enumerated crimes including environmental violations, tax fraud, mortgage fraud, election fraud, workers compensation fraud and other of fraud related offenses. Additionally, the Attorney General functions as the legal adviser to the Statewide Grand Jury. This duty allows for the prosecution of complex criminal cases which occurred in multiple judicial districts throughout the state. The Special Prosecutions Unit, which is comprised of five attorneys, four investigators and one paralegal, is responsible for many of the state's multiple jurisdiction matters, as well as special investigations which may be referred by other state agencies or the governor. Unit attorneys prosecute cases throughout the State of Colorado either under the auspices of the Attorney General or as specially appointed deputy district attorneys in the 22 judicial districts.

In early 2008, Gov. Bill Ritter ordered the Attorney General to take the lead in the re-investigation of the 1987 murder of Peggy Hettrick in Fort Collins. The Unit's first

assistant attorney general and an investigator have been assigned to work with the deputy attorney general for the section as well as with an attorney and an investigator from the Attorney General's Homicide Assistance Team to conduct this investigation. The investigation is currently being presented to the Statewide Grand Jury.

In September 2010, Gov. Bill Ritter also ordered the Attorney General to assume the lead in the prosecution of Myrl Serra, who at the time was the elected District Attorney for the 7th Judicial District on the Western Slope. Gov. John Hickenlooper has reaffirmed the previous order and thus has authorized the Attorney General to proceed with this prosecution. The two pending cases that are attributed this defendant are being prosecuted by the Unit's first assistant attorney general in Montrose District Court.

In May and June 2010, the Special Prosecutions Unit assumed leadership of the District Attorney's Office for the 22nd Judicial District based in Cortez following the death of the elected District Attorney James Wilson.

In 2010, this Unit indicted a group of defendants, led by John Reinholdt II, who used their family's Lafayette based business, the Jaguar Group LLC, to commit a sophisticated multi-million dollar mortgage and bank fraud scheme throughout Colorado and other Western States. The leaders of this scheme were charged under the Colorado Organized Crime Control Act and were successfully prosecuted by the Special Prosecutions Unit in the Denver District Court. John Reinholdt II was ultimately convicted of 32 felony counts by a Denver jury in January 2011 with his sentencing set for March 4, 2011.

High-level cases of multi-jurisdictional fraud involving check fraud, credit card fraud, identity theft and mortgage fraud were another area of emphasis by the Special Prosecutions Unit in 2010. Unit attorneys handling these cases appeared in many jurisdictions including Adams, Boulder and Mesa counties. An example of such a case was six defendant enterprise that committed a sophisticated credit card fraud scheme throughout many states in the West and Midwest of the United States. The Colorado Attorney General, in conjunction with the Colorado Bureau of Investigation, was the only law enforcement agency that aggressively investigated and prosecuted this organization. Five of the six indicted members of the organization have pled guilty to various felony charges. The leader of this organization has pleaded not guilty and is scheduled for trial in May 2011 in Adams County District Court.

The proliferation of narcotics trafficking into Colorado led the Special Prosecutions Unit to initiate three separate large-scale narcotic distribution investigations that resulted in the indictment of 22 defendants in 2010. These cases were then prosecuted by a Unit attorney in Larimer, Jefferson and Adams Counties. Additionally, more than 60 other defendants who were indicted in 2009 as part of two separate narcotics distribution cases had their cases resolved by Unit attorneys in 2010. These case dispositions included sentences to Department of Corrections in excess of 140 years for some of the key leaders of both organizations. Trials are now pending in 2011 for the highest leaders of these narcotics distribution organizations.

During 2010, Unit prosecutors continued its two year focus by identifying and prosecuting instances of multi-jurisdictional charity fraud. An example of such an effort was the Unit's successful prosecution of Mark Shifter in Boulder District Court for his role in deceiving hundreds of citizens into contributing in excess of \$110,000 over a two-and-a-half year time period. The defendant represented that donated money was intended for Russian orphans, Hurricane Katrina victims, to fight juvenile diabetes and for Children's Hospital, when in fact it was misused for his person benefit.

Protecting Colorado's citizens from the fraudulent use of state funds is an important function for the Special Prosecutions Unit. Multiple cases, including at least 10 matters of significant tax fraud were handled by the Unit this year. The completed tax fraud cases as a whole resulted in excess of \$165,000 of restitution being ordered on behalf of the citizens of Colorado. For example, a Unit prosecutor handling some of the state's most complex tax fraud cases was responsible for obtaining the conviction of Jack Thomas, a Black Forest resident and commercial airline pilot, for his role in a tax evasion scheme that resulted in ordered restitution in excess of \$100,000. Twenty-three people were successfully prosecuted for felonies involving unemployment insurance fraud, with more than \$100,000 in restitution being ordered by Courts. Ten filed cases of workers' compensation insurance fraud resulted in convictions and restitution in the amount of \$411,445 being ordered by the courts.

Protecting Colorado's natural resources by enforcing environmental laws is also an important part of this Unit's responsibility. The Environmental Crimes prosecution team

within the Special Prosecutions Unit investigated 14 environmental crimes of significance during the last year with multiple convictions being obtained along with more than \$153,000 in restitution being ordered for the victims. The Attorney General works closely with the U.S. Attorney's Office and both state and federal agencies in pursuing environmental crimes that occur.

Homicide Assistance Team

The Attorney General employs an expert team consisting of two attorneys and an experienced homicide investigator to provide critical support and assistance to the elected district attorneys and to local law enforcement throughout the state in matters involving all aspects of homicide investigation and prosecution.

In 2010, members of this assistance team assisted local prosecutors and investigators in many counties, including but not limited to Adams, Arapahoe, Costilla, Boulder, Douglas, Hinsdale, Montrose and Rio Grande counties. It should be noted that the team's senior attorney spent the majority of 2010 in the San Luis Valley serving as the lead prosecutor for two separate first-degree murder cases in support of the District Attorney for the 12th Judicial District. The Unit attorneys and its investigator are also responsible for the conducting of a variety of invaluable trainings for this state's prosecutors and investigators on the topic of complex homicide prosecutions.

Insurance Fraud Unit

The Insurance Fraud Unit is part of the Financial Fraud Unit within the Criminal

Justice Section of the office. The Unit investigates and prosecutes criminal offenses relating to insurance fraud. Typical cases involve theft and forgeries. The Unit consists of two attorneys, four investigators, one paralegal, and one administrative assistant.

During 2010, the Unit processed 974 referrals of potential criminal cases related to insurance fraud. Most of these referrals came from the Colorado Division of Insurance. Other sources of referrals were law enforcement agencies and the National Insurance Crime Bureau. The number of referrals from the Division of Insurance increased by 54 percent in 2010, up from 527 in 2009, 337 in 2008 and 272 in 2007.

In 2010, the Unit opened 39 new investigations. The Unit filed a total of 28 new cases in Adams, Arapahoe, Denver, Jefferson and Montrose counties. Nineteen of these cases were initiated by indictments issued by the Colorado Statewide Grand Jury; the other nine were direct filed by complaint and information.

During 2010, one case went to trial, 11 cases were resolved through plea negotiations and one case was dismissed by this office.

Noteworthy cases include:

- The one trial was held in Grand Junction and involved Camden Fortney, owner of Camden Motors in Grand Junction, who paid bribes to Terry Robinson, an independent adjuster for Colorado Casualty, and to Cathy Cross, an employee of Colorado Casualty. Fortney paid the bribes to encourage Robinson and Cross to make salvage vehicles available for him to purchase without salvage titles. A vehicle is considered "salvage" when the cost to repair the vehicle exceeds its value. These vehicles are deemed to be unsafe to operate. The

vehicles may be rebuilt and, if they pass inspection, they may be safely operated, but their value is significantly less than a non-rebuilt vehicle. Generally, financing and insurance cannot be obtained for rebuilt vehicles. The benefit to Fortney of buying salvage vehicles without salvage titles is that he could rebuild and sell the vehicles at a much greater profit than if they had been properly titled. Victims at trial testified that they had no idea how unsafe their vehicles were to drive. For this reason, it trial was filled with emotion. The jury convicted the defendant of 16 counts of commercial bribery, three counts of theft, and two counts of conspiracy. He was sentenced to 53 years in the Department of Corrections and a restitution order of \$584,488.

- In May of 2010, the Unit indicted 12 individuals for their involvement in a staged/fictitious auto accident ring. Eight of the defendants were charged with violation of the Colorado's Organized Crime Control Act, a class-two felony. Most of these individuals were involved (some for at least a decade) in purchasing salvaged cars which were then allegedly repaired by a company that one of the defendants owned and then titled in a another name so they could create or claim damage from staged accidents in order to defraud insurance companies into paying false damages. Many of the cars were used in several staged accidents, but they were always re-titled and insured with a different company for subsequent fraudulent claims. More than 150 accidents were investigated; the Statewide Grand Jury indicted this group for more than 30 fraudulent accidents which often involved more than one false claim per accident. More than 20 insurance companies were defrauded by this group. They are all current pending cases in Arapahoe District Court. Several of the defendants have fled to Lebanon and Saudi Arabia.

During 2010, the Unit supervised the restitution payments of 54 defendants on probation for insurance fraud-related crimes. \$151,501 in restitution was collected from January through mid-December 2010.

Additionally, the Unit achieved new restitution orders totaling \$733,149 and cost and fine orders totaling \$16,144.

Auto Theft

In April of 2010, the Attorney General's Office added an Automobile Theft Unit to the Criminal Justice Section through a grant from the Colorado Automobile Theft Prevention Authority. The Auto Theft Initiative consists of a full-time prosecutor and investigator who assist local law enforcement agencies and district attorneys in the investigation of complex crime related to automobile theft through use of the Statewide Grand Jury. The initiative also provides field-specific training to law enforcement agencies across the state.

In 2010, the Auto Theft Initiative:

- Opened two grand jury investigations involving complex multi-jurisdictional criminal activity,
- Provided training to automobile theft investigators at the annual Colorado Auto Theft Investigators conference
- Reviewed or consulted on approximately 12 separate investigations at various levels in 2010.

Of the two grand jury investigations started in 2010, one remains open and the other resulted in the indictment of four individuals who had used an elaborate car theft and Vehicle Identification Number swapping scheme to steal and then resell automobiles for approximately six years. The case is currently pending in Arapahoe County District Court.

DNA Justice Review Project

In 2010, the Attorney General's Office received nearly \$1.2 million dollars in

federal grant funds to start a program that is reviewing criminal convictions in sexual assault, manslaughter, and murder cases to identify where postconviction DNA testing could possibly exonerate an innocent inmate.

The review process involves the following:

- Review up to 5,000 past rapes, murders and manslughters to identify cases where postconviction DNA testing could possibly exonerate an innocent inmate;
- Test biological evidence in roughly 1 percent of the cases where DNA evidence could exonerate innocent inmates;
- Request further judicial review in any case where the postconviction DNA analysis proves a conviction is questionable;
- Document cases that result in exoneration; and,
- Close cases where postconviction DNA analysis indicates the conviction was accurate.

The Office of the Attorney General also plans to use the program's findings to help law enforcement change its investigative techniques to reduce or eliminate future wrongful convictions. The findings also could form the basis for future legislation aimed at improving Colorado DNA collection, retention and testing procedures. The Office of the Attorney General is administering the program with the Denver District Attorney's Office.

Peace Officer Standards and Training Board

The Colorado Peace Officer Standards and Training Board manages the training and certification of approximately 15,000 active and reserve peace officers who are appointed to Colorado Law Enforcement agencies in addition to managing the 26 certified police academies in Colorado and

approximately \$1.8 million dollars in training grants. The POST Board consists of seven employees, 58 subject matter experts and 20 appointed board members. In 2010, the POST Board appointed a 13-member task force to revise the DNA online training into a more effective format.

Over the past year, POST launched a series of new programs and initiatives designed to bring the best training to the peace officers of Colorado. Upon completion of an organizational assessment, the POST Board reorganized with a focus on a customer-based approach. By restructuring the training grant formula, POST became more responsive to statewide needs.

POST developed a new more efficient testing model using command officers from the Colorado State Patrol and entered into a grant-funded Tolerance Training Partnership with the Museum for Tolerance in Los Angeles, Calif.

POST continues to work closely with the rural districts of Colorado. POST developed a Rural Management Training Program, an Internet-training program for the 50 smallest law enforcement agencies. POST also entered into a training partnership with the Law Enforcement Innovation Center at the University of Tennessee to bring training to Colorado.

The POST Board completed the initial work on creating an East Slope refresher academy. POST also engaged in a training partnership with the International Association of Chiefs of Police to bring their Leading by Legacy training program to Colorado. A Detention Academy that would travel the state training rural jail staffs is being developed and the initial work on a

four-agency online statewide training program has been completed.

POST is in the process of developing a suicide-prevention program designed for peace officers (initial work completed in 2010 with training to start in 2011).

In 2010:

- POST Coordinated the 26 approved academies operating in Colorado. These academies conducted 35 basic academy classes and three reserve academy classes.
- POST completed 13 academies and program inspections.
- More than 700 students took POST exams. Of this group, 635 passed on the first attempt, 20 passed on the second attempt, five passed on the third attempt and one failed all three attempts. The remaining 44 did not retest.
- The El Paso County Sheriff's Office's 2010 academy had the highest academy average score, a rating of 92.5 percent.
- The 2010 statewide average exam score, based on 611 total academy students, was 85.7 percent.

During 2010, POST also:

- Granted \$1,822,707 to 10 training regions and six training providers;
- Coordinated 187,648 hours of training to 12,852 peace officers;
- Approved 140 new training courses; and,
- Attended 22 outreach meetings.

Department of Public Safety

The Department of Public Safety is the principle state law enforcement agency providing a leadership role in policy development and implementation of a wide range of criminal justice issues through its divisions (the Colorado Bureau of Investigation, the Colorado State Patrol, the Division of Criminal Justice, Fire Safety and Homeland Security), and approximately 50

boards and commissions. Examples of the wide range of the Department of Public Safety responsibilities include statewide crime scene investigations, laboratory analyses and testimony in criminal cases; fire code inspections and certifications; immigration enforcement on state highways; leadership of statewide commissions and multi-jurisdictional taskforces; statewide grant awards to law enforcement agencies; and the development of standards for the treatment of convicted offenders.

This Unit represents the Department of Public Safety in all civil, non-monetary litigation and provides legal advice on a wide range of issues including policy development, personnel matters, rule making, policies and procedures of boards and commissions, asset forfeitures, open records requests and subpoenas, and representation of Department of Public Safety issues in criminal prosecutions.

This Unit consists of one attorney, who also serves as counsel to the Peace Officers Standards and Training Board.

In 2010, the Unit:

- Successfully defended a constitutional challenge to portions of the Automobile Theft Law before the Colorado Court of Appeals (*Metal Management v. State of Colorado, et al.*, 09CA0798). The case involved members of a multi-agency auto theft task force from the Colorado State Patrol, El Paso County Sheriff's Department, and the Colorado Springs Police Department.
- Defended the Executive Director of Public Safety in a federal 2nd Amendment lawsuit challenging the statutory residency requirement for obtaining controlled carry permits. Concurrent with dismissal of the Executive Director as a named party, the Attorney General intervened to defend the constitutionality of the statute (*Peterson v. Al LaCabe, et al.*, 10-CV-59-WDM-MEH)
- Participated in the Court of Appeals' Courts in the Community program in a case selected by the Court. The program, at Highlands Ranch Mountain Vista high school, included Q&A from approximately 200 students following oral argument.
- Continued to represent Public Safety on a wide variety of issues litigated throughout Colorado in federal and state civil and criminal courts, administrative bodies, and in U.S. Bankruptcy court.

The Appellate Division

The Appellate Division of the Attorney General's Office is Colorado's prosecutorial authority at the appellate level of the criminal justice system. Division attorneys represent law enforcement when defendants appeal criminal convictions in the Colorado appellate courts. In addition, the division represents the interests of the State in extradition appeals, in selected civil appeals (such as sealing-of-records cases and property and bond forfeiture actions), and in the federal courts in habeas corpus actions challenging state criminal convictions.

The overwhelming majority of trial convictions are obtained by the hundreds of deputy district attorneys who do felony trial work for the 22 District Attorneys in the state. As of the end of 2010, the Attorney General's Appellate Division had 28 full-time attorneys supported by three staff members to respond to defense appeals of these felony convictions. The division's caseload is both high and demanding.

Because the division responds to appeals that are filed on behalf of convicted criminals, it cannot control the size of its caseload. The division must provide effective and ethical representation in all cases, which range from relatively simple trial court denials of postconviction relief to more complicated constitutional questions and issues of statutory interpretation and trial practice. In each case, the attorney must read the trial transcript and other pertinent documents, conduct legal research on each of the defendant's claims, and write an argument explaining why law enforcement should prevail.

While a majority of the cases directly impact only the defendants and the victims, any given case may have a significant impact on how law enforcement authorities conduct searches and arrests; on criminal trials and sentencing hearings throughout the state; on the Colorado Department of Corrections; and on probation, parole, and county community corrections programs. In addition to their appellate litigation, Appellate Division attorneys share their expertise in criminal law issues with the district attorneys through weekly case law updates, informal advice, and formal presentations at Colorado District Attorneys Council meetings and training sessions.

2010 Caseload

The Appellate Division opened 1,057 new appellate cases in 2010. Division attorneys successfully upheld criminal convictions and/or sentences in 91.1 percent of their cases. These cases involved the following convictions:

- 547 assaults or sexual assaults against children
- 432 burglaries and thefts
- 356 kidnappings and assaults
- 218 drug offenses
- 304 homicides
- 219 aggravated robberies
- 119 sexual assaults on adults
- 984 other offenses (primarily felonies)

In managing the appellate caseload, attorneys also performed the following tasks:

- *Motions*
Monitored and responded as necessary to ongoing pleadings in hundreds of cases in the preliminary stages of the appellate process.

- *Opening and Answer Briefs*
Filed 1019 opening briefs, answer briefs, and answers to orders to show cause.
- *Oral Arguments*
Appeared at 91 oral arguments to present the State's position and answer questions from the judges. In most instances, panels of three or more division attorneys review the briefs and serve as judges in mock arguments to prepare the attorney handling the case for argument.
- *Petitions for Rehearing*
Filed 40 petitions for rehearing to correct matters that were wrongly decided by the courts.
- *Petitions for Certiorari*
Asked the State Supreme Court to conduct further review in 21 cases that would otherwise have an adverse impact on law enforcement.

Natural Resources Section

The Natural Resources and Environment Section works on behalf of Coloradans to protect and improve the quality of our State's natural environment and to ensure intelligent use and development of our natural resources. The Section provides legal counsel and representation to the Colorado Department of Natural Resources, the Colorado Department of Public Health and Environment, and any other state agency or official with a natural resource or environmental issue. The Section also advocates on behalf of the State Natural Resource Trustees to recover damages for injuries to natural resources and to restore, replace or acquire the equivalent of the natural resources injured.

Federal and Interstate Water

The Natural Resources Section protects Colorado's interests in its interstate rivers.

In 2010, attorneys:

- Assisted the State Engineer's Office in a continuing series of public meetings to draft and achieve consensus on Rules in Water Division No. 3 to protect senior surface water rights and Colorado's compact obligation while reducing groundwater withdrawals as little as possible.
- Provided legal advice to the Department of Natural Resources in negotiating various agreements regarding the Blue River Decree.
- Settled all objections to promulgated rules addressing the effect of increased irrigation efficiencies on the State's ability to meet its compact obligations under the Arkansas

River Compact resulting in the Court decreeing the rules as promulgated.

- Represented the State Engineer and defended his decision to approve Subdistrict No. 1 in Water Division 3 in a 10-day trial.
- Protected the state's interests in litigation and legislation regarding the Colorado River Compact and the Upper Colorado River Compact.
- Participated in the Aspinall Unit reoperations Endangered Species Act review and National Environmental Policy Act processes on behalf of the state.

Water Resources and Conservation

In 2010, attorneys:

- Assisted the State Engineer's Office in drafting legislation to assist with administration of more than 40,000 oil and gas wells. Represented staff of the State Engineer's Office in a three-week hearing to adopt rules governing oil and gas well administration.
- Represented the State Engineer in hundreds of water rights proceedings in Colorado's water courts, including several appeals to the Colorado Supreme Court.
- Obtained a Colorado Supreme Court reversal of an adverse water court ruling, with the Supreme Court agreeing with the State Engineer and the Colorado Water Conservation Board that a water court's retained jurisdiction over water augmentation plans may be invoked to prevent threatened as well as actual injury to vested water rights.
- As a result of the foregoing Supreme Court decision, obtained a settlement on behalf of the State Engineer and the Colorado Water Conservation Board in a long-standing dispute with the Upper Eagle Regional Water Authority over proper replacement of

the Authority's out-of-priority depletions to the Eagle River.

- Secured an important precedent for thousands of wells in Water Division 3, with a Colorado Supreme Court decision affirming the State Engineer's position that the use of water rights for such wells is limited to the locations of use contemplated at the time of the appropriations and not at the time of the adjudications of such rights.
- In an 11-day trial, defeated what the Division 1 water court found to be a "dangerous" and unsupported claim for nontributary ground water related to water discharging from an old mine portal in Park County in a case which may, pending any appeal, set important precedents for nontributary water claims under current statutory standards.
- Obtained a decision from the water court for Water Division 6 affirming the State Engineer's position that a municipal entity could not perfect a conditional water right until its absolute water rights approved for the same purpose had been fully exhausted, and participated in oral argument before the Colorado Supreme Court in the appeal of this decision.
- Participated in what has been billed as the "historic" Farmers Reservoir and Irrigation Company case in Water Division 1, in which the water court set forth a new standard for the change of water storage rights. The appeal of this case is pending before Colorado Supreme Court.
- Assisted the Colorado Water Conservation Board, the State Land Board, Colorado Department of Transportation, Department of Corrections, the Division of Wildlife, Division of Parks and Outdoor Recreation, and the Colorado Historical Society in acquiring new water rights and protecting existing water rights.
- Successfully obtained instream flow decrees for the Colorado Water Conservation Board, including appropriations in Water Divisions 1, 2, 4, 5, 6 and 7.
- Provided representation for more than 220 cases for the board.
- Successfully prosecuted enforcement actions against illegal water diverters in all seven water divisions to protect vested water rights

holders from injury caused by illegal diversions. In one such enforcement action, successfully argued that defendant's contempt of court for failure to pay penalties and costs totaling more than \$128,000 in an enforcement action warranted imposition six-month jail sentence.

- Assisted the Tort Litigation Unit in defeating takings claims brought against the State Engineer as a result of his curtailment actions against entities pumping ground water without an augmentation plan to prevent injury to vested water rights.
- Assisted the Colorado Water Conservation Board in conducting hearings on weather modifications in three counties.
- Assisted the Colorado Water Conservation Board in a contentious and complicated revision of the regulations involving construction and development in the floodplains and flood prevention and damage reduction.
- Undertook several rulemakings for the Colorado Ground Water Commission. Successfully defended on appeal Ground Water Management District rules imposing further restrictions on wells already permitted by the State Engineer.
- Assisted the Colorado Water Conservation Board in drafting loan provisions for loans to water users and providers in excess of \$25 million.
- Continued to assist the Colorado Water Conservation Board in the Chatfield Reallocation Project, a \$125 million water storage project designed to increase water availability in the South Platte River Basin. Worked with the Division of Parks and Outdoor Recreation to identify their concerns with the reallocation based on their dual role as project participant and the operator of Chatfield State Park.

State Trust Lands

In 2010, attorneys:

- Advised and assisted the State Board of Land Commissioners on general management of the trust assets it holds, primarily for the benefit of K-12 education,

which are projected to generate more than \$79 million of net trust income this year.

- Advised and assisted the State Board of Land Commissioners with transactions involving more than 88,000 acres and more than \$23 million. The SLB holds nearly 3 million acres of land in fee title and approximately 4 million acres of mineral interest, which generates significant demand for transactional legal services and the resolution of disputes on the transactions.
- Assisted the State Board of Land Commissioners to resolve significant outstanding disputes related to the Hesperus Trust, which supports Ft. Lewis College.
- Advised and assisted the State Board of Land Commissioners to develop a revised and updated oil and gas lease form.
- Advised and assisted the State Board of Land Commissioners to create authority to conduct direct transactions with local governments through House Bill 10-1165.
- Increased legal assistance provided to the State Board of Land Commissioners for operational matters including the development of a strategic plan and the selection of a new division director.

State Wildlife and Park Lands

In 2010, attorneys:

- Advised on and facilitated in the acquisition by the Division of Wildlife of more than \$20 million dollars in real property interests, both fee title and conservation easements, that protect and preserve critical wildlife habitat throughout Colorado. Acquisitions were funded by federal fish and wildlife aid, state hunting and fishing license fee revenues and moneys provided by the Great Outdoor Colorado Trust Fund.
- Advised and assisted the Division of Wildlife in responding to the threats posed to state wildlife resources from oil and gas development on state and federal lands within Colorado that also provide critical wildlife habitat for game and threatened and endangered species, including the development of cooperative agreements with oil and gas companies and best management practices that otherwise assist the companies

in avoiding or minimizing impacts to state wildlife resources. Such agreements are of particular importance in split-estate situations where the Division of Wildlife owns fee title to the property, but not the right to develop those mineral.

- Advised and assisted the Division of Wildlife in the development and implementation of a major initiative to update regulations regarding the possession and rehabilitation of wildlife by private parties licensed by the Division of Wildlife.
- Advised and assisted the Division of Wildlife in the development and implementation of fish and wildlife mitigations plans required of applicants for water storage projects in Colorado, including the Southern Delivery System in the Arkansas River basin, the Windy Gap and Moffat Tunnel firming projects in the Colorado River basin, and the Chatfield Reservoir reallocation of storage in the South Platte basin.
- In an appeal of a district court action, defended the Division of Wildlife's interest in maintaining public hunting access to public and private lands located near or adjacent to areas being developed for large lot or ranchette home sites. Through court action some residents of these areas sought to close neighboring private and public lands to hunting despite the absence of any discernable threat to public safety generally or to the residents specifically from such hunting activity. The Court of Appeals upheld the district court's dismissal and the Colorado Supreme Court denied the plaintiff's petition for a writ of certiorari.
- Advised and assisted the Division of Wildlife and the Division of Parks and Outdoor Recreation with proposals to modify management of both Bonny Lake State Park and the South Republican State Wildlife Area to address decreasing water levels in Bonny Reservoir due to compliance issues with the Republican River Compact. The right to use Bonny Reservoir for recreational purposes, which was a key feature to both the operation of the state park and wildlife area, was purchased with federal recreation funds and any change in management requires the approval of the

- National Park Service, the implementing agency for the federal funding program.
- Advised and assisted the Division of Parks and Outdoor Recreation in the development and implementation of the regulatory program addressing off-highway vehicle use in Colorado, including clarification of the off-highway vehicle use grant program administered by the Division of Parks and Outdoor Recreation to better address issues raised by some constituent groups regarding law enforcement and off-highway vehicle use trail restoration. The clarifications regarding the off-highway vehicle use grant program are currently the subject of a judicial review action by other competing constituent groups.
 - Advised and assisted the Division of Parks and Outdoor Recreation with regard to its participation in the reallocation of water storage space in Chatfield Reservoir. The Division of Parks and Outdoor Recreation seeks the right to use some of the additional storage space in Chatfield Reservoir for general park purposes, but because it also operates Chatfield State Park must balance the impacts associated with such a reallocation, including the relocation of a number of park facilities, on its overall park operations.
 - Advised and assisted the Division of Parks and Outdoor Recreation as it continues to implement significant budget cuts related to the recent economic downturn that has required some significant reductions in parks services and partial closure of some state parks. The Division of Parks and Outdoor Recreation no longer receives any general fund support for its operations and has had to increase park entrance and activity fees in order to try to offset the loss of such financial support.
 - Advised and assisted the Division of Parks and Outdoor Recreation on responding to requests to develop mineral resources underlying some state parks that are owned by the Division and in responding to the threats posed to state parks from development of mineral resources owned by third parties directly adjacent to and in some cases underlying existing state parks.

Air, Land and Water Quality

In 2010, attorneys:

- Assisted the Colorado Department of Public Health and Environment in promulgating its Regional Haze State Implementation Plan, which aims to protect and improve the air quality and scenic vistas in the state's national parks, monuments and wilderness.
- Represented the Air Pollution Control Division and the Governor's Energy Office in administrative actions before the Public Utilities Commission, implementing the recently adopted Clean Air-Clean Jobs Act.
- Negotiated a compliance order on consent for violations of air quality permits by an asphalt production company.
- Assisted the Air Pollution Control Division in developing an analysis regarding potential aggregation of sources for air permitting purposes. The state's analysis responded to an EPA objection concerning a state permit for a natural gas compressor station.
- Assisted the Air Pollution Control Division in resolving asbestos violations involving the demolition of structures at two locations in the Denver Metro Area.
- Helped the Air Pollution Control Division resolve violations associated with a major asbestos spill resulting from a fire at a residence.
- Collected attorney fees for the enforcement of injunctions addressing major asbestos spills caused during unlawful buildings demolition in Pueblo.
- Assisted the Colorado Department of Public Health and Environment in promulgating the state's counterpart to EPA's tailoring rule for greenhouse gas emissions.
- Successfully defended several water quality stormwater enforcement actions in administrative and civil litigation.
- Resolved an enforcement action against a produced water disposal facility for permitting violations, securing production and operations records through subpoena.
- Resolved an enforcement action and obtained penalties against a wastewater treatment facility involving 26 spills.
- Assisted the Colorado Department of Public Health and Environment in its promulgation

of water quality financial assurance regulations for Housed Commercial Swine Feeding Operations.

- Assisted the Water Quality Control Division in addressing discharges of uranium and radium from the closed Schwartzwalder uranium mine.
- Settled violations of Colorado's drinking water regulations at several drinking water facilities throughout the state. The settlements will bring the facilities into full compliance.
- Resolved appeals of drinking water waiver withdrawals, bringing these facilities into compliance with the state's drinking water disinfection requirements.
- Worked with the Water Quality Control Division to develop a new policy regarding Whole Effluent Toxicity, and negotiated with stakeholders and EPA to resolve any concerns regarding the policy.
- Used judgment liens against a public water supply system owner/operator to gain compliance with the state's primary drinking water regulations, following lengthy administrative and civil enforcement actions for multiple violations.
- Successfully defended an administrative appeal of the Water Quality Control Division's certification of Colorado Springs Utilities' Southern Delivery System water supply project under § 401 of the Clean Water Act. The project is intended to serve Colorado Springs' growing population through additional water storage in Pueblo Reservoir that will be conveyed via pipeline to Colorado Springs. The Division's certification includes numerous conditions to ensure protection of water quality in the Fountain Creek and Arkansas River Basins.
- Continued our involvement in 11th Circuit litigation in support of EPA's rule exempting water transfers from Clean Water Act permitting requirements in order to protect Colorado's interests in interbasin water transfers.
- Negotiated a settlement with a major coalbed methane gas company for various construction stormwater violations in Las Animas and Moffat Counties. The agreement included injunctive relief and a large civil penalty, mainly satisfied

through the company's donation of funds to the impacted counties for energy public building efficiency projects.

- Assisted the Colorado Department of Public Health and Environment in issuing the first conventional uranium mill license in the United States in 25 years.
- Worked with the Governor's Energy Office to successfully negotiate a Memorandum of Understanding with the Federal Energy Regulatory Commission that streamlines permits for small hydroelectric projects.
- Represented the Governor's Energy Office in proceedings before the Public Utilities Commission to approve a major transmission line out of the San Luis Valley that will facilitate development of renewable energy generation in the valley.
- Represented the Governor's Energy Office in negotiations with the Department of Education to adopt rules that will facilitate low interest loans to schools to install renewable energy systems.

Hazardous and Solid Waste

In 2010, attorneys:

- Continued resolution of several lawsuits by and against Adams County regarding Radioactive Materials License and Hazardous Waste Permit associated with the Clean Harbors Deer Trail Disposal Facility.
- Participated in shareholder meetings to address statewide concerns regarding remediation of contaminated dry-cleaning facilities. This was integrated with guidance for determining when groundwater remediation and monitoring may be terminated.
- Counseled Petroleum Storage Tank Fund Committee on contingent fee legal services agreement to investigate and prosecute claims of double dipping to the state fund.
- Obtained search warrant and counseled the Colorado Department of Public Health and Environment throughout enforcement of both solid and hazardous waste actions eliminating improper transportation and disposal of plating bath wastes to an illegal waste impoundment in El Paso County adjacent to a municipal water supply well;

enforcement resulted in removal and proper disposal of more than 22,000 gallons of illegally disposed waste, an ongoing cleanup that will protect the water district customers, and two penalty assessments surpassing six figures.

- Continued to assist the Colorado Department of Public Health and Environment in drafting regulations on liquid waste impoundments. This ongoing stakeholder process, involves diverse industry sectors and all three of the Colorado Department of Public Health and Environment environmental divisions. Rulemaking is tentatively set for mid 2011.
- Assisted the Colorado Department of Public Health and Environment draft regulations concerning waste tire hauling and disposal. These regulations will go to rulemaking in February 2011.
- Obtained a \$90,000 civil penalty against a property owner in Conejos County who illegally burned and disposed of commercial solid waste while operating a guest resort.
- Improved long term protectiveness of environmental remediation projects in the state by counseling and training the Colorado Department of Public Health and Environment to effectively implement Colorado's unique institutional controls statute.

Natural Resource Damages, Land Cleanup and Restoration

In 2010, attorneys:

- Finalized settlement for injuries to groundwater at the Lowry Landfill Superfund Site with the City of Denver, Waste Management, and twelve entities that arranged for disposal at the site. Obtained approximately \$1.5 million to provide for groundwater protection and improvement projects for Platte River basin groundwater.
- Identified several possible new natural resource sites damaged by pollution, including one under the Oil Pollution Act and Clean Water Act, instead of CERCLA.
- Participated with federal agencies in pursuing insurers of the Standard Metals Company for natural resource damages caused by mining operations near Crested Butte and Silverton. Colorado's portion of recoveries totals \$237,000 to date.
- Represented the Colorado Natural Resource Trustees in their administration of \$27.4 million in Rocky Mountain Arsenal natural resource damage funds. This ongoing process has involved working with community groups and local governments to come up with matching funds and projects that will restore, replace or acquire the equivalent of the natural resources injured at the Rocky Mountain Arsenal. Additionally, this fall, we finalized a conservation easement to protect 100 acres north of the Arsenal from development while allowing creation of a 100-year detention basin and enhancing native species and habitat.
- Worked with Federal trustees to begin restoration projects for the Lake County California Gulch Superfund site. Completed work on Tiger Mine to eliminate acid drainage from mine workings. Began work on stream restoration, fencing to protect stream areas, land acquisitions, noxious weed control, irrigated pasture revegetation and wetland enhancement.
- Counseled and coordinated cost effective implementation of CERCLA remedial action between the Colorado Department of Public Health and Environment and the Colorado Department Transportation, saving taxpayers hundreds of thousands of dollars on mine waste water treatment plant.
- Worked with State Trustee representatives to administer the \$1.5 million natural resource damage settlement at the Shattuck superfund site in Denver. Began meetings with community members and plan to have an advisory committee established by the end of February 2011.

State Services Section

The State Services Section of the Colorado Attorney General's Office represents the governor, other elected state officials, the administrative parts of the judicial branch, the State Board of Education, the Commission on Higher Education, the Department of Higher Education, more than 20 state-supported universities, colleges and community colleges, the Public Utilities Commission, the Departments of Human Services, Public Health and Environment, Health Care Policy and Financing, Labor and Employment, and Personnel and Administration.

Constitutional cases

During 2010, the attorneys from the State Services Section:

- Continued to defend the state in an open records lawsuit concerning the governor's personal cell phone records.
- Continued to defend a major constitutional challenge to Colorado's system of financing K-12 education.
- Continued to defend a Taxpayer's Bill of Rights challenge to the coal severance tax formula in the Colorado Supreme Court.
- Continued to defend a Taxpayer's Bill of Rights challenge to the method by which the state funds the Taxpayer's Bill of Rights reserve.
- Successfully defended a challenge to the Colorado's voter registration requirements.

Human Services

During 2010, attorneys:

- Collected nearly \$3,700 in fines.
- Represented the Department of Human Services in 39 child care licensing cases, including 17 summary suspensions of licenses where providers presented a threat to the health and safety of children.
- Represented the Department of Human Services in 934 child protection cases, resolving most through mediation.

- Represented the Department of Human Services in 1,022 child abuse and neglect administrative appeals.
- Defended the Department of Human Services Office of Appeals in 11 actions for judicial review filed in district court.
- Represented various divisions of the Department of Human Services regarding subpoenas for records.
- Represented the Department of Human Services Division of Youth Corrections in 27 district court cases regarding the appropriate sentencing, placement or release of juveniles.
- Represented the Department of Human Services Division of Behavioral Health, in four cases involving the licensing of treatment providers.
- Represented the Department of Human Services Division of Vocational Rehabilitation in 11 administrative appeals regarding the provision of vocational rehabilitation services or business enterprise program vendors.
- Provided legal advice or assistance to more than seven different divisions within the agency on at least 18 different issues, including contract reviews.
- Successfully defended the Department of Human Services in a \$10 million class-action challenge to the state disability benefits program.

Health Care

During 2010, attorneys:

- Assisted the Department of Health Care Policy and Finance in recovering Medicaid overpayments through settlement negotiations and litigation.
- Assisted the Department of Health Care Policy and Financing in recovering funds from liable third parties in personal injury actions.
- Continued to defend a federal lawsuit against the Department of Health Care Policy and Financing challenging the validity of a Colorado law that allows the

department to recover millions of dollars each year from liable third parties in personal injury actions.

- Advised and represented the Department of Health Care Policy and Finance in the termination of several Medicaid providers suspected of fraud.
- Successfully defended the Department of Health Care Policy and Finance in numerous trust and probate matters including disputes over sheltering income and assets in trusts.
- Represented the Colorado Department of Public Health and Environment in numerous medical marijuana related matters, including defending against several subpoenas to produce confidential information.
- Successfully defended the Colorado Department of Public Health and Environment in administrative hearings challenging the imposition of fines and sanctions assessed on assisted living facilities where patients' safety and well-being was at risk.
- Continued to defend against an action regarding the operation of the Colorado Benefits Management System and timely delivery of benefits to recipients.
- Collected roughly \$140,000 from hospital audit appeals.
- Won a favorable decision from administrative decision on an issue raised involving transfer coding. This victory has led to additional settlements of hospital audit appeals involving the transfer issue and preliminary agreements for payment totaling \$211,000.
- Continued to pursue an appeal at the Departmental Appeal Board of a \$3.3 million disallowance in FFP.
- Successfully defended the Department of Health Care Policy and Financing in a challenge to a rate reduction in the CDASS program implemented under the governor's executive orders.

Education

During 2010, attorneys:

- Continued representing the Charter School Institute. Attorneys also reviewed three new applications, resulting in the approval of two

new schools. Monitored the process of selecting a new executive director for the Institute, the renewal of charters for four existing schools, and successfully defended an appeal to the State Board of Education of the non-renewal of one existing low-performing school.

- Continued to represent the Colorado Higher Education Insurance Benefits Alliance Trust in advisory and transactional capacities.
- Continued to represent the state's public institutions of higher education in preparing and negotiating state contracts for various services, products and real estate, including contracts for providing students with electronic warnings of on-campus emergencies.
- Continued to assist the state's public institutions of higher education with governance matters, open records and open meetings issues, policy development, faculty dismissal hearings, personnel issues, litigation and general legal advice.
- Continued to represent the Capital Construction Assistance Board, a board created to administer the Building Excellent Schools Today program, which has provided \$389.6 million for K-12 school construction and maintenance since its inception.
- Prosecuted disciplinary actions on behalf of the State Board of Education against educator license holders and applicants who violated statutory requirements, including disciplinary actions involving charges of sexual offenses or misconduct and theft.
- Advised the State Board of Education on charter school appeals.
- Advised the Department of Education on issues regarding federal regulatory compliance and federal audits.
- Advised the Department of Higher Education on the closing of three diploma mills, on student complaints against private colleges and on recovering funds owed to the state.

Labor and the Department of Personnel and Administration

During 2010, the State Services Section opened 74 cases to force employer compliance with

mandatory workers' compensation insurance statutes. Section attorneys closed 88 cases, either by settlement, the employer's payment of fines, sending the fines to collection, or by the employer obtaining insurance or closing the business. Of these cases, the section initiated four cease and desist cases and independent-contractor cases, collected \$22,750 in settlements and fines, and sent \$743,500 in fines to collection.

In 2010, attorneys also:

- Opened 54 cases, filed 49 briefs, and participated in 10 oral arguments in appeals on behalf of the Industrial Claims Appeals Office.
- Opened 36 cases and closed 36 cases in petroleum storage tank clean up reimbursement protests.
- Handled 33 subpoenas for the Division of Workers' Compensation and Unemployment Insurance.
- Completed 38 rule opinions for the Division of Labor and Employment and the Department of Personnel and Administration.
- Handled two subpoena enforcement cases.

Public Utilities Commission

The attorneys from State Services section:

- Defended the Public Utilities Commission in 11 court matters.
- Drafted or reviewed and edited approximately 700 Public Utilities Commission decisions and orders.
- Advised the Public Utilities Commission on issues concerning due process, ethical standards of conduct, the reasonable foreseeability of various environmental regulations, and cost recovery in conjunction with the implementation of the Clean Air Clean Jobs Act, including the review and approval, as modified, of the emission reduction plans presented by Public Service Company and Black Hills.
- Successfully defended the Public Utilities Commission's right to assert the deliberative process privilege in the context of a open records law suit concerning emails by non-

elected officials related to the drafting of legislation.

- Successfully obtained a denial of a motion for preliminary injunction in a state court matter seeking to have the Chairman of the Public Utilities Commission disqualified as a result of his e-mail communications external to government officials related to the drafting of legislation.
- Continue to defend the Public Utilities Commission in state court against a claim that emails between its commissioners concerning draft legislation violated the Colorado's open meetings law and are not protected by deliberative process privilege.
- Advised the Public Utilities Commission on various new taxicab applications, which are premised on a statutory presumption of public need for additional taxicab companies in metro areas.
- Continue to defend the Public Utilities Commission before the 10th Circuit Court of Appeals concerning the Federal Communication Commission's definition of a telephone business line used in determining the level of competition in a wire center and, ultimately, the wholesale price for network elements sold to facilities-based competitive local exchange carriers.
- Advised the Public Utilities Commission on how to lawfully spread its approved \$128.3 million rate increase among its customer classes, including the adoption of seasonally differentiated rates. Convincingly recommended the Public Utilities Commission to reject Public Service Company's proposal to use its tariffs to avoid environmental liability.
- Advised the Public Utilities Commission in its consideration of amendments to Public Service Company's electric resource plan covering 2008 to 2015 and continuing to defend the Public Utilities Commission in state court against challenges to the adopted plan.
- Continue to defend the Public Utilities Commission against a broad challenge that it abused its power in approving an increased price cap for Qwest Corporation's basic local exchange service offering.
- Continue to advise the Public Utilities Commission regarding proposed

transmission line construction project extending from San Luis Valley to Pueblo which line would. Support renewable electricity generation.

- Advised the Public Utilities Commission on a rulemaking intended to redesign of the Colorado High Cost Support Mechanism by

which telecommunications carriers obtain financial support to provide service in high cost, rural areas of the state.

- Advised the Public Utilities Commission in its approval of the merger between Qwest Communications International, Inc. and CenturyLink, Inc.

Civil Litigation and Employment Law Section

The Colorado Attorney General's Office, through the Civil Litigation and Employment Law Section, defends state agencies and employees sued in state and federal court for personal injuries, property damage, employment discrimination and constitutional violations. The Section also represents state agencies in personnel matters in front of the State Personnel Board and brings administrative cases against private parties on behalf of the Colorado Civil Rights Commission.

Additionally, Section attorneys provide general legal advice and representation to the Colorado Department of Transportation, the Colorado Transportation Commission, the Colorado Department of Corrections, the Colorado State Board of Parole, the Division of Risk Management and the employees of those agencies. The section attorneys provide advice and training to all state agencies on a myriad of employment and general liability issues.

Attorneys from the Section handled more than 740 new cases and reviewed more than 600 contracts in 2010.

Corrections

The Corrections Unit defends inmate lawsuits involving various issues, including constitutional rights, time computation, prison discipline proceedings, *habeas corpus* petitions, parole and contract-related matters. Unit lawyers also handle compliance issues and claims filed by inmates in the class action ADA lawsuit, *Montez v. Ritter, et. al.* The lawyers also provide general legal advice to the

Department of Corrections and the Parole Board on a daily basis on matters such as open records requests, environmental issues, sentencing issues, internal discipline and procedural matters, and administrative regulations.

In 2010, the Unit:

- Opened 402 new cases.
- Obtained favorable rulings in 213 matters brought by inmates or their attorneys and unfavorable rulings in only three cases (success rate of 98.6 percent).
- Obtained favorable rulings from appellate courts in 53 of 56 rulings (94.6 percent).
- Obtained favorable federal jury verdicts in the one case that went to trial.
- Obtained favorable rulings in all three hearings held in state court.
- Settled four cases for \$87,000 from demands of \$1,872,000.
- Obtained a published opinion from the U.S. 10th Circuit Court of Appeals in five consolidated cases. The court held that the statute of limitations runs two years from the time that a reasonable person would have discovered his or her injury rather than two years from completion of the grievance process.

Employment Tort Litigation

The Employment Tort Unit defends state agencies and employees in state and federal employment litigation. The cases involve claims arising under a myriad of federal and state statutes, including Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Fair Labor Standards Act, the Equal Pay Act, the Age Discrimination in Employment Act, the state Whistleblower Act, and other state and federal employment laws. The Unit attorneys also provide advice

and training to state agencies regarding employment law issues.

In 2010, the unit:

- Defended 37 employment cases filed in state and federal courts, including 17 new cases. The cases involved 174 claims for relief against state agencies, and 295 claims for relief against state employees.
- Aggressively sought and obtained early dismissal and summary judgment of 272 claims — 205 of those claims were dismissed before any time or money had been spent on discovery.
- Won the only appellate case of the Unit's that was decided during 2010
- Settled two cases for a total of \$123,000, saving the state more than \$477,000.
- Advised several agencies on FLSA issues, including classification, timekeeping and calculation of overtime.
- Created and presented training to numerous state agencies and to higher education institutions on the Americans with Disabilities Act and the Family Medical Leave Act.
- Provided day-to-day advice to state agencies and higher education institutions, including handling performance issues for non-classified employees, responding to EEOC Charges, mediating with the EEOC, responding to Colorado Open Records Act requests and reviewing proposed agency policies.

Personnel, Employment, Civil Rights and Special Funds

The Personnel, Employment, Civil Rights and Special Funds Unit helps state government manage classified employees and defends the state and its employees in employment disputes. The Unit represents all agencies in personnel hearings and matters before the State Personnel Board and on appeal. The Unit provides advice and training to state agencies and employees regarding personnel matters.

The Unit also provides legal advice to the Colorado Civil Rights Division within the Department of Regulatory Agencies in conjunction with the Colorado Civil Rights Division's investigation of charges of employment, housing and public accommodations discrimination and prosecutes those cases which have been noticed for hearing by the Colorado Civil Rights Commission. The Unit also defends the Subsequent Injury Fund and the Major Medical Insurance Fund which are part of the Special Funds Unit of the Division of Workers' Compensation within the Department of Labor and Employment.

In 2010, the Unit:

- Provided daily front-end employment advice and consultation to state agencies concerning hiring, discharging and disciplining employees
- Coordinated and presented statewide and agency-specific training seminars directed to state officials and managers to effectively educate, train and manage the workforce.
- Provided civil rights advice to the Colorado Civil Rights Division and represented the Division at Colorado Civil Rights Commission meetings.
- Defended 207 cases before the State Personnel Board and the Colorado Court of Appeals, including 188 new cases. Won 89 percent of all mandatory hearing cases and obtained denials of hearings in 80 percent of all discretionary hearing cases.
- Won a published decision from the Colorado Court of Appeals establishing when a temporary employee is considered a classified state employee.
- Prosecuted 14 cases that were noticed for hearing by the Colorado Civil Rights Commission at the Office of Administrative Courts or in state district court. Negotiated more than \$60,000 in settlement payments to private citizens and mandatory discrimination training for private employers. Received judgments in two fair housing, predatory lending cases for

\$40,000 and \$629,203.

- Defended ten Special Funds Unit cases before the Office of Administrative Courts, including seven new cases. Negotiated more than \$100,000 in reimbursements to the Special Funds Unit.

Tort Litigation

The Tort Litigation Unit defends the state of Colorado, its agencies, employees, entities and officials in lawsuits seeking damages for personal injury and property damage, as well as those brought pursuant to federal law, often claiming civil rights violations. The unit also provides day-to-day advice to agencies, including Risk Management, on questions of liability, coverage, indemnity, settlements and applicability of the Colorado Governmental Immunity Act.

In 2010, the Unit:

- Opened 93 new cases, including two cases from the Corrections Unit, and opened five attorneys fees claims associated with 42 U.S.C. Section 1983 cases seeking injunctive relief.
- Convinced nine plaintiffs to dismiss their complaints prior to motions to dismiss.
- Won 41 cases on motions to dismiss.
- Won six cases on motions for summary judgment.
- Settled 16 damages cases for a total of \$789,912. Plaintiffs in these cases had sought damages totaling \$3,582,011.
- Defeated one application for attorneys fees of \$175,000 and settled one attorneys fees claim for \$35,000 on a demand for \$37,500.
- Prevailed in two appeals, and filed an amicus curiae brief in the Colorado Supreme Court in an appeal between third parties.
- Opposed certiorari in two cases in the U.S. Supreme Court and in one case in the Colorado Supreme Court. The courts denied certiorari in each case.
- Conducted one jury trial in a wrongful death case and won it on a motion for a directed verdict.

Transportation

The Transportation Unit advises the Colorado Department of Transportation on a multitude of legal issues. The Unit prosecutes all condemnation actions, defends inverse condemnation actions and handles administrative actions. The Unit also handles issues involving access control, highway beautification, billboard location and Procurement Code protests. The Unit advises the Colorado Department of Transportation in construction matters and represents the Colorado Department of Transportation in construction arbitration and litigation.

The Unit also provides advice regarding environmental and real estate issues and defends and negotiates settlements in these areas. Members of the Unit review, revise and approve all Colorado Department of Transportation contracts and assist in rulemaking and approval of regulations. The attorneys also review proposed legislation affecting the Colorado Department of Transportation.

In 2010, the Unit:

- Represented the Colorado Department of Transportation in 58 condemnation, access, relocation, billboard, inverse condemnation, quiet title and other cases.
- Settled or resolved by trial 12 condemnation cases, saving the state \$1.25 million.
- Reviewed more than 600 contracts for the Colorado Department of Transportation, with an average turnaround time of three days.
- Provided legal guidance related to the implementation of two new enterprises created by the FASTER legislation, Senate Bill 09-108. The Colorado Bridge Enterprise and High Performance Transportation Enterprise began actively pursuing their business goals in 2010.

- Assisted in hiring bond counsel, disclosure counsel and investment bankers, and participated as part of a finance team, which issued \$300 million in Colorado Bridge Enterprise revenue bonds. The bonds will accelerate the repair and reconstruction of 128 structurally deficient bridges in Colorado.
- Assisted with implementing the Bridge Enterprise program goals.
- Provided representation of the High Performance Transportation Enterprise in its efforts to obtain a federal TIFIA loan to accelerate expansion of U.S. Highway 36 (Denver to Boulder) and other innovative processes for improving surface transportation.
- Represented the Colorado Department of Transportation in several state court cases involving subcontractor disputes with prime contractors, resolving matters without additional cost to the State.
- Represented the Colorado Department of Transportation in construction disputes and claims by prime contractors seeking additional compensation for highway and bridge projects. Resolved 13 disputes, saving the State more than \$3,676,804.
- Negotiated and drafted contracts, grants and related agreements with the Regional Transportation District, the City and County of Denver and other parties to implement redevelopment of Denver Union Station, the FASTRACKS program and other significant transportation improvement projects.
- Advised the Colorado Aeronautical Board, including preparing governance documents the State Audit and reviewing Federal Aviation Grants to address an audit.
- Advised the CDOT Equal Employment Opportunity and Disadvantaged Business Office with regard to civil rights issues and helped finalize a disparity study to be used with CDOT's federally-mandated affirmative action program.

Business and Licensing Section

The seven units of the Business and Licensing Section provide legal advice and litigation services to several state agencies including the Department of Regulatory Agencies and its divisions of Banking, Civil Rights, Financial Services, Insurance, Real Estate, Registrations, Securities and the staff of the Public Utilities Commission. The Section also represents the Department of Revenue, the Department of Agriculture, the State Personnel Board and the Independent Ethics Commission.

Real Estate Division

The attorney unit representing the Division of Real Estate works to protect Colorado consumers from incompetent or deceptive brokers, appraisers and mortgage loan originators. Counsel for the Real Estate Division represents the Real Estate Commission, the Board of Real Estate Appraisers, the Conservation Easement Oversight Commission and the recently formed Mortgage Loan Originator Board.

In 2009, the Unit:

- Obtained a temporary restraining order and thereafter a court order against an unlicensed individual and a limited liability company that collected thousands of dollars of rent on behalf of landlords but did not remit those funds to the landlords.
- Provided general counsel advice to the new Mortgage Loan Originator Board and aided the board transition this program from a director to a board-model program.
- Negotiated a stipulation with a licensee who unlawfully retained earnest money deposits from his clients. The stipulation resulted in revocation of the broker's license and a \$10,000 fine.
- Aided the division obtain license revocations from individuals with criminal

felony convictions that impaired their ability to serve the public.

- Provided general counsel advice to the commission and the division regarding consultation with the Department of Revenue with respect to conservation easement tax credit matters.
- Obtained a permanent injunction against an individual and a company that were practicing without valid licenses.

Revenue Unit

Unit attorneys provide legal services to divisions and programs within the Colorado Department of Revenue. The Colorado Department of Revenue includes several divisions devoted to determining, enforcing and collecting state and local tax; the division of motor vehicles; and several regulatory boards, commissions and programs. Attorneys in the Revenue Unit also provide legal representation to the Property Tax Division within the Colorado Department of Local Affairs.

During 2010, Unit attorneys represented the Department of Revenue's taxation divisions in administrative hearings, in state and federal trial courts, and on appeal before state and federal courts. Many of these cases involved millions of dollars in contested state funds and complex constitutional, statutory and regulatory legal issues. Attorneys defended the Department of Revenue in a tax-related lawsuit in federal court challenging House Bill 10-1193, which established reporting requirements for retailers that do not collect Colorado sales or use tax. Attorneys worked with the agency to reach a settlement in a long-standing case related to taxation of tobacco products.

Attorneys continued to defend the Department of Revenue's implementation of the coal severance tax in Colorado's appellate courts. Unit attorneys are pursuing an appeal of a ruling in a case that will determine whether the generation of electricity constitutes the "manufacture" of "tangible personal property." Attorneys also defended the state's interest in several bankruptcy and collections cases, and in taxation cases that are still in the administrative stage of the legal proceedings. This year, new attorneys were added to the Unit for the purpose of advising the Department of Revenue and litigating cases related to denied conservation easement tax credits.

Attorneys in the Unit also represent the Department of Revenue's enforcement divisions and its several boards, commissions and regulatory programs. These include the Colorado Limited Gaming Control Commission, the Motor Vehicle Dealer Board, the Colorado Racing Commission and the Liquor Enforcement Division. Each regularly assigned lawyer provides general counsel advice to the programs, litigates cases at the administrative level and represents the client on judicial review or appeal. This year, the Unit began providing regular representation and legal advice to the Medical Marijuana Enforcement Division, which the legislature charged with implementing the newly-enacted Colorado Medical Marijuana Code.

Attorneys provided frequent legal advice to the Department of Revenue's Division of Motor Vehicle by reviewing rules and records requests and by representing the division in appeals of driver's license

revocation cases to the Colorado Court of Appeals and the Colorado Supreme Court.

Attorneys in the Revenue Unit also provide legal representation to the Property Tax Division within the Colorado Department of Local Affairs. The Property Tax Division coordinates and administers the implementation of property tax law throughout 64 counties in Colorado. Attorneys representing the division provide statutory interpretation and other general counsel services as needed and represent the Administrator in administrative hearings and negotiations before the Board of Assessment Appeals. Property Tax Division attorneys have been litigating an important valuation case involving Southwest Airlines, expected to be heard in Denver District Court. Additionally, this year, several important cases were litigated on behalf of the Division in Colorado's appellate courts.

Medical Unit

The Medical Unit provides legal representation to the state boards within the Department of Regulatory Agencies that regulate physicians, physician assistants, podiatrists and pharmacists. The Unit supports each represented entity in its mission to protect public health, safety and welfare. Legal services provided include litigation and resolution of licensure, disciplinary and injunctive matters. Unit attorneys also provide legal advice and guidance on rulemaking and policy issues.

Board of Medical Examiners

Counsel for the Medical Board successfully prosecuted and resolved several complex

disciplinary actions against physicians who engaged in unprofessional conduct. Counsel for the board also litigated on behalf of the board in state court, as well as providing guidance and rulemaking advice, confirming and clarifying the board's statutory authority. Specifically, as a result of an amicus brief filed by counsel for the board last year in private party litigation, the Colorado Supreme Court recognized that documents from a board investigation are not subject to automatic disclosure under civil procedure rules; rather, a trial court should include as a factor for consideration the policy reasons for confidentiality of a board investigation, including open communication and the board's encouragement for self-assessment, when determining whether to order a physician to disclose documents connected with a board investigation in private-party litigation.

Following directly on the heels of this Colorado Supreme Court decision, counsel for the board provided legal guidance to the board in the course of effectuating significant amendments to the Medical Practice Act as a result of a statutorily required sunset review. The review of the Colorado Medical Practice Act resulted in significant amendments providing, for example, that records related to a complaint filed with the board will not be subject to a subpoena or discovery in any civil suit brought against a physician who is the subject of such records. This limitation on record use encourages the open and candid flow of information between board and physician in order to ensure that the health, safety and welfare of the public are best protected. Additionally, counsel for the board provided advice and guidance under a comprehensive update of all board rules,

such update being necessary as a result of the sunset review-related legislative changes.

Further, counsel for the board successfully obtained several relinquishments or deactivations of licenses this year. Counsel obtained relinquishment of the license of a physician accused of providing narcotic drugs to patients in exchange for sex. Counsel secured the relinquishment or permanent inactivation of the licenses of three physicians who could not safely practice medicine based on a physical or mental disability. Counsel negotiated the relinquishment of a license from another physician who pleaded guilty to criminal charges and was registered as a sex offender. Additionally, counsel for the board obtained a one-year license suspension and indefinite practice restriction on a physician's practice of "end of life care" following a lethal dose of morphine resulting in the death of a patient.

Board of Pharmacy

The Board of Pharmacy's attorneys provided regular general counsel and litigation services to the board in its efforts to regulate the practice of pharmacy in the state. For example, the board's counsel defended the basis for denying a license application, the denial resulting from criminal convictions related to unauthorized taking of medication from a pharmacy. This matter is ongoing.

Nursing and Dental Unit

The Nursing and Dental Unit provides legal representation to the state boards that

regulate nurses, certified nurse aides, psychiatric technicians, nursing home administrators, the Nurse Physician Advisory Task Force for Colorado Health Care and dentists. The Unit also represents the newly created Surgical Assistants and Surgical Technologists Program that was created by statute in 2010. The Unit supports each represented entity in its mission to protect public health, safety and welfare. Legal services provided include litigation and resolution of licensure, disciplinary, and injunctive matters, as well as general counsel representation at board meetings, advice and guidance with regard to compliance with the state's open meetings law, rulemaking and policy issues.

Board of Nursing

Counsel for the Board of Nursing resolved a large number of cases this year including the successful prosecution of a registered nurse who diverted narcotics by calling in falsified prescriptions for homebound, hospice patients and diverting the narcotics to her own use. This nurse was convicted on four felony counts of identity theft for the same conduct, which ultimately resulted in the revocation of her nursing license. Counsel successfully resolved a case involving a registered nurse who was convicted on felony charges of menacing and first degree burglary based on conduct in his facility in which he brandished a gun and menaced other employees. Counsel negotiated a permanent relinquishment in a CNA case in which the CNA plead guilty to misdemeanor sexual contact with an at risk adult based on events that occurred at the assisted living facility in which he worked. Each of these cases was reported by the media during the past year. Counsel represented the board in

multiple summary suspension proceedings involving nurses who diverted narcotics for their own personal use from hospitals or other medical facilities. Counsel moved swiftly in all of these cases and successfully removed these nurses from practice.

Board of Examiners of Nursing Home Administrators

Counsel for the board provided general counsel representation at board meetings and advice and guidance with regard to compliance with the state's open meetings law. Counsel also provided legal representation regarding disciplinary matters as needed.

The Nurse Physician Advisory Committee Task Force is an advisory committee comprised of physicians and nurses, representatives of their professional organizations and communities who are tasked with providing consensus recommendations to the executive director of the department of regulatory agencies, the Colorado medical board or the board of nursing on a number of issues. Counsel for the Nurse Physician Advisory Committee Task Force provided general counsel representation at task force meetings, advice and guidance on a variety of issues including compliance with the state's open meetings law, and issues related to by-laws and policies for this unique task force.

The Colorado Board of Dental Examiners

Counsel for the board successfully resolved or initiated litigation in a number of complex cases. Counsel negotiated a

stipulated relinquishment related to a licensee who pleaded guilty to felony conspiracy to obtain controlled substances by fraud. Counsel also negotiated a stipulated resolution of a case involving allegations of violations of the practice act including infection control issues, allegations of improper Medicaid billing and documentation errors.

The Dental Board legal team successfully litigated an injunctive action for the unlicensed practice of dentistry. The Dental Board legal team achieved additional efficiencies in meeting the client's goals of public protection by successfully mediating multiple cases. The attorneys worked closely with the board in promulgating a new anesthesia rule that ensures public protection and safe dental practice.

Health Services Unit

The unit provides general counsel and litigation representation to the various health regulatory programs including:

- Certified Addiction Counselors Program
- Marriage and Family Therapist
- Board of Examiners
- Massage Therapist Program
- Psychologist Examiners Board
- The Social Work Examiners Board
- The Board of Veterinary Medicine
- The Board of Chiropractic Examiners
- The Board of Optometric Examiners
- The Grievance Board
- The Licensed Professional Counselors Examiners Board

The Unit supports each represented entity in its mission to protect the public. Legal services provided include litigation and resolution of licensure, disciplinary, and injunctive matters, as well as advice and

guidance with regard to rulemaking and policy issues.

Examples of cases include:

- *Wang Kho*
After a hearing before the Office of Administrative Courts, unit attorneys obtained a revocation of Mr. Kho's massage therapist registration. Mr. Kho was alleged to have sexually assaulted a client during a massage session in Breckenridge. The Administrative Law Judge found that Mr. Kho's conduct was in violation of the Massage Therapy Practice Act and that the evidence supported revocation.
- *Board of Social Work Examiners v. Neil Feinberg*
Unit attorneys obtained a permanent injunction against Mr. Feinberg after the board learned that he was still engaging in the practice of psychotherapy without a license. Mr. Feinberg had previously relinquished his license after allegations concerning Reactive Attachment Disorder. Mr. Feinberg separated the children from their families, placing them with a stranger for the duration of the intensive therapy during which, two young children were subjected to such so-called therapies as "holding therapy" (restrained in a prone position on a couch while Feinberg belittled and shouted at them); "strong sitting" (sitting with legs and arms crossed without speaking for extended periods of time); and "rage reduction therapy" (being screamed at by Feinberg in an attempt to induce rage).

Division of Registrations Professional and Technical Licensing Boards

The Unit provides legal representation to a variety of Type 1 boards and Type 2 licensing programs contained within the Department of Regulatory Agencies. The Unit supports each represented entity in its mission to protect the public. Legal services

provided include litigation and resolution of licensure, disciplinary, and injunctive matters, as well as advice and guidance with regard to rulemaking and policy issues.

The Type 1 boards represented include the Board of Accountancy, the Board of Architects, Engineers and Surveyors, the Electrical Board, the Board of Landscape Architects, the Passenger Tramway Safety Board and the Examining Board of Plumbers.

The Type 2 programs represented include: the Office of Acupuncture Licensure, the Office of Audiology and Hearing Aid Provider Licensure, the Office of Athlete Agent Registration, the Office of Athletic Trainer Registration, the Office of Barber and Cosmetology Licensure, the Office of Funeral Home and Crematory Registration, the Office of Midwifery Registration, the Office of Physical Therapy Licensure, the Office of Occupational Therapist Registration, the Office of Outfitters Registration and the Office of Respiratory Therapy Licensure.

In 2010, the Unit:

- Defended an appeal by an outfitter who took a client to an area closed to hunting, allowed him to take a bighorn sheep ram and then tried to conceal the violation by lying to law enforcement officers. The court found in favor of the Office of Outfitter's Registration and recommended revocation of the outfitter's registration. The outfitter has filed an appeal with the Colorado Court of Appeals.
- Represented the Board of Respiratory Therapists in an action involving the denial of an application to an individual who attempted to hold herself out as a licensed Respiratory Therapist. Based on her

conduct, the applicant pleaded guilty to a felony and a misdemeanor.

- Represented the State Electrical Board in the case of a five-time felon who held a journeyman electrician license. The licensee pled guilty from 1995 to 2007 for attempted theft, theft, and three attempted escape charges for walking away from community corrections. Following a hearing, the board revoked the license.

Insurance Unit

The Insurance Unit acts as general and litigation counsel to the Division of Insurance. As part of its service, unit attorneys assist and advise on a wide variety of subject areas in rulemaking related to the regulation of insurance companies and their agents, and legal advice regarding changes and amendments to the insurance laws. Litigation is conducted on behalf of the Division of Insurance against unauthorized companies and individuals and insurance companies and their agents who market and sell numerous types of insurance including, but not limited to, health care insurance, health maintenance organizations, long-term care, Medicare supplement insurance, life insurance, property and casualty insurance and preneed funeral contracts. The Division of Insurance also oversees the bail bond business in Colorado and regulates bail bond agents and insurance companies that underwrite bail bonds through licensing actions and market conduct examinations.

The Insurance Unit has experienced an unprecedented increase in work volume over the past year, due to three primary factors:

- The passage of Federal Health Care reform;
- The Division's focus on reasonable containment of health care costs for consumers, specifically insurance rate

- increases, while maintaining a competitive, viable market among insurers; and,
- Consumer protection issues related to the regulation of insurance companies, insurance and bail bond producers and pre-need funeral contracts.

Current trends and focus areas include:

- *Federal health care reform*
In the past months the unit has assisted the Division with two emergency regulations, both required to bring the state into compliance with federal health care reform legislation being implemented in the fall of 2010. Between now and 2014, Federal health care reform will necessitate the Unit being involved in extensive review of regulations and statutes, as health care reform legislation is implemented on a graduated basis. The recent federal health care law also will drive the necessity for a significant increase in regulatory review of insurance carriers to ascertain compliance. Said review will fully engage the resources of the Insurance Unit, as carriers are already demonstrating a willingness to litigate issues arising from the Division's review and regulation of previously unprecedented premium rate increases by insurers.
- *Rate Issues*
In 2008 the legislature provided the commissioner with broader power and ability to investigate and regulate rates charged by insurance carriers. The Division of Insurance's review of health insurance rate increases identified premium increases that, in some cases, have risen at a level of 30 to 40 percent annually. The Division of Insurance has faced resistance from carriers to reduce rate increases to levels the Division of Insurance felt reasonable based on both actuarial and financial analysis of the company, resulting in scheduled public hearings, negotiations and litigation by the unit. Although time intensive work on the part of the Insurance Unit, the outcome has been reduced rates for consumers as well as millions of dollars of health insurance and other types of insurance premiums being refunded to consumers.

- *Market Conduct Examinations*
In an effort to provide stronger consumer protection, the Division of Insurance has engaged in more market conduct examinations, a process whereby an insurer's practices and procedures are reviewed to ascertain compliance with Colorado statute and regulations. Currently 18 Market Conduct Examinations are underway and five have been completed since July 2010. The Insurance Unit generally becomes involved in the examinations near the conclusion, to ensure due process is provided to the insurer and that final agency orders regarding violations are properly issued. In the event the insurer appeals the final agency orders, the appeal of the monetary fine becomes an appellate court action and the appeal of actual final agency orders findings becomes a District Court action. Thus, when a case is appealed two separate actions generally occur, both of which are document intensive, involving multiple hearings and significant motions practice.
- *Producer Regulation*
The Division of Insurance is charged with regulating bail bond agents and other insurance producers (agents/insurance agencies/brokers). Cases include, but are not limited to, producers who misuse or fraudulently divert premiums paid by consumers, producers who submit fraudulent insurance applications, producers with criminal backgrounds that impact the producers' ability to maintain a license, the inappropriate sale of annuities products to consumers not suited for such products and other violations of the Colorado Producer Licensing Model Act. The Unit receives the most complex cases, generally involving multiple egregious violations of the act. The act now permits the Division of Insurance to seek restitution for consumers, in addition to license sanctions and civil penalties. This will necessarily increase the complexity of litigated licensing matters.
- *Bail Bond Sunset*
Title 12, C.R.S. that pertains to the regulation of the bail bond business will undergo sunset January 2012. The Division

of Insurance regulates bail bond agents through Title 12 and Division regulations pertaining to the bail bond business. With extensive assistance of the Insurance Unit, the Division of Insurance will be providing a number of suggested revisions to existing statutes during the sunset process, which will occur in 2011. This will also involve amendment to existing regulations.

- *General Counsel Role*

The Insurance Unit has had a significant increase in the commissioner's need for general counsel advice, both due to federal health care legislation as well as need to evaluate and utilize the commissioner's enhanced ability to review and regulate rapidly increasing insurance rates, which also generate broad based consumer and employer complaints. The additional bail bond and market conduct examination litigation has also magnified the commissioner's request for general counsel advice.

Significant cases in 2010 include:

- *Pinnacol Assurance*
Resulted in a \$15 million premium credit to Pinnacol's insured employers who provide workers compensation coverage to employees in Colorado, due to Pinnacol using unscheduled rating factors over a nine-year period.
- *Anthem*
Resulted in a \$20 million refund to consumers who purchased individual health insurance policies from Anthem during 2010 due to rates the Division alleged were not supported by financial data of the company.
- *International Fidelity Insurance Company*
A MCE resulted in this bail bond insurer paying a \$450,000 fine for violations of Colorado Statute and regulations.

Public Utilities Commission Litigation Unit

The Public Utilities Commission regulates the rates, charges, services, and facilities of public utilities within Colorado. The Public

Utilities Litigation Unit of the Attorney General's Office primarily represents the litigation staff of the Public Utilities Commission. The Unit appears before the PUC in litigated matters on behalf of the public interest to achieve fair utility rates for all types of customers. The Unit works to ensure that adequate and reliable gas, electric, telephone, water and water/sewer, and motor carrier utility service is provided to all Coloradans.

Significant cases in 2010 include:

- *Black Hills Electric Rate Case*
Represented staff in the Black Hills Electric Rate Case in which the company requested an annual increase in revenue of approximately \$23 million. Staff completed its audit and review and negotiated a settlement with the company granting an increase of approximately \$18 million. Somewhat unique to this case was the fact that the settlement was reached relatively early in the process, saving significant costs and resources while still arriving at a just and reasonable outcome for both the company and ratepayers.
- *Merger between CenturyLink Inc. and Qwest Corporation*
Represented staff in a proceeding before the Commission concerning the merger between Qwest Corporation and CenturyLink which required PUC approval. The staff's active participation in the pretrial motions and discovery, along with the staff's active facilitation of resolution of issues between the parties, resulted a hearing on a stipulation and settlement agreement between all but two of the parties in the docket. A PUC decision approved this stipulation and settlement agreement between the parties, provided for contract terms and conditions for computer system transition and agreements between CLECS and Qwest and CenturyLink, new service quality metrics for retail and business customers, charitable contributions by Century Link to local charities, processes for the staff and the Office of Consumer

Counsel to review and understand the merger transition processes and costs for the entire time of transition, a commitment to not allow merger costs to be included in regulated rates, and a monetary contribution of \$70 million dollars to broadband infrastructure in Colorado.

- *Glustrom v. PUC*
Represented the PUC in an appeal brought by Ms. Leslie Glustrom in Denver District Court. The crux of this appeal related to a challenge of the legality of the PUC prohibiting Glustrom from challenging the prudence of Public Service Company of Colorado's investment in the Comanche 3 coal plant during the course of an electric rate case proceeding. The matter has been fully briefed and is now ready for the court to issue a decision.
- *Union Telephone*
Represented the staff in a PUC matter where Union Telephone sought designation as an eligible telecommunication carrier to receive federal universal support funds. The presiding administrative law judge granted Union Telephone's application.
- *Randy Lyons & Lyons Towing & Recovery*
Represented the staff in this transportation matter seeking a civil penalty assessment of \$208,725 as a result of 105 violations committed by respondents for operating as a towing carrier while their towing carrier permit was suspended. Based in part on the staff's advocacy, the PUC ordered that the respondents are ineligible to be issued another operating right for a period of two years and assessed a civil penalty for each respondent for a total civil penalty of \$417,450 in this matter.

Securities

Unit attorneys act as general and litigation counsel to the Securities Commissioner and the Colorado Division of Securities. As part of its service, unit attorneys assist the Division of Securities in the regulation of securities, issuers, broker-dealers, sales representatives, investment advisers,

investment adviser representatives and other related entities. As part of its service, Unit attorneys primarily conduct litigation in administrative and district courts on behalf of the Division of Securities against individuals and entities involved in the offering of traditional investments (such as stocks and bonds), private placement offerings, and exotic/non-traditional instruments such as derivatives (including collateralized mortgage obligations) and auction rate securities.

Significant cases in 2010 include:

- *Joseph v. Sean Michael Mueller, et al.*
Unit attorneys successfully obtained the appointment of a receiver and Temporary Restraining Order against Mueller, his company Mueller Capital Management, and his hedge fund Mueller Over Under Fund after the Division discovered evidence that strongly indicated that Mueller was essentially operating the fund as a Ponzi scheme. At the time the case was filed, materials suggested that Mueller was claiming more than \$100 million in assets, but a review of the records available revealed a much lower value of the assets remaining in the fund. Notes left by Mueller in conjunction with an aborted suicide attempt conceded that he was issuing fake statements that lied about profits to his investors. Mueller ultimately accepted the entry of a preliminary injunction (and in a related criminal case that followed, was sentenced to forty years in prison). The court appointed receiver continues to manage the assets of the defendants and wind down the affairs in an effort to return the remaining funds to investors.
- *Joseph v. Financial Services Investors #4*
Unit attorneys successfully obtained permanent bars against defendants David Bell, Lynden Bridges, and Steven Signer in connection with a failed investment in leveraged US Treasury Bonds. The commissioner alleged that the defendants, in addition to offering and selling unregistered

securities, failed to make numerous material disclosures in connection with the investment, including previous bankruptcies, a felony conviction for tax fraud from one of the defendants, and that previous investors in the fund had lost all of their money in a margin call. Defendant Bell accepted a stipulated order of permanent injunction barring him from securities practice in Colorado. Unit attorneys prevailed on summary judgment against Defendant Bridges for securities fraud and registration violations. Finally, at the trial, after the Division of Securities rested its case, Defendant Signer accepted a stipulated order of permanent injunction barring him from securities practice in Colorado. All funds collected from the defendants that were received as a part of the settlements will be returned to investors.

- *Joseph v. Aquatic Behavioral Technologies*
Unit attorneys successfully brought a resolution to a longstanding case against numerous defendants, who sought to raise investor funds for the development and marketing of a lobster calling device called "E-Bait." The suit alleged violations of the registration, licensing and antifraud provisions of the Colorado Securities Act in marketing and selling the investment. As a result of the litigation, all defendants became subject to a permanent injunction. All funds collected from the defendants as a result of restitution or disgorgement will be returned to investors.

Division of Banking and Division of Financial Services

The Division of Banking is responsible for the regulation of state chartered commercial banks, trust companies, industrial banks, and money transmitters. The Division of Financial Services supervises state chartered credit unions, savings and loan associations, and certain financial activities of life care institutions. Unit attorneys assist and advise on a variety of matters, including charter and

license application hearings, promulgation of rules and regulations, enforcement of corresponding state laws and regulations, and any emergency issues that may arise.

During 2010 the Unit worked closely with the Division of Banking on the emergency suspension of a bank director and continued to assist with the ongoing liquidation proceeding for American International Depository and Trust.

Agriculture

The Unit acts as general and litigation counsel to the various divisions of the Department of Agriculture. As part of their service, unit attorneys advise on a wide variety of subject areas including rulemaking, chronic wasting disease, Pet Animal Care Facilities Act enforcement matters, emergency preparedness, zoning, animal cruelty, animal identification, homeland security, regulation of the sale and use of pesticides, regulation of seed and nursery stock, promotion and marketing of agricultural products, control of noxious weeds, certification of organic producers, regulation of farm products dealers and commodity handlers, inspection of all commercially used weights and measures in the state, administration of the livestock brand recording system, and administration of the State Fair and its associated activities.

One of the unit's noteworthy cases involved the Bureau of Animal Protection seizing a Bernese Mountain Dog and her two pups after finding seven other dead puppies frozen on the ground at an outdoor kennel at a Larimer County breeding facility. The licensee stipulated that she was unfit to own

the animals, and the Department adopted them to a new home.

The unit also is prosecuting two livestock neglect and animal cruelty cases. In 2010, the Bureau of Animal Protection seized cattle from owners in Logan and Park Counties. In Logan County, over twenty head of livestock were severely malnourished, sick, dehydrated, and dying; one had to be euthanized onsite. The Logan County District Court granted the Colorado Department of Agriculture's petition for possession of the livestock and temporarily restrained the owner from owning, possessing, managing, or otherwise tending livestock in Logan County through and to a hearing for a permanent injunction. In Park County over 150 head of cattle, in a 1,200-head herd, were found dead from malnourishment and exposure. The Department of Agriculture sought possession of the entire herd, removed 379, sold that herd, and negotiated a temporary restraining order to uphold the status quo of the remainder of the herd pending a trial on whether the owner/manager should be permanently restrained from owning, possessing, managing, or otherwise tending livestock in Park County.

Mined Land Reclamation Board

The unit acts as general and litigation counsel to the Mined Land Reclamation Board, a multi-interest citizen board which establishes the regulations, standards and policies that guide the Division of Reclamation, Mining and Safety. The board implements the Colorado Mined Land Reclamation Act and is actively involved in the decision-making process for controversial permit issuance and

enforcement actions. The Unit provides legal assistance to the board as required by its various activities which include approving or denying permits and permit modifications when there has been public comment, issuing violations, setting civil penalties, setting program policy and promulgating rules, and revoking permits and forfeiting bonds.

In 2010, the Mined Land Reclamation Board conducted a lengthy rulemaking required to implement legislation passed in 2008. The board adopted final rules making information in prospecting notices of intent available to the public, as required by the legislature. The newly adopted rules also have increased requirements regarding in situ leach mining for uranium.

Also in 2010, the board ordered the Cotter Corporation to dewater the decommissioned Schwartzwalder Uranium Mine located near Golden after an investigation revealed that the closed mine was leaking uranium-tainted water into Ralston Creek. Ralston Creek flows into Ralston Reservoir, a drinking water source for Denver and Arvada. Cotter is appealing the order. Cotter has neither drained the uranium-saturated mine-pool, nor paid the penalty.

Independent Ethics Commission

Amendment 41, which was passed by Colorado voters in 2006, established the Independent Ethics Commission to handle complaints and advisory opinions to help define ethical conduct for government officials and employees. Subsequent legislation further clarified the Independent Ethics Commission's duties. Since 2008, counsel for the Independent Ethics

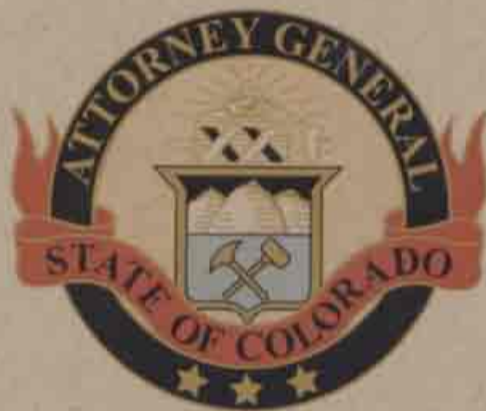
Commission has advised the commission in its resolution of complaints, issuance of advisory opinions, letter rulings and position statements. Those opinions, rulings and statements issued in 2010 covered a broad range of topics, including:

- Travel paid for by nonprofit organizations;
- Donation of funds to public sector employees;

- Future employment of public employees;
- And the appropriate sources of payment for the gubernatorial transitions.

Counsel also helped the Independent Ethics Commission develop the legal framework necessary for the Independent Ethics Commission to accomplish its constitutional and statutory duties.

Department Fact Sheet





COLORADO DEPARTMENT OF LAW

A Fact Sheet

JOHN W. SUTHERS
Attorney General

CYNTHIA H. COFFMAN
Chief Deputy Attorney General

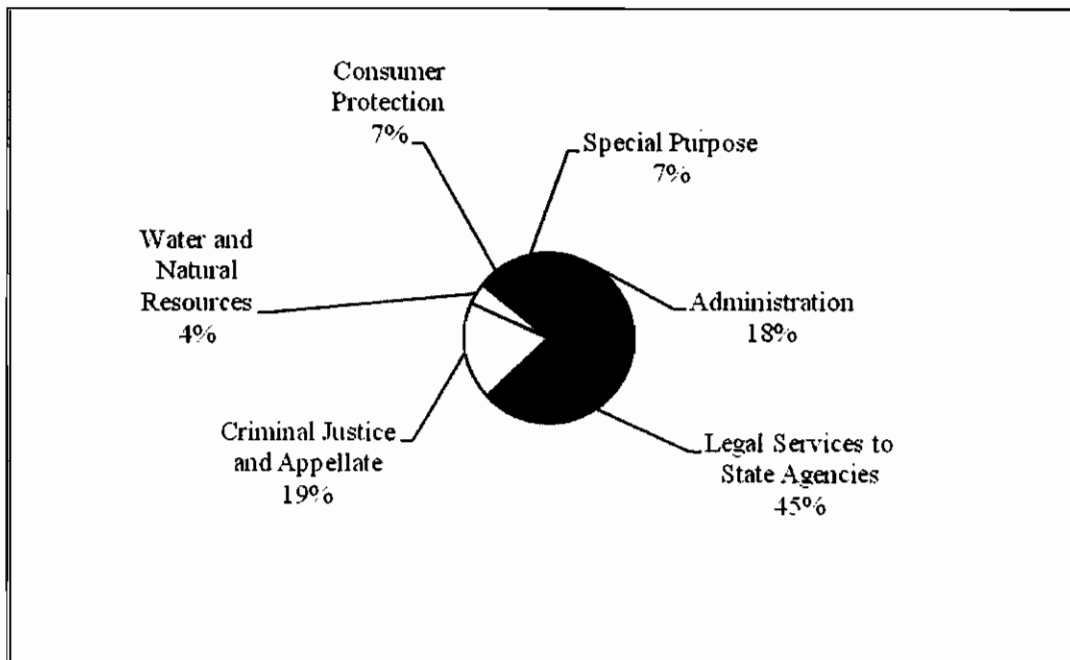
Department of Law

November 2011

The Department of Law, (often referred to as the Colorado Attorney General's Office), which Attorney General John W. Suthers oversees, represents and defends the legal interests of the people of the State of Colorado and its sovereignty.

FY 2011-12 Appropriation		FY 2012-13 Request	
Total Appropriation	\$54,346,753	Total Appropriation	\$56,831,994
General Fund		General Fund	
Appropriation	\$9,393,105	Appropriation	\$9,865,101
Total Full Time Equivalent	419	Total Full Time Equivalent	427.5
Employees (FTE):		Employees (FTE):	

FY 2012-13 Request by Long Bill Division



Department in Summary FY 2012-13

The Department of Law defends the legal interests of the people of the State of Colorado in the following program areas:

- Criminal Justice and Appellate – Colorado statutes provide that the Attorney General’s Office has criminal jurisdiction to: 1) To pursue trial level prosecutions of certain offenses, 2) To oversee certification and training of peace officers, and 3) Provide victim services for Department of Law cases. The Appellate Division – Represents the state on appeals of all felony convictions before the state appellate courts or the federal courts.
- Legal Services to State Agencies/ Business and Licensing Section – Provides litigation and legal counsel to State professional licensing and occupational regulatory boards. The section also represents the Department of Revenue in taxation, bankruptcy and regulatory matters involving the racing, lottery, liquor and motor vehicle dealer boards and commissions. Additionally, this section represents the staff of the Colorado Public Utilities Commission in rate cases, company mergers, licensee matters and performance standards for the telecommunications, electric, gas and transportation companies.
- Legal Services to State Agencies / Natural Resources Section – Protects and defends the interests of the State and its citizens in all areas of natural resources law and environmental law. It represents and advises state agencies and boards that regulate and oversee the use and conservation of Colorado’s natural resources and the quality of Colorado’s environment.
- Legal Services to State Agencies / State Services Section – The Section’s work protects children and people at risk. It also conserves the state’s fiscal system by reviewing hundreds of state contracts and defending the State against claims typically involving the inadequacy of funding of various programs. The Section also gives legal advice to the statewide elected officials and provides legal advice and counsel to the State Higher Education Institutions.
- Legal Services to State Agencies/ Civil Litigation and Employment Section – Defends State employees and agencies in State and federal courts. Cases may involve personal injury suits, property damage, or employment discrimination among others.
- Consumer Protection and Anti-Trust Unit – Protects Colorado consumers against fraud and provides a competitive business environment through enforcement of state and federal consumer protection, antitrust, and lending laws.

Leading Budget Change Requests for FY 2012-13:

The FY 2012-13 budget request highlights include the following:

- Decision Item #1 – 5.0 FTE Consumer Protection Enhancement. This request will allow the Department of Law, to better protect Colorado consumers across a whole range of deceptive trade practices. Additionally, these resources will enable the agency to manage the huge number of consumer complaints and inquiries received each year, better manage a growing number of lawsuits, and more efficiently investigate and resolve complaints.
- Decision Item #2 – 2.0 FTE Consumer Credit Unit Unlicensed Entities Compliance Effort. This request will allow the Department of Law to better protect Colorado consumers involved in lending, debt management, credit repair, and debt collection activities. Additionally, these resources will enable the unit to better support these industries by maintaining a level playing field for those companies that lawfully provide these services to Colorado residents while enforcing the laws against those that fail to comply.
- Decision Item #3 – 1.0 FTE Case Management System. This request will enable the Department of Law to implement a case management system. The Department has no case management system and yet handles thousands of cases and documents annually. The benefits of having such a system are substantial and a case management system is necessary to handle a continuing growing case load.
- Decision Item #4 – 1.0 FTE Deputy Assistant Attorney General. This request will allow the Department of Law to support an additional Deputy Attorney General in the Legal Services to State Agencies (LSSA) Line item. The department has witnessed extensive growth in FTE to support client agencies the past two legislative sessions. Due to this growth, the department is witnessing a span of control concern.
- Decision Item #5 – Appellate Unit 1.5% base reduction reinstatement. This request is seeking the reinstatement of the FY 2011-12 1.5% base reduction to the Appellate Unit for \$37,428.
 - The Governor’s Office of Information Technology and the Governor’s Energy Officer are initiating requests for additional legal support. These requests total 0.8 FTE and associated spending authority for the Legal Services to State Agencies Line Items.
 - The department’s budget request accommodates for an additional \$776,000 TF associated with the state paid PERA rate going back to the traditional rate of 10.15% from a one year 7.65% rate.
 - The department’s budget request accommodates for additional spending authority associated with statutory increases to state paid benefits for AED and SAED. Additionally, this request maintains the current Health, Life and Dental insurance contributions for each employee’s chosen coverage for the request year.

Key Issues and Legislation from 2011:

- S.B. 11-1300 increased department staff by 9.1 FTE and associated spending authority to support the Department of Revenue with the procedures governing conservation easement tax credit cases.

- The department continues to support state interests in the defense and trial of Lobato v. State of Colorado. This complaint alleges that the current statutory scheme for funding public schools in Colorado violates various state constitutional provisions. This case was heard during the fall of 2011. The department is still waiting the court's decision.

For more information about this Department and its programs, please call 303-866-4500.

Links to Additional Fact Sheets and Websites

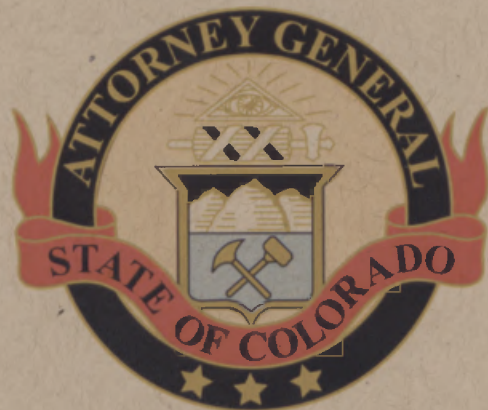
Colorado Department of Law <http://www.ago.state.co.us/index.cfm>

Colorado No Call Web-site <http://www.coloradonocall.com/>

Department of Law
Schedule 10
FY 2012-13 Budget Request

Priority	Number	Division	Request	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Decision Items									
	DI-1	Consumer Protection	Consumer Protection Enhancement	5.0	\$404,189	\$0	\$404,189	\$0	\$0
	DI-2	Consumer Protection	Consumer Credit Unit Unlicensed Entities Compliance Effort	2.0	\$181,560	\$0	\$181,560	\$0	\$0
	DI-3	Administration	Case Mgt System	1.0	\$287,409	\$6,463	\$158,081	\$122,865	\$0
	DI-4	LSSA	Deputy Attorney General FTE	1.0	\$157,422	\$0	\$157,422	\$0	\$0
	DI-5	Criminal Justice and Appellate	Appellate 1.5% base reduction reinstatement	0.0	\$37,428	\$37,428	\$0	\$0	\$0
				0.0	\$0	\$0	\$0	\$0	\$0
				0.0	\$0	\$0	\$0	\$0	\$0
Total - Decision Items				9.0	\$1,068,008	\$43,891	\$901,252	\$122,865	\$0
Base Reduction Items									
	BR -1	Special Purpose	Lobato Base Reduction	0.0	(\$382,500)	\$0	\$0	(\$382,500)	\$0
Total - Base Reduction Items				0.0	(\$382,500)	\$0	\$0	(\$382,500)	\$0
Non-Prioritized Items									
		Administration	Vehicle Lease Payments	0.0	\$109	\$992	(\$2,442)	\$1,754	(\$195)
		LSSA	Governor's Energy Office Increase	0.5	\$65,868	\$0	\$0	\$65,868	\$0
		LSSA	OIT Legal Increase	0.3	\$35,000	\$0	\$0	\$35,000	\$0
Total Non Prioritized Items				0.8	\$100,977	\$992	(\$2,442)	\$102,622	(\$195)
Grand Total November 1, 2011				9.8	\$786,485	\$44,883	\$898,810	(\$157,013)	(\$195)

Consumer Protection Investigation Enhancement



Schedule 13

Funding Request for the 2012-13 Budget Cycle

Department: Law
 Request Title: Consumer Protection Enhancement
 Priority Number: 1

Dept. Approval by: *Jo Peta* 10/25/11
 Date

OSPB Approval by: _____
 Date

Decision Item FY 2012-13
 Base Reduction Item FY 2012-13
 Supplemental FY 2011-12
 Budget Amendment FY 2012-13

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
		Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
	Fund					
Total of All Line Items	Total	5,510,466	-	6,046,160	404,189	369,779
	FTE	21.0	-	21.0	5.0	5.0
	GF	1,865,019	-	2,096,176	-	-
	GFE	-	-	-	-	-
	CF	1,003,316	-	1,101,099	404,189	369,779
	RF	2,514,594	-	2,677,773	-	-
	FF	127,537	-	171,112	-	-
(5) Consumer Protection, Consumer Protection and AntiTrust	Total	1,781,681	-	1,815,952	359,154	324,744
	FTE	21.0	-	21.0	5.0	5.0
	GF	908,598	-	928,104	-	-
	GFE	-	-	-	-	-
	CF	634,152	-	644,143	359,154	324,744
	RF	238,931	-	243,705	-	-
	FF	-	-	-	-	-
(1) Administration, Health, Life, and Dental	Total	2,281,572	-	2,376,081	28,400	28,400
	FTE	-	-	-	-	-
	GF	577,900	-	642,316	-	-
	GFE	-	-	-	-	-
	CF	237,546	-	277,747	28,400	28,400
	RF	1,385,970	-	1,362,479	-	-
	FF	80,156	-	93,539	-	-
(1) Administration, Short Term Disability	Total	49,196	-	53,563	481	481
	FTE	-	-	-	-	-
	GF	13,008	-	15,188	-	-
	GFE	-	-	-	-	-
	CF	4,457	-	5,177	481	481
	RF	30,127	-	30,957	-	-
	FF	1,604	-	2,241	-	-

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
(1) Administration, Amortization Equalization Disbursement	Total	775,756	-	968,371	8,688	8,688
	FTE	-	-	-	-	-
	GF	203,279	-	274,591	-	-
	GFE	-	-	-	-	-
	CF	70,505	-	93,597	8,688	8,688
	RF	476,591	-	559,668	-	-
	FF	25,381	-	40,515	-	-
(1) Administration, Supplemental Amortization Equalization Disbursement	Total	622,261	-	832,193	7,466	7,466
	FTE	-	-	-	-	-
	GF	162,234	-	235,977	-	-
	GFE	-	-	-	-	-
	CF	56,656	-	80,435	7,466	7,466
	RF	382,975	-	480,964	-	-
	FF	20,396	-	34,817	-	-

Letternote Text Revision Required? Yes: No: X If yes, describe the Letternote Text Revision:

Cash or Federal Fund Name and COFRS Fund Number: Consumer Protection Custodial #146

Reappropriated Funds Source, by Department and Line Item Name:

Approval by OIT? Yes: No: Not Required: NA

Schedule 13s from Affected Departments: NA

Other Information:



DEPARTMENT OF LAW

*FY 2012-13 Funding Request
November 1, 2011*

*John W. Suthers
Attorney General*

*Cynthia Coffman
Chief Deputy Attorney General*

***Department Priority: 1
Request Title Consumer Protection Enhancement***

Summary of Incremental Funding Change for FY 2012-13	Total Funds	CF	FTE
Consumer Fraud Unit/Antitrust Tobacco and Consumer Protection Unit	\$404,189	\$404,189	5.0

Request Summary:

The Department of Law is requesting 5.0 FTE and \$ 404,189 in Custodial Fund spending authority to support the efforts and workload expansion for the Consumer Fraud Unit and the Antitrust Tobacco and Consumer Protection Unit. This request includes one (1) Assistant Attorney General, one (1) complaint intake Administrative Assistant II, (1) Criminal Investigator I in the Consumer Fraud Unit, one (1) Legal Assistant I in the Antitrust Tobacco and Consumer Protection Unit, and one (1) Administrative Assistant II to support both Units. This request will allow the Department of Law, Department, to better protect Colorado consumers across a whole range of deceptive trade practices. Additionally, these resources will enable the agency to manage the huge number of consumer complaints and inquiries received each year, better manage a growing number of lawsuits, and more efficiently investigate and resolve complaints.

The proposal requests the shift of all classified personnel to custodial funding and all attorneys assigned to Antitrust, Consumer Protection or Consumer Fraud efforts to the General Fund. This reassignment of dollars per position provides two relevant impacts: 1) frees up General Fund to support the Assistant Attorney General in this request without additional General Fund dollars and 2) places all attorneys in these areas on the General Fund, thereby removing any perceived

requirement to support their positions through revenues in the Custodial Fund. However, the line item will need spending authority associated with all five of these positions and associated operating costs. Existing classified personnel, as well as the four new classified positions requested by this Decision Item, would be funded out of custodial funds received and maintained under § 24-31-108 (C.R.S.).

The **Consumer Fraud Unit** handles general enforcement obligations under the Colorado Consumer Protection Act, including the Motor Vehicle Repair Act and the Charitable Solicitations Act. This Unit currently utilizes 9.3 FTE that include, 1 First Assistant Attorney General, 4 attorneys (one of whom works part-time), 1 legal assistant II, 1 criminal investigator II, 1 general professional III, 1 program assistant I, 1 administrative assistant II, and .5 program assistant II. The attorney FTE are generally funded, while the classified staff are funded out of custodial funds. The Unit is witnessing increasing workload and litigation need due to the increase in consumer complaints and the increase in deceptive business either operating in Colorado or victimizing Colorado consumers.

The **Antitrust, Tobacco and Consumer Protection Unit** handles more specialized enforcement obligations under the Colorado

Foreclosure Protection Act, Colorado's mortgage loan originator and mortgage fraud statutes, the No-Call List Act, and the state and federal antitrust acts. It is also responsible for enforcing the Tobacco Master Settlement Agreement and related statutes. This Unit currently utilizes 9.5 FTE that include, 1 First Assistant Attorney General, 4 attorneys, 1 legal assistant II, 1 criminal investigator II, 2 compliance investigator II's, and .5 program assistant II. Three of the five total attorneys are generally funded, one is cash funded (mortgage loan originator cash fund), and one is funded through the tobacco litigation settlement defense fund. The two compliance investigators are cash funded (mortgage loan originator cash fund), the legal assistant is partially cash funded (Public Utilities Commission no-call list act), and the remaining classified FTE are all funded out of custodial funds. The Unit is witnessing a dramatic increase in mortgage and foreclosure fraud related complaints due to the increase in deceptive business either operating in Colorado or victimizing Colorado consumers.

The last three years have seen a dramatic increase in the number of formal consumer complaints filed with the Attorney General. In 2008, we received 2,969 complaints; in 2009 we received 4,723 complaints; and in 2010 we received 6,462 complaints. Through September 2011 we were on pace to eclipse the 2010 numbers. That is an increase of more than 54% in less than four years. Not surprisingly, the number of lawsuits filed to enforce provisions of the CCPA and other consumer statutes has increased accordingly (6 cases filed in 2007 and 15 cases filed in 2010), although the size and complexity of individual cases will affect the number of investigations and/or lawsuits that can be filed in any given year.

Enforcement actions typically begin with consumer complaints, although some actions are based on multi-state investigations coordinated through the National Association of Attorneys General. Most investigations are fairly complex, involving numerous consumer complainants,

review of thousands (and sometimes tens or even hundreds of thousands) of pages of documents, and interviews and/or depositions of dozens of witnesses. Lack of adequate staffing can lead to bottlenecks at numerous places throughout this process.

First, complaint intake has three FTE – a General Professional III, a Program Assistant I, and an Administrative Assistant II. Together, they have handled more than 10,000 incoming phone calls in 2011, received, scanned, and reviewed nearly 5,000 mail and electronic complaints, conducted preliminary investigations (talking with consumers, locating and identifying business or individual complained about), generate monthly reports on complaint statistics and trends, and published a quarterly electronic newsletter that is distributed to more than 100,000 consumers throughout Colorado. They are also largely responsible for maintaining and updating the consumer protection sections of the Attorney General's web site. This extraordinary workload creates the first bottleneck. Without time or resources to thoroughly review and analyze all consumer complaints in a timely and efficient manner, potentially new investigations are delayed in being referred to investigators and/or civil prosecutors for formal action. That delay means that deceptive trade practices continue and more consumers and honest businesses are harmed. An additional Administrative Assistant II would help alleviate this bottleneck by freeing up more time for the critical complaint review and analysis.

Second, the two Units have a total of two Criminal Investigator II's and two Compliance Investigator II's (the latter dedicated to mortgage and foreclosure fraud cases). At present, these staff are assigned a total of more than 40 investigations, with other investigations in the queue awaiting assignment. Investigators are critical to the mission of both Units, interviewing witnesses, locating and interviewing potential targets, identifying ex-employees, reviewing documents, and assisting in trial preparation. A second bottleneck occurs when potential cases

languish because investigators are tied up on too many other cases. Because of a large backlog of pending investigations – including those that have not even been assigned – it becomes impossible for the attorney staff to effectively and efficiently evaluate cases for filing and ultimate resolution. Attorneys are forced to conduct initial witness interviews, handle virtually every investigative hearing, and review documents – all tasks that can and should be handled by investigators. Lengthy delays in starting and completing investigations can be shortened, if not eliminated, with the addition of another Criminal Investigator II.

The third bottleneck occurs in litigation support. Each Unit currently has one Legal Assistant II (one of which is largely committed to No-Call List Act enforcement) and the Units share a single Program Assistant II. That is two legal support personnel, and only one administrative support person, for two litigation-heavy Units with a combined 19 FTE. In any litigation setting, legal and administrative support is critical to success. Legal assistants can more efficiently manage complex case filings, managing documents and pleadings, and assisting with case preparation. Their work allows attorneys to focus on drafting pleadings and presenting evidence and arguments before the courts. Administrative support keeps everything else flowing smoothly, maintaining case files, handling filings with the courts, copying documents, preparing evidence and witness files, and correspondence. With only a single FTE handling most administrative functions (and this particular program assistant also manages telemarketing registrations, health club contracts, and repossession bond programs), investigators, legal assistants, and attorneys are required to spend more of their time on purely administrative functions. The addition of another legal assistant and an administrative assistant to provide litigation and administrative support would greatly improve the overall efficiency and productivity of both Units.

The fourth bottleneck occurs in the actual prosecution of Consumer Protection Act and

other violations. Of the nine attorney FTE in the two Units, two are managing attorneys with significant administrative and budget responsibilities, one is dedicated to enforcement of the Tobacco Master Settlement Agreement and related statutes, and one is dedicated (because of funding source) to mortgage and foreclosure fraud related cases. That leaves only five attorneys whose sole responsibilities include the investigation and prosecution of Consumer Protection Act, Antitrust Act, Charitable Solicitations Act, and other statutory violations. Much of the litigation undertaken by these two Units is complex, involving many witnesses and many thousands of pages of documents. In any particularly complex, and hotly contested, piece of litigation – which can easily last more than two years – it is not unusual for a single attorney to spend nearly all of her/his time on a single matter. That means that even completed investigations may sit idle (*i.e.*, a lawsuit not filed) until attorney resources are freed up.

Further, state attorneys general are given greatly enhanced enforcement authority under a variety of federal statutes and regulations as a result of the Dodd-Frank Wall Street Reform and Consumer Protection Act. While Title X of that Act largely took effect on July 21, 2011, it remains unclear whether and to what extent those provisions will impact enforcement activities by these Units.

Anticipated Outcomes:

With the additional resources these Units will be able to more effectively and efficiently handle more consumer complaints, investigate more violations of the numerous statutes enforced by the Attorney General, and resolve more violations, either through settlement, litigation, or both. Colorado consumers and legitimate businesses will be better protected.

Assumptions for Calculations:

The department is assuming that each position will be filled at the mid range for each classification. As mentioned above, the cases within this area of law and regulation are

complex and significantly litigious. As such, the Units require that the requested legal assistant, criminal investigator and assistant attorney general have more experience, in order to best serve Colorado consumers.

Consequences if not Funded:

If this request is not funded, the department will continue to prioritize and manage the workload of these Units within existing spending and FTE authority. Thus, despite increases in consumer complaints, these Units will be unable to handle an increase in investigations or prosecutions of even egregious violations of the Consumer Protection Act, Antitrust Act, Charitable Solicitations Act, or other statutes. Companies and individuals engaged in deceptive or anticompetitive activities may escape appropriate and necessary enforcement activity by the Attorney General.

Impact to Other State Government Agency:

This decision item will not have a fiscal or workload impact on other state agencies.

Current Statutory Authority or Needed Statutory Change:

No statutory changes needed. Current Statutory Authority exists in Colorado Consumer Protection Act (§ 6-1-101, et. seq.), Colorado Antitrust Act (§ 6-4-101, et seq.), Charitable Solicitations Act (§ 6-16-101, et seq.), and numerous other state and federal statutes.

Decision Item Calculations

FY 13

FY 14

Supplies @ \$500/\$500*5	\$	2,500	\$ 2,500
Computer @ \$2,489/\$0*5	\$	12,445	\$ -
Office Suite Software @ \$395/\$0 *5	\$	1,975	\$ -
Office Equipment @ \$3,998/\$0 (includes cubicle and chair) *5	\$	19,990	\$ -
Telephone Base @ \$450/\$450 *5	\$	2,250	\$ 2,250
Litigation Expenses Est \$17,000 Avg per current AAG (last two year actual expenses on Lit Costs.	\$	17,000	\$ 17,000
Total Operating	\$	56,160	\$ 21,750

Monthly Salary Legal Assistant I (mid range)	\$	4,316	\$ 4,316
Monthly Salary Admin Asst II (mid range) (2.0 FTE)	\$	6,182	\$ 6,182
Monthly Salary Asst Attorney General (mid range)	\$	6,552	\$ 6,552
Monthly Salary Criminal Investigator I	\$	5,575	\$ 5,575
Annual Salary	\$	271,500	\$ 271,500
PERA at 10.15%	\$	27,557	\$ 27,557
Medicare at 1.45%	\$	3,937	\$ 3,937
AED @ 3.2% (Common Policy Request in FY 14)	\$	8,688	\$ 8,688
SAED @ 2.75% (Common Policy Request in FY 14)	\$	7,466	\$ 7,466
STD @ .177% (Common Policy Request in FY 14)	\$	481	\$ 481
HLD (Assumes Employee only HLD coverage for 5.0 FTE)	\$	28,400	\$ 28,400
Total PS	\$	348,029	\$ 348,029

Total	\$	404,189	\$ 369,779
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	# of FTE	Min	Max	Midpoint
LEGAL ASSISTANT I	1.0	\$3,534	\$5,097	\$4,316
ASST ATTORNEY GENERAL	1.0	\$5,327	\$7,777	\$6,552
ADMIN ASST II	2.0	2,573	3,609	\$3,091
CRIMINAL INVESTIGATOR I	1.0	4,605	6,545	\$5,575

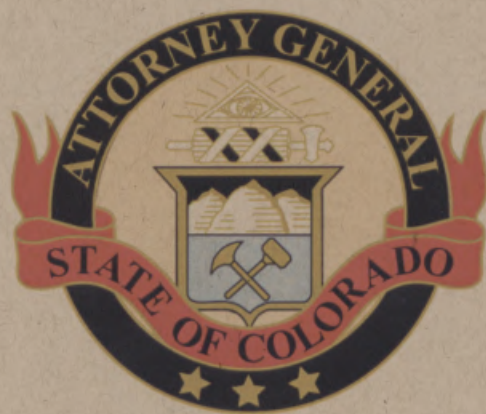
Personnel Calculations		FY 13		FY 14	
1	Total (including)	2	21,750	2	21,750
2	Position Expenses Excl. 17,000 Ave. per month (AG) (and one year actual expenses on 12/31/13)	2	17,000	2	17,000
3	Telephone Base (24,000/12)	2	2,000	2	2,000
4	Office Supplies (incl. postage)	2	19,000	2	19,000
5	Office Equip. Postage (2,000/12)	2	1,667	2	1,667
6	Computer (2,400/12)	2	200	2	200
7	Supplies (2,000/12)	2	167	2	167
8	Monthly Salary Admin. Ass. II (incl. wages) (2.0 FTE)	2	4,182	2	4,182
9	Monthly Salary Admin. Ass. I (incl. wages)	2	4,182	2	4,182
10	Monthly Salary Criminal Investigator I	2	2,171	2	2,171
11	Annual Salary	2	261,500	2	261,500
12	PERA (10/1/12)	2	29,237	2	29,237
13	Medical (1/1/12)	2	1,937	2	1,937
14	ADP (2.0 FTE) (Contracted) (Total Request in FY 13)	2	4,627	2	4,627
15	ADP (2.0 FTE) (Contracted) (Total Request in FY 14)	2	7,180	2	7,180
16	ADP (1.0 FTE) (Contracted) (Total Request in FY 13)	2	481	2	481
17	HLD (Assumes Employee only HLD coverage for 2.0 FTE)	2	28,400	2	28,400
18	Totals	2	148,039	2	148,039
19	Total	2	301,789	2	301,789

Position	FTE	Min	Max	At Point
LEGAL ASSISTANT I	1.0	\$2,244	\$3,997	\$4,516
ASSISTANT ATTORNEY GENERAL	1.0	\$2,232	\$3,777	\$6,792
ADMIN ASSIST II	2.0	1,273	2,800	2,800
CRIMINAL INVESTIGATOR I	1.0	4,002	4,242	22,222

Consumer Credit Unit

Unlicensed Entities

Compliance Effort



Schedule 13
Funding Request for the 2012-13 Budget Cycle

Department: Law
 Request Title: Consumer Credit Unit Unlicensed Entities Compliance Effort
 Priority Number: 2

Dept. Approval by: *Jon Retz* 10/25/11
 Date

x Decision Item FY 2012-13
 Base Reduction Item FY 2012-13
 Supplemental FY 2011-12
 Budget Amendment FY 2012-13

OSPB Approval by: _____
 Date

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
Total of All Line Items	Total	5,059,992	-	5,589,914	181,560	171,794
	FTE	18.0	-	18.0	2.0	2.0
	GF	956,421	-	1,168,072	-	-
	GFE	-	-	-	-	-
	CF	1,700,371	-	1,816,662	181,560	171,794
	RF	2,275,663	-	2,434,068	-	-
	FF	127,537	-	171,112	-	-

(5) Consumer Protection, Consumer Credit Unit	Total	1,331,207	-	1,359,706	162,210	152,444
	FTE	18.0	-	18.0	2.0	2.0
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	1,331,207	-	1,359,706	162,210	152,444
	RF	-	-	-	-	-
	FF	-	-	-	-	-
(1) Administration, Health, Life, and Dental	Total	2,281,572	-	2,376,081	11,360	11,360
	FTE	-	-	-	-	-
	GF	577,900	-	642,316	-	-
	GFE	-	-	-	-	-
	CF	237,546	-	277,747	11,360	11,360
	RF	1,385,970	-	1,362,479	-	-
	FF	80,156	-	93,539	-	-
(1) Administration, Short Term Disability	Total	49,196	-	53,563	231	231
	FTE	-	-	-	-	-
	GF	13,008	-	15,188	-	-
	GFE	-	-	-	-	-
	CF	4,457	-	5,177	231	231
	RF	30,127	-	30,957	-	-
	FF	1,604	-	2,241	-	-

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
(1) Administration, Amortization	Total	775,756	-	968,371	4,173	4,173
Equalization	FTE	-	-	-	-	-
Disbursement	GF	203,279	-	274,591	-	-
	GFE	-	-	-	-	-
	CF	70,505	-	93,597	4,173	4,173
	RF	476,591	-	559,668	-	-
	FF	25,381	-	40,515	-	-
(1) Administration, Supplemental	Total	622,261	-	832,193	3,586	3,586
Amortization	FTE	-	-	-	-	-
Equalization	GF	162,234	-	235,977	-	-
Disbursement	GFE	-	-	-	-	-
	CF	56,656	-	80,435	3,586	3,586
	RF	382,975	-	480,964	-	-
	FF	20,396	-	34,817	-	-

Letternote Text Revision Required? Yes: No: X If yes, describe the Letternote Text Revision:

Cash or Federal Fund Name and COFRS Fund Number: CAB Cash Fund #150, UCCC Cash Fund #151

Reappropriated Funds Source, by Department and Line Item Name:

Approval by OIT? Yes: No: Not Required: X

Schedule 13s from Affected Departments: NA

Other Information:

152,444	162,234	132,208	132,207	132,207	132,207	(2) Continuation Continuation Amount
11,380	11,380	11,380	11,380	11,380	11,380	(1) Administration Health, Life, and Dental
11,380	11,380	11,380	11,380	11,380	11,380	(1) Administration Term Disability



DEPARTMENT OF LAW

*FY 2012-13 Funding Request
November 1, 2011*

*John W. Suthers
Attorney General*

*Cynthia Coffman
Chief Deputy Attorney General*

***Department Priority: 2
Request Title Consumer Credit Unit Unlicensed Entities Compliance Effort***

Summary of Incremental Funding Change for FY 2012-13	Total Funds	CF	FTE
Total	\$181,560	\$181,560	2.0
Consumer Credit Unit	\$162,210	\$162,210	2.0
Health, Life, and Dental	\$11,360	\$11,360	
Short Term Disability	\$231	\$231	
Amortization Equalization Distribution	\$4,173	\$4,173	
Supplemental Amortization Equalization Distribution	\$3,586	\$3,586	

Request Summary:

The Department of Law is requesting 2.0 FTE and \$181,560 CF spending authority to support the efforts and workload expansion for the Consumer Credit Unit. This request includes a Legal Assistant I and an Assistant Attorney General and associated operating costs. This request will allow the Department of Law to better protect Colorado consumers involved in lending, debt management, credit repair, and debt collection activities. Additionally, these resources will enable the unit to better support these industries by maintaining a level playing field for those companies that lawfully provide these services to Colorado residents while enforcing the laws against those that fail to comply.

The Consumer Credit unit enforces the Colorado Uniform Consumer Credit Code (UCCC) (consumer lending); Uniform Debt Management Services Act (credit counseling and debt settlement); Credit Services Organization Act (credit repair), Rental Purchase Agreement Act (rent-to-own), and Refund Anticipation Loans Act. This unit utilizes 18.0 FTE that include, an administrator, 2 attorneys, 1 legal assistant, 10

examiners/investigators and program support personnel. This unit is funded through industry fees deposited in two cash funds: Collection Agency Board Cash Fund #150 and the Uniform Consumer Credit Code Cash Fund #151. The unit is experiencing increasing workload and litigation needs due primarily to the increase in unlicensed entities offering products and services to Colorado citizens in violation of state law and also because some licensed entities are challenging the unit's actions.

There has been a proliferation nationwide of unlicensed lenders, particularly unlicensed internet payday lenders. These lenders claim that without a physical location in-state, they are not subject to a particular state's laws. This is not correct but these lenders will not voluntarily license or follow state fee restrictions, requiring litigation in district courts. More troubling, these lenders will, at times, ignore subpoenas the unit issues and court orders to comply with subpoenas.

In addition, some lenders may affiliate with or be Native American Indian tribally-owned

companies, raising jurisdictional questions and making investigations complicated and time-consuming. One of these cases has been ongoing for over 6 years. It is important that the unit investigate these matters so that all lenders are treated equally and comply with the law.

Currently, the unit has about 21 unlicensed payday lenders it has sent investigation/cease and desist advisory letters to with no resolution, including 5 in 2011; 9 in 2010; and 7 in 2009. The unit is currently lacking sufficient resources to issue subpoenas or file lawsuits against these companies.

The Debt Management Services Act requires debt settlement companies to register with the unit and adhere to strict legal requirements, including, prior to July 1, 2011, limits on the percent of advance fees that could be collected. In practice, many companies ignore the law altogether. This industry operates for the most part online with no physical locations in most states, including Colorado. The unit has 4 to 7 pending compliance examinations on registered companies that are or will likely be contested and will likely require administrative disciplinary filings. In part, this is because the law prohibits companies from collecting any fees if their contracts violate state law. In addition, there are a total of 9 unregistered companies currently under investigation that have never complied with the law: 7 companies have ignored voluntary inquiries and need to be subpoenaed and 2 others will require lawsuits to be filed in district court to obtain consumer restitution for violations of the law. Finally, there are approximately 50 companies that were discovered online, contacted, and who have refused to provide requested information about their Colorado activities.

In addition, for the first time, two collection agencies have blatantly violated the Colorado Fair Debt Collection Practices Act. One collection agency under investigation let its license expire in an attempt to avoid scrutiny but continued to collect debts. This required court

action for a preliminary injunction and a trial is pending on a permanent injunction and damages. Another collection agency whose license application was denied ignored the denial and proceeded to collect money from Colorado consumers without a license or surety bond and made threats of arrest and other illegal actions. This case also required litigation and resulted in a permanent injunction and \$40,000 civil penalty against the agency's owner.

The unit's two AAGs have full litigation workloads with a total of 36 open cases and investigations. They spend almost 100% of their time on litigation and do virtually no general counsel, legal advice, rulemaking, or other non-litigation work.

The unit's litigation is complex. Any company sued for violations of the law will typically involve hundreds or thousands of Colorado consumers. For example, a credit repair company recently signed contracts with almost 10,000 Colorado consumers in the last several years. And, because the credit statutes are complex, violations are systemic and widespread. The laws require specific contract and disclosure wording and often include fee limits. Even a small individual fee overcharge may lead to large total consumer refunds. In addition, because the credit laws require written contracts and disclosures, litigation is typically document-intensive.

Over the last few years, even licensed and registered companies are challenging the unit's actions in more areas. Rather than agreeing to take corrective action, companies are challenging many requests to make refunds of excess charges. This is unprecedented and may be because revenue is tight or reflect a different attitude about compliance. Whatever the cause, the result is increased litigation.

In addition, there have been increased complaints and investigations about "credit repair" under the Credit Services Organization Act. For a number of years there were roughly 2-3 complaints a year. However, in CY 2010 that number jumped

to 6 written complaints and 10 investigations were opened that continue into 2011. Credit repair, like debt collection, is an area in which complaints increase in a poor economy. A major lawsuit against a Colorado credit repair company will be tried in October 2011 after 2 years of preparation.

The unit is not able to investigate and file the number of cases that should be filed due to limited resources. The unit would be able to handle approximately 10-15 additional investigations and cases with another AAG and legal assistant on an ongoing annual basis. This will result in better consumer protection for Colorado consumers. As demonstrated above, a majority of the expansion of work is not with licensed entities, but with those that choose not to license or refuse to acknowledge that their activities fall within the scope of Colorado law.

Anticipated Outcomes:

With the additional resources the unit will be able to investigate and most likely litigate 10-15 cases ongoing each year. Please note the direction of the process hinges on the response of each potential defendant. This will bring more companies either into compliance with Colorado laws or eliminate the company from conducting business in the state. Either way, Colorado consumers will be better protected as fewer companies will be engaged in credit or debt management services that do not meet the minimum requirements of state laws and rules.

Assumptions for Calculations:

The department is assuming that each position will be filled at the mid range for each classification. As mentioned above, the cases within this area of law and regulation are complex and significantly litigious. As such, the unit requires an attorney and legal assistant with experience, in order to best serve the program and Colorado consumers.

Consequences if not Funded:

If this request is not funded, the unit will continue to prioritize and manage the workload of this unit within existing spending and FTE authority, thereby leaving potentially high risk companies continuing to engage in activities outside the rules and regulations of Colorado.

Impact to Other State Government Agency:

This decision item will not have a fiscal or workload impact on other state agencies.

Current Statutory Authority or Needed Statutory Change:

No statutory changes needed. Current Statutory Authority in 5-1-101 et. al. C.R.S. Consumer Credit Code, 12-14-101 et. al., C.R.S. Colorado Fair Debt Collection Practices Act, and 12-14.5 et. al. C.R.S. Credit Services Organization Act and Debt-Management Services Act.

Decision Item Calculations	FY 13	FY 14
Supplies @ \$500/\$500*2	\$ 1,000	\$ 1,000
Computer @ \$2,489/\$0*2	\$ 4,978	\$ -
Office Suite Software @ \$395/\$0 *2	\$ 790	\$ -
Office Equipment @ \$3,998/\$0 (includes cubicle and chair) *1	\$ 3,998	\$ -
Telephone Base @ \$450/\$450 *2	\$ 900	\$ 900
Litigation Expenses Est \$5,000 per current AAG	\$ 5,000	\$ 5,000
Total Operating	\$ 16,666	\$ 6,900

Monthly Salary Legal Assistant I (mid range)	\$ 4,316	\$ 4,316
Monthly Salary Asst Attorney General (mid range)	\$ 6,552	\$ 6,552
Annual Salary	\$ 130,416	\$ 130,416
PERA at 10.15%	\$ 13,237	\$ 13,237
Medicare at 1.45%	\$ 1,891	\$ 1,891
AED @ 3.2% (Common Policy Request in FY 14)	\$ 4,173	\$ 4,173
SAED @ 2.75% (Common Policy Request in FY 14)	\$ 3,586	\$ 3,586
STD @ .177% (Common Policy Request in FY 14)	\$ 231	\$ 231
HLD (Assumes Employee only HLD coverage for 2.0 FTE)	\$ 11,360	\$ 11,360
Total PS	\$ 164,895	\$ 164,895

Total	\$ 181,560	\$ 171,794
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Midpoint calculations for Legal Asst I and Asst. Attorney General

		Min	Max	Midpoint
LEGAL ASSISTANT I	H33	\$3,534	\$5,097	\$4,316
Asst Attorney General	A1	\$5,327	\$7,777	\$6,552

Cash Fund Calculations

The department is assuming 15% of the decision item will be financed by the CAB Fund #150 and 85% through the UCCC Cash Fund #151. These estimates are built into the expense projections below.

CAB Cash Fund #150	FY 10	FY 11	FY 12 Est	FY 13 Est
FY Revenue	\$477,215	\$449,151	\$392,746	\$493,500
FY Expenses (Assumes FY 13 DI)	\$450,593	\$473,766	\$481,384	\$529,459
End of Year Fund Balance	\$181,571	\$156,956	\$68,318	\$32,359

UCCC Cash Fund #151	FY 10	FY 11	FY 12 Est	FY 13 Est
FY Revenue	\$1,475,486	\$1,461,282	\$1,338,492	\$1,338,492
FY Expenses (Assumes FY 13 DI)	\$1,270,451	\$1,326,829	\$1,343,462	\$1,548,793
End of Year Fund Balance	\$364,809	\$499,262	\$494,293	\$283,992

Please note that the department reduced the CAB cash fund fees for FY 12 to address fund balance compliance. The department will need to raise the fees for FY 13, regardless of the determination on this decision item.

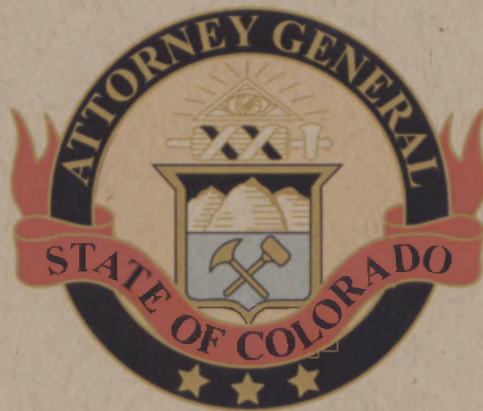
	FY 10	FY 11	FY 12
New Collection Agency License	\$900	\$900	\$750
Investigation Fee	\$300	\$300	\$300
Renewal License Fee	\$450	\$425	\$375

	FY 10	FY 11	FY 12	FY 13
End of Year Fund Balance	226,700	266,242	264,001	221,002
DI	21,200,451	21,126,822	21,042,802	21,548,702
FY Expenses (Assess FY 13)				
FY Revenue	21,472,466	21,812,382	21,727,402	21,028,402

Please note that the department reduced the CAB cash fund fees for FY 13 to address fund balance comparison. The department will need to raise the fees for FY 13 regardless of the determination on this decision item.

	FY 10	FY 11	FY 12
Renewal license fee	210	210	210
Investigation fee	200	200	200
License	200	200	200
New Collection Agency			

Case Management System



Schedule 13
Funding Request for the 2012-13 Budget Cycle

Department: Law
 Request Title: Case Management System
 Priority Number: 3

Dept. Approval: Date: 10/25/11
 OSPB Approval: _____ Date: _____

XDecision Item FY 2012-13 Base Reduction Item FY 2012-13 Supplemental FY 2011-12 Budget Amendment FY 2012-13

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
Total of All Line Items	Total	3,539,442	-	3,571,343	287,409	130,155
	FTE	40.7	-	40.7	1.0	1.0
	GF	15,291	-	15,291	6,463	6,463
	GFE	-	-	-	-	-
	CF	59,588	-	59,588	158,081	3,711
	RF	3,463,182	-	3,495,083	122,865	119,981
	FF	1,381	-	1,381	-	-
(1) Administration, Personal Services	Total	2,942,096	-	2,973,997	91,065	91,065
	FTE	40.7	-	40.7	1.0	1.0
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	2,942,096	-	2,973,997	91,065	91,065
	FF	-	-	-	-	-
(1) Administration, Operating	Total	189,679	-	189,679	3,834	950
	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	189,679	-	189,679	3,834	950
	FF	-	-	-	-	-
(1) Administration, Information Technology Asset Maintenance	Total	407,667	-	407,667	38,140	38,140
	FTE	-	-	-	-	-
	GF	15,291	-	15,291	6,463	6,463
	GFE	-	-	-	-	-
	CF	59,588	-	59,588	3,711	3,711
	RF	331,407	-	331,407	27,966	27,966
	FF	1,381	-	1,381	-	-

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
(1)						
Administration,	Total	-	-	-	154,370	-
ADP Capital	FTE	-	-	-	-	-
Outlay	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	154,370	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-

Letternote Text Revision Req Yes:

No: X

If yes, describe the Letternote Text Revision:

Cash or Federal Fund Name and COFRS Fund #296 POST, #150 CAB, #151 UCCC, #16Z Insurance Fraud
 Reappropriated Funds Source, by Department and Line Item Attorney Fees and Costs, LSSA, Securities
 Approval by OIT? Yes: No: Not Required: X
 Schedule 13s from Affected Departments: NA
 Other Information:



DEPARTMENT OF LAW

*FY 2012-13 Funding Request
November 1, 2011*

*John W. Suthers
Attorney General*

*Cynthia Coffman
Chief Deputy Attorney General*

Department Priority: 3
Request Title Case Management System

Summary of Incremental Funding Change For FY 2012-13	Total Funds	GF	CF	RF	FTE
Administration, Personal Services (no AED,SAED)	\$91,065			\$91,065	1.0
Administration, Operating	\$3,834			\$3,834	
IT Asset Maintenance	\$38,140	\$6,463	\$3,711	\$27,966	
ADP Capital Outlay	\$154,370			\$154,370	

Request Summary:

This request seeks funding and spending authority and one FTE that will enable the Department of Law (department) to implement a case management system. The Department has no case management system and yet handles thousands of cases and documents annually. The benefits of having such a system are substantial and a case management system is necessary to handle a continuing growing case load.

There has been a long term need for a case management system for the Department of Law. Initial discussions for such a system occurred approximately ten years ago and now after extensive research the department has decided upon a vendor to begin this project. Case Management is a broad name for software with numerous capabilities that will profoundly change the way the Department does business. It will organize and automate case and matter management to save time and reduce the risk of inaccuracies. It will manage all information in one integrated solution for easy retrieval. It will have significant reporting capabilities.

Other notable features include client and contact information management; document management; document assembly; email and electronic file management; appointment task and deadline management; court docketing and

calendaring and records management. This system will also provide for remote access and significant reporting capabilities.

The Department estimates that full implementation of the case management system will conservatively yield an efficiency savings of an estimated \$582,000 annually to client agencies alone. There will be further savings for other sections of the office including Consumer Protection, and Criminal Justice that are not accounted for in that figure. The calendaring function will yield great productivity improvements, particularly in the Natural Resources Section Water Unit. Currently, calendaring for water court dates is a manual time consuming process that is undertaken by an Administrative Assistant. This system will provide an automated calendaring program that will be accessible by all members of the Water Unit, which will help eliminate missed court dates, help plan work flows and minimize errors.

A Department wide committee went through an extensive evaluation process reviewing case management products from six different vendors. The top three choices were asked to provide a final bid and the winning vendor – ProLaw was selected based on price and product attributes. ProLaw is part of the Thomson Reuters family,

which is widely known in the legal community for its Westlaw on-line research product. ProLaw has easy integration with the Westlaw research tool.

Implementation needs. This will require the purchase of a license for each user; initial implementation costs (some customization) by the vendor, customization of Westlaw legal calendaring court rules, creation of templates and other tasks. While offering many customizable features, ProLaw is an 'out of the box product' used by hundreds of the leading law firms in the U.S. including many governmental legal offices. Other ProLaw users expressed a high degree of satisfaction with the product and its ease of use.

This request also includes funding for an IT Professional to internally manage the implementation and on-going usage of a case management system. To truly capitalize on the benefits of a case management system it behooves the purchaser to have an in-house systems manager. When reviewing the various case management systems, the most successful had a dedicated FTE to assist with implementation and on-going management of the systems. To realize those benefits, the Department is requesting an IT Professional III position. The annual cost of this position less than a fifth of the value of the annual projected and enables the Department to maximize the system's features. Without this position, the successful implementation and ongoing usage of the ProLaw system will be seriously compromised.

Anticipated Outcomes:

The department will realize improved productivity, have quicker access to case files and related information, and there will be a reduced risk of missing important deadlines with automated docketing and calendaring systems. This product will significantly alter the operating practices of the Department as use of the system will be mandatory.

Assumptions for Calculations:

The department is assuming that this request will be approved. The benefits anticipated are significant (nearly \$600,000 annually) and will benefit client agencies as well as the Department of Law. The adaptation of such a system will require a full time IT Professional to assist with implementation, customization and on-going system management to maximize the effectiveness of the automated case management. The one time license purchasing costs will be paid for utilizing the Department's Attorney Fees and cost fund established in 24-31-108(2) C.R.S. The Department is requesting that on-going maintenance fees be appropriated to the IT Asset Maintenance line, financed on an FTE basis.

Consequences if not Funded:

If this request is not funded, the department will continue to provide legal services to the various client agencies within existing resources. However, the department will be foregoing potential efficiencies that would enhance the practice of law and provide a financial savings to the state.

Impact to Other State Government Agency:

Based on FY 12 figure setting and rate setting numbers, if this request is approved it would increase the hourly blended billing rate by about \$.02/hour. The current FY 12 blended billing rate is \$75.71. With this request the FY 12 blended rate would be \$75.73/hour. The FY 13 rate will be calculated based on figure setting for all state agencies and Department of Law.

Current Statutory Authority or Needed Statutory Change:

24-31-101(1)(a) C.R.S. states, "The attorney general of the state shall be the legal counsel and advisor of each department, division, board, bureau, and agency of the state government other than the legislative branch." There are no statutory modifications necessary to implement this request.

Calculations:

	FY 13	FY 14
Supplies @ \$500/\$500	\$ 500	\$ 500
Computer @ \$2,489/\$0	\$ 2,489	\$ -
Office Suite Software @ \$395/\$0	\$ 395	\$ -
Telephone Base @ \$450/\$450	\$ 450	\$ 450
Total Administration Operating	\$ 3,834	\$ 950

Monthly Salary (IT Professional III) (NON Add)	\$ 6,800	\$ 6,800
Annual Salary	\$ 81,600	\$ 81,600
PERA at 10.15%	\$ 8,282	\$ 8,282
Medicare at 1.45%	\$ 1,183	\$ 1,183
Amortization Equalization Distribution	\$ 2,611	\$ 2,611
Supplemental Amortization Equalization Distribution	\$ 2,244	\$ 2,244
Total PS (not including STD, HLD)	\$ 95,920	\$ 95,920

ADP Capital Outlay	\$154,370	\$ -
ITA Asset Maintenance	\$ 38,140	\$ 38,140
GRAND TOTAL	\$292,264	\$135,010

Funding for Personal Services and the corresponding operating dollars will be reappropriated funds. The source will be indirect cost recoveries. ADP Capital Outlay expenditures will be funded from the Attorney's Fees and Cost Fund in the Department of Law. On-going expenses (IT Asset Maintenance) will be financed on an FTE basis, consistent with how the base appropriation is financed.

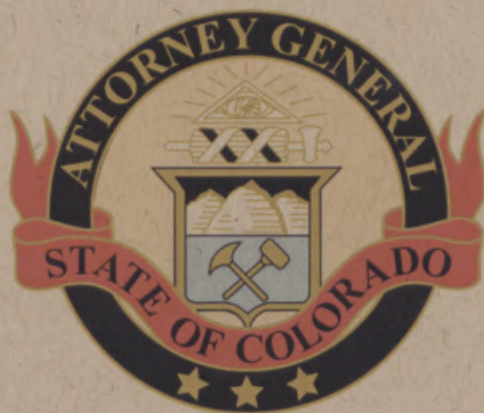
Calculations:

	FY 13	FY 14
Supplies @ \$100/2500	\$ 200	\$ 200
Computer @ \$1,400/20	\$ 2,800	\$ -
Office Chair Software @ \$900/20	\$ 900	\$ -
Telephone Base @ \$450/20	\$ 900	\$ 900
Total Administration Operating	\$ 3,800	\$ 900
Monthly Salary (10 Professional U) (NON-Add)	\$ 6,800	\$ 6,800
Annual Salary	\$ 81,600	\$ 81,600
PECA at 10.1%	\$ 8,282	\$ 8,282
Medical at 1.4%	\$ 1,183	\$ 1,183
Amortized Equipment Distribution	\$ 2,611	\$ 2,611
Supplemental Amortization Equipment Distribution	\$ 2,244	\$ 2,244
Total Ps (not including STD, HLL)	\$ 92,920	\$ 92,920
ADB Capital Grant	\$ 212,130	\$ -
ITA Asset Maintenance	\$ 28,140	\$ 28,140
GR FUND TOTAL	\$ 292,344	\$ 212,910

Funding for Personal Services and the corresponding operating dollars will be responsibility. The source will be indirect cost recoveries. ADB Capital Grant expenditures will be funded from the Attorney's Fees and Cost Fund in the Department of Law. On-going expenses (ITA Asset Maintenance) will be financed on an FTE basis, consistent with how the Law Administration is financed.

Deputy Attorney

General FTE



Schedule 13 Funding Request for the 2012-13 Budget Cycle

Department: Law
 Request Title: Deputy Attorney General FTE
 Priority Number: 4

Dept. Approval by: *J. P. [Signature]* 10/25/11
 Date

- Decision Item FY 2012-13
- Base Reduction Item FY 2012-13
- Supplemental FY 2011-12
- Budget Amendment FY 2012-13

OSPB Approval by: _____
 Date

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
Total of All Line Items	Total	22,144,628	-	22,435,200	157,422	150,540
	FTE	237.8	-	236.5	1.0	1.0
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	1,659,140	-	1,671,962	-	-
	RF	20,485,488	-	20,763,238	157,422	150,540
	FF	-	-	-	-	-
(2) Legal Services to State Agencies, Personal Services	Total	20,500,893	-	20,803,068	149,590	149,590
	FTE	237.8	-	236.5	1.0	1.0
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	1,659,140	-	1,671,962	-	-
	RF	18,841,753	-	19,131,106	149,590	149,590
	FF	-	-	-	-	-
(2) Legal Services to State Agencies, Operating Expenses	Total	1,643,735	-	1,632,132	7,832	950
	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	1,643,735	-	1,632,132	7,832	950
	FF	-	-	-	-	-

Letternote Text Revision Required? Yes: No: If yes, describe the Letternote Text Revision:

Cash or Federal Fund Name and COFRS Fund Number:
 Reappropriated Funds Source, by Department and Line Item Name: RF from client agencies
 Approval by OIT? Yes: No: Not Required:
 Schedule 13s from Affected Departments: NA
 Other Information:



DEPARTMENT OF LAW

*FY 2012-13 Funding Request
November 1, 2011*

*John W. Suthers
Attorney General*

*Cynthia Coffman
Chief Deputy Attorney General*

**Department Priority: 4
Request Title Deputy Attorney General FTE**

Summary of Incremental Funding Change for FY 2012-13	Total Funds	RF	FTE
Legal Services to State Agencies Total	\$157,422	157,422	1.0
Legal Services to State Agencies Personal Services	\$ 149,590	\$ 149,590	1.0
Legal Services to State Agencies Operating Expenses	\$ 7,832	\$ 7,832	

Request Summary:

This request will allow the Department of Law (department) to support an additional Deputy Attorney General in the Legal Services to State Agencies (LSSA) Line item at \$157,422 total dollars. This FTE will be supported through the hourly billing rates charged to client agencies for legal representation and counsel.

The department has witnessed extensive growth in FTE to support client agencies the past two legislative sessions. During the 2011 legislative session, the department received 11.2 additional FTE associated with regulatory statutory changes. Most notably 9.1 of these FTE are associated with HB 11-1300 Conservation Easements. During the 2010 Legislative Session, the department received an additional 7.0 FTE for FY 10-11.

Due to this growth, the department is witnessing a span of control concern in the Business and Licensing Section of LSSA. This unit currently houses 83.8 FTE representing the departments of Regulatory Agencies, Revenue and Agriculture. The other 3 sections within LSSA house an average of 50 FTE. Please see Charts 1 and 2 on last page. Due to the complexity of client agencies' legal concerns and the intent to most effectively manage resources to address client needs, the department is seeking an additional Deputy Attorney General in the LSSA section of

the department to better align the number of reports within each section, thereby ensuring appropriate customer support and legal representation to client agencies.

The department briefly considered realigning current sections within LSSA to increase the FTE within the State Services, Tort Litigation, and State Services sections with a like decrease in the Business and Licensing Section. However, this path does not provide an appropriate division of subject matter experts within each section. More specifically, the department could not find where regulatory related counsel would appropriately support natural resources specific issues. Therefore, the department is looking at splitting the Business and Licensing Section to provide an overall average of 42 FTE, instead of the current 83.8 FTE, which is more in line with the other LSSA sections.

The additional 1.0 FTE, Deputy Attorney General, will better align resource management and legal effort management with an appropriate span of control to most effectively manage client needs, resources, and to address increasing state regulatory responsibilities.

Anticipated Outcomes:

The department is expecting this solution to allow the department to continue to meet the legal needs of client agencies.

Assumptions for Calculations:

The department is assuming that the Deputy Attorney General Position would be filled at the same monthly salary as the current Deputy Attorney General's, \$10,394/month. Additionally, the department is assuming onetime costs for computer and software and office furniture.

Consequences if not Funded:

If this request is not funded, the department will continue to manage the legal needs of the state and the resources necessary to accommodate within existing spending and FTE authority.

Impact to Other State Government Agency:

Based on FY 12 figure setting and rate setting numbers, if this request is approved it would increase the hourly blended billing rate by \$0.44/hour. The current FY 12 blended billing rate is \$75.71. With this request the FY 12 blended rate would be \$76.15/hour. The FY 13 rate will be calculated based on figure setting for all state agencies and Department of Law.

Current Statutory Authority or Needed Statutory Change:

24-31-101(1)(a) C.R.S. states, "The attorney general of the state shall be the legal counsel and advisor of each department, division, board, bureau, and agency of the state government other than the legislative branch." There are no statutory modification necessary to implement this request.

FY 12 LSSA FTE by section and Managing Deputy section: Chart 1

Managing Deputy		Billing FTE Long Bill and Special Bills	Admin & Deputies	First AG's (Included in Billing FTE Long Bill...)	Total
LSSA	B&L	73.5	10.4	8.0	83.8
Consumer Protection	OCC	3.3	0.0	1.0	3.3
LSSA	SS	48.0	7.0	5.0	55.0
Special Pros	Spec Pros	1.1	0.0	0.0	1.1
LSSA	Risk Emp Tort	43.0	6.4	5.0	49.4
LSSA	Natural Resources	39.8	5.4	6.0	45.2
Total		208.7	29.2	25.0	237.8

Please note that the Consumer Protection Section and Special Prosecution Section of the department house additional staff associated with specific responsibilities in these areas. These staff members include attorneys, legal assistants, and administrative support and criminal and compliance investigators.

LSSA Specific managing deputies FTE responsibilities (Chart 2)

Managing Deputy		Billing FTE Long Bill and Special Bills	Admin & Deputies	Total
LSSA	B&L	73.5	10.4	83.8
LSSA	SS	48.0	7.0	55.0
LSSA	Risk Emp Tort	43.0	6.4	49.4
LSSA	Natural Resources	39.8	5.4	45.2
Total		204.3	29.2	233.4

Calculations: Chart 3

	FY 13	FY 14
Supplies @ \$500/\$5002	\$ 500	\$ 500
Computer @ \$2,489/\$0	\$ 2,489	\$ -
Office Suite Software @ \$395/\$0	\$ 395	\$ -
Office Equipment @ \$3,998/\$0 (includes cubicle and chair)	\$ 3,998	\$ -
Telephone Base @ \$450/\$4502	\$ 450	\$ 450
Total Operating	\$ 7,832	\$ 950

Monthly Salary	\$ 10,394	\$ 10,394
Annual Salary	\$ 124,728	\$ 124,728

PERA at 10.15%	\$ 12,660	\$ 12,660
Medicare at 1.45%	\$ 1,809	\$ 1,809
Total PS (not including STD, AED, SAED, HLD)	\$ 149,590	\$ 149,590

Total	\$ 157,422	\$ 150,540
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Position	Rate	Special Pay	Long Term and Special	Admin & Support	FTE	Total
125A	13.3			10.4	8.0	83.8
Consumer Protection	13			0.0	1.0	3.3
125A	18.0			7.0	7.0	53.0
Special Pay	1.1			0.0	0.0	1.1
125A	13.0			0.4	7.0	49.4
125A	19.8			2.4	0.0	42.2
Total	204.7			20.2	23.0	317.8

Please note that the Consumer Protection Section and Special Prosecution Section of the department have additional staff associated with specific responsibilities in these areas. These staff members include attorneys, legal assistants and administrative support and criminal and compliance investigators.

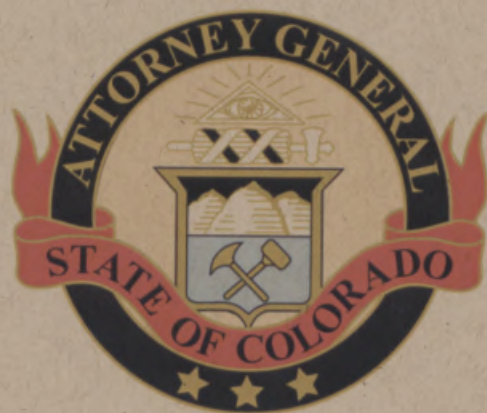
125A Specific program duties (Part 2)

Position	Rate	Special Pay	Long Term and Special	Admin & Support	FTE	Total
125A	13.3			10.4	8.0	83.8
125A	18.0			7.0	7.0	53.0
125A	13.0			0.4	7.0	49.4
125A	19.8			2.4	0.0	42.2
Total	204.7			20.2	23.0	317.8

Calculation Part 3

Item	Rate	FTE	Total
Special Pay (\$200,000)	2	200	200
Computer (\$2,180)	2	2,180	2,180
Office Suite Software (\$393,000)	2	393,000	393,000
Office Equipment (\$7,082,000 (includes consumables and other))	2	7,082,000	7,082,000
Telephone Service (\$1,074,000)	2	1,074,000	1,074,000
Total Operating	2	7,982,000	7,982,000
Monthly Salary	2	10,204	10,204
Annual Salary	2	124,718	124,718

**Appellate 1.5%
Base Reduction
Reinstatement**



Schedule 13
Funding Request for the 2012-13 Budget Cycle

Department: Law
 Request Title: Appellate 1.5% reduction reinstatement
 Priority Number: 5

Dept. Approval by: *Jan Peitz* 10/25/11
 Date

XDecision Item FY 2012-13
 Base Reduction Item FY 2012-13
 Supplemental FY 2011-12
 Budget Amendment FY 2012-13

OSPB Approval by: _____
 Date

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
Total of All Line Items	Total	20,500,893	-	2,666,027	37,428	-
	FTE	237.8	-	32.0	-	-
	GF	-	-	2,110,303	37,428	-
	GFE	-	-	-	-	-
	CF	1,659,140	-	-	-	-
	RF	18,841,753	-	555,724	-	-
	FF	-	-	-	-	-
(3) Criminal Justice and Appellate, Appellate	Total	20,500,893	-	2,666,027	37,428	-
	FTE	237.8	-	32.0	-	-
	GF	-	-	2,110,303	37,428	-
	GFE	-	-	-	-	-
	CF	1,659,140	-	-	-	-
	RF	18,841,753	-	555,724	-	-
	FF	-	-	-	-	-

Letternote Text Revision Required? Yes: No: X If yes, describe the Letternote Text Revision:

Cash or Federal Fund Name and COFRS Fund Number:
 Reappropriated Funds Source, by Department and Line Item Name:
 Approval by OIT? Yes: No: Not Required: X
 Schedule 13s from Affected Departments: NA
 Other Information:



DEPARTMENT OF LAW

*FY 2012-13 Funding Request
November 1, 2011*

*John W. Suthers
Attorney General*

*Cynthia Coffman
Chief Deputy Attorney General*

Department Priority: 5
Request Title Appellate Unit 1.5% base reduction reinstatement

Summary of Incremental Funding Change for FY 2012-13	Total Funds	GF	FTE
Appellate Unit Total	\$37,428	\$ 37,428	0.0
Appellate Unit	\$ 37,428	\$ 37,428	0.0

Request Summary:

This request is seeking the reinstatement of the FY 2011-12, 1.5% base reduction to the Appellate Unit, for \$37,428, to allow modest salary increases for some of the attorneys within the unit.

The Appellate Unit consists of a total of 31 employees (28 attorney FTE), and 3 support staff. The Line Item additionally, houses 1.0 FTE for Victims Assistance, funded primarily through the Victims Assistance and Law Enforcement Fund in the Department of Public Safety.

The Appellate Division represents the prosecution when defendants challenge their felony convictions before the state appellate courts or the federal courts. Most of the cases handled by the Appellate Division are in the Colorado Court of Appeals; the remainder is in the Colorado Supreme Court and the federal courts. For each case, an Appellate Division attorney must review the trial court record and the brief filed by the defense, do legal research into the defendant's claims, and file a response. During FY 2011, Appellate Division attorneys filed 1021 briefs.

The Appellate Unit is primarily funded through the General Fund. As such, this line item has witnessed various across the board reductions to funding over the last decade. Due to these reductions, the department, to stay within budget

allocations and to attempt to appropriately address workflow, has staffed to the FTE allocation. The Unit's biggest challenge has always been how to keep pace with an unpredictable incoming caseload, while also trying to pare down the pending caseload.

Because of various across the board reductions and workflow demands, the Appellate's line item funding does not allow the department to provide salary increases to tenured, dedicated employees that are more in line with salaries in other areas of the department. Due to this, the average salaries within the unit for attorneys are at a significantly lower rate than the rest of the Department, (please see Charts 1 and 2 below). The Unit, as a consequence of this situation, is suffering various moral issues and witnessing greater turnover than other areas of the office. Since July 1, 2010, the Unit has witnessed a turnover of 6 employees, five of which were attorneys. Within the attorneys, this calculates to an 18.5% turnover rate ($5/27=18.5\%$) (The number of attorneys does not include the Deputy Attorney General in the calculation). Of the five attorneys that have left; two went to the private sector and two accepted positions in other sections of the department, all of which were at higher salaries.

The department recognizes that this request will not fully solve the salary discrepancies between

the Appellate Unit and other sections of the department. Additionally, the department understands that all morale issues are not solved with salary increases. However, the department does recognize that to attempt to improve morale and protect the knowledge base within the unit, to best represent the state in felony conviction appeals, additional salary will play a role in minimizing the turnover in attorneys. Over the past fifteen months (July 2010 through Sept 2011) the primary factor for attorneys leaving the unit is their pay.

Anticipated Outcomes:

The department is expecting that this solution will help stabilize and minimize the turnover rate in Appellate, thereby maintaining a consistent workforce to address workload needs.

Assumptions for Calculations:

The department is assuming that the entire \$37,428, if approved, will be funded by the General Fund. A piece of this reduction was RF from Victims Assistance cash funds from the Department of Public Safety. However, the department's base request for FY 13 in this line item, is in line with the award provided by Public Safety. Additionally, the department applies all indirect recoveries that are above what is needed in the Administration section of the Long Bill to this line item, thereby fully allocating the allowable RF in the line item. As such, a modification to the RF with this request, will be above the allowed revenue.

Consequences if not Funded:

If this request is not funded, the department will continue to manage the efforts of the Appellate Unit within appropriated dollars.

Impact to Other State Government Agency:

NA

Current Statutory Authority or Needed Statutory Change: NA

Appellate attorney salary comparison: Chart 1

Appellate Division	FTE	Average Salary	Annualized	Dept Average	Difference	Percent Difference
1ST ASST ATTORNEY GENERAL	3.0	\$7,977	\$95,724	\$101,652	(\$5,928)	-6.2%
SENIOR ASST ATTORNEY GEN	4.0	\$6,698	\$80,379	\$97,001	(\$16,622)	-20.7%
ASST ATTORNEY GENERAL	20.0	\$5,711	\$68,536	\$72,020	(\$3,484)	-5.1%

Appellate Salary Range Placement: Chart 2

Appellate Division	Appellate Range Placement	Department Range Place Aver	Difference
1ST ASST ATTORNEY GENERAL	16%	31%	-15.0%
SENIOR ASST ATTORNEY GEN	14%	39%	-25.0%
ASST ATTORNEY GENERAL	0%	28%	-28.0%

Ranges	Minimum	Maximum
1ST ASST ATTORNEY GENERAL	\$89,005	\$129,947
SENIOR ASST ATTORNEY GEN	\$75,427	\$110,124
ASST ATTORNEY GENERAL	\$63,922	\$93,326

Appellate attorney salary comparison Chart 1

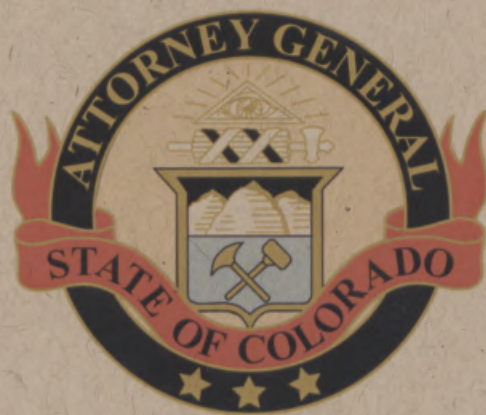
Appellate Division	FTE	Average Salary	Annualized Average	Dept Average
1ST ASST ATTORNEY GENERAL	8.0	27,977	297,734	2101,852
2ND ASST ATTORNEY GENERAL	4.0	27,692	290,770	297,001
ASST ATTORNEY GENERAL	20.0	27,711	292,236	272,020

Appellate Salary Range Placement Chart

Appellate Division	Appellate Range Placement	Appellate Range	Department Placement	Department Range
1ST ASST ATTORNEY GENERAL	105	105	105	105
2ND ASST ATTORNEY GENERAL	102	102	102	102
ASST ATTORNEY GENERAL	98	98	98	98

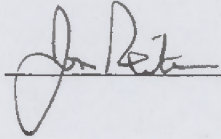
Appellate Division	Appellate Range	Department Range
1ST ASST ATTORNEY GENERAL	22,402 - 27,987	21,204 - 27,987
2ND ASST ATTORNEY GENERAL	22,417 - 27,692	21,204 - 27,692
ASST ATTORNEY GENERAL	22,422 - 27,711	21,204 - 27,711

Lobato Base Reduction



Schedule 13
Funding Request for the 2012-13 Budget Cycle

Department: Law
 Request Title: Lobato Base Reduction
 Priority Number: BR-1

Dept. Approval by:  10/25/11
 Date

**Decision Item FY 2012-13
 x Base Reduction Item FY 2012-13
 Supplemental FY 2011-12
 Budget Amendment FY 2012-13**

OSPB Approval by: _____
 Date

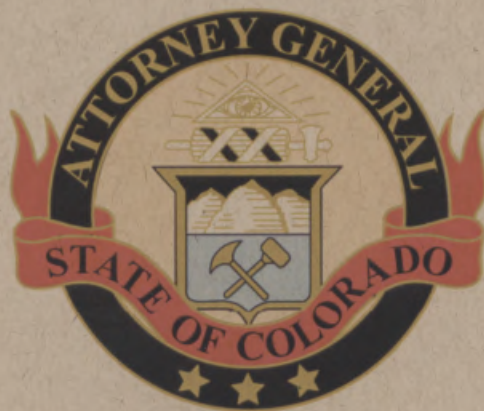
Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
Total of All Line Items	Total	432,500	-	432,500	(382,500)	(50,000)
	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	432,500	-	432,500	(382,500)	(50,000)
	RF	-	-	-	-	-
	FF	-	-	-	-	-

(6) Special Purpose, Lobato Litigation Expenses	Total	432,500	-	432,500	(382,500)	(50,000)
	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	432,500	-	432,500	(382,500)	(50,000)
	RF	-	-	-	-	-
	FF	-	-	-	-	-

Letternote Text Revision Required? Yes: No: If yes, describe the Letternote Text Revision:

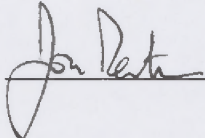
Cash or Federal Fund Name and COFRS Fund Number:
 Reappropriated Funds Source, by Department and Line Item Name: Lobato Litigation Expenses Line Item from Gov
 Approval by OIT? Yes: No: Not Required:
 Schedule 13s from Affected Departments:
 Other Information:

Vehicle Lease Payments



Schedule 13
Funding Request for the 2012-13 Budget Cycle

Department: Law
Request Title: Lease Vehicle Decision Item
Priority Number: _____

Dept. Approval by:  10/25/11
Date

OSPB Approval by: _____
Date

Decision Item FY 2012-13
 Base Reduction Item FY 2012-13
 Supplemental FY 2011-12
 Budget Amendment FY 2012-13

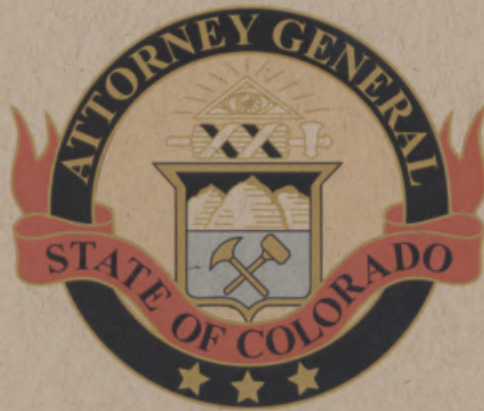
Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
	Fund	Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
Total of All Line Items	Total	70,176	-	70,176	109	-
	FTE	-	-	-	-	-
	GF	18,988	-	18,988	992	-
	GFE	-	-	-	-	-
	CF	23,943	-	23,943	(2,442)	-
	RF	24,435	-	24,435	1,754	-
	FF	2,810	-	2,810	(195)	-

(1) Administration, Vehicle Lease Payments	Total	70,176	-	70,176	109	-
	FTE	-	-	-	-	-
	GF	18,988	-	18,988	992	-
	GFE	-	-	-	-	-
	CF	23,943	-	23,943	(2,442)	-
	RF	24,435	-	24,435	1,754	-
	FF	2,810	-	2,810	(195)	-

Letternote Text Revision Required? Yes: No: If yes, describe the Letternote Text Revision:

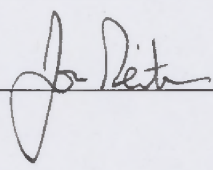
Cash or Federal Fund Name and COFRS Fund Number: POST #296, Insurance Fraud #16Z, UCCC #151
Reappropriated Funds Source, by Department and Line Item Name: LSSA Operating, Special Prosecution
Approval by OIT? Yes: No: Not Required:
Schedule 13s from Affected Departments:
Other Information:

OIT Legal Increase



Schedule 13 Funding Request for the 2012-13 Budget Cycle

Department: Law
 Request Title: OIT Legal Services Spending Authority Increase
 Priority Number: _____

Dept. Approval by:  10/25/11
 Date

OSPB Approval by: _____
 Date

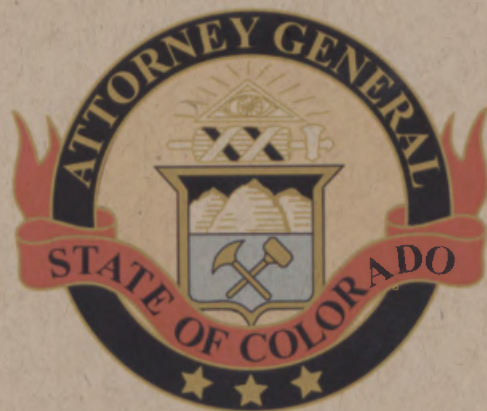
X Decision Item FY 2012-13
 Base Reduction Item FY 2012-13
 Supplemental FY 2011-12
 Budget Amendment FY 2012-13

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
Fund		Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
Total of All Line Items	Total	20,500,893	-	20,803,068	35,000	31,500
	FTE	237.8	-	236.5	0.3	0.3
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	1,659,140	-	1,671,962	-	-
	RF	18,841,753	-	19,131,106	35,000	31,500
	FF	-	-	-	-	-
(2) Legal Services to State Agencies, Personal Services	Total	20,500,893	-	20,803,068	31,500	31,500
	FTE	237.8	-	236.5	0.3	0.3
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	1,659,140	-	1,671,962	-	-
	RF	18,841,753	-	19,131,106	31,500	31,500
	FF	-	-	-	-	-
(2) Legal Services to State Agencies, Operating Expenses	Total	1,643,735	-	1,632,132	3,500	3,500
	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	1,643,735	-	1,632,132	3,500	3,500
	FF	-	-	-	-	-

Letternote Text Revision Required? Yes: No: If yes, describe the Letternote Text Revision:

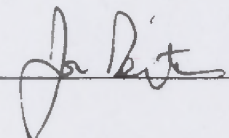
Cash or Federal Fund Name and COFRS Fund Number:
 Reappropriated Funds Source, by Department and Line Item Name: RF from client agencies
 Approval by OIT? Yes: No: Not Required:
 Schedule 13s from Affected Departments: Governor's Office
 Other Information:

Governor's Energy Office Increase



Schedule 13 Funding Request for the 2012-13 Budget Cycle

Department: Law
 Request Title: Governor's Energy Office Legal Services Spending Authority
 Priority Number: _____

Dept. Approval by:  10/25/11
 Date

OSPB Approval by: _____
 Date

X Decision Item FY 2012-13
 Base Reduction Item FY 2012-13
 Supplemental FY 2011-12
 Budget Amendment FY 2012-13

Line Item Information		FY 2011-12		FY 2012-13		FY 2013-14
		1	2	3	4	6
Fund		Appropriation FY 2011-12	Supplemental Request FY 2011-12	Base Request FY 2012-13	Funding Change Request FY 2012-13	Continuation Amount FY 2013-14
Total of All Line Items	Total	20,500,893	-	20,803,068	65,868	59,281
	FTE	237.8	-	236.5	0.5	0.5
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	1,659,140	-	1,671,962	-	-
	RF	18,841,753	-	19,131,106	65,868	59,281
	FF	-	-	-	-	-
(2) Legal Services to State Agencies, Personal Services	Total	20,500,893	-	20,803,068	59,281	59,281
	FTE	237.8	-	236.5	0.5	0.5
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	1,659,140	-	1,671,962	-	-
	RF	18,841,753	-	19,131,106	59,281	59,281
	FF	-	-	-	-	-
(2) Legal Services to State Agencies, Operating Expenses	Total	1,643,735	-	1,632,132	6,587	6,587
	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	1,643,735	-	1,632,132	6,587	6,587
	FF	-	-	-	-	-

Letternote Text Revision Required? Yes: No: If yes, describe the Letternote Text Revision:

Cash or Federal Fund Name and COFRS Fund Number:
 Reappropriated Funds Source, by Department and Line Item Name: RF from client agencies
 Approval by OIT? Yes: No: Not Required:
 Schedule 13s from Affected Departments: Governor's Office
 Other Information:

MISSION AND VALUES

Department of Law

2012

It is the mission of the Attorney General's Office to provide professional, ethical, and independent legal services to the State of Colorado and its citizens, to promote respect for and access to the justice system, to ensure the fair and open exercise of government, and to advance the public interest.

The Office values its employees as its most valuable resource and works to provide employees with the skills, knowledge and motivation to be successful and to exercise individual judgment and innovation.

The Office and its staff and volunteers commit to the highest professionalism, integrity, and ethical standards.

The Office promotes open and effective communications among and with its employees, clients, and the public and believes open communication is essential to its success.

The Office will provide quality legal service in an efficient, timely manner.

The Office respects diversity and commits to furthering it consistently through its programs, policies, and the effective use of the varied perspectives of its employees.

The Office will promote participatory, supportive management.

The Office will provide leadership on legal issues facing the state.

Administration Goals and Objectives

To provide the Department of Law with an exceptional level of service, productivity, integrity, responsibility, initiative, and teamwork to enable the Department to fulfill its mission and value statement.

Our Mission is to be: Customer Focused
Solution Oriented
Innovative

Objectives:

Human Resources

1. Continue to use technology solutions to improve HR business processes and make information more readily accessible to employees. This includes a significant

makeover of the HR web site on the DOL intranet that will be easier to navigate and provide links to the most needed forms and information.

2. Develop training for employees and supervisors regarding various HR issues.
3. Continue the progressive approach to ergonomic assessment of employee work stations in an effort to prevent repetitive motion injuries before they are brought about by a dysfunctional work station set-up.

Information Technology

1. Map out strategy to meet technology goals identified by the other sections in the office.
2. Identify and implement a unified case management program that integrates into the timekeeping program.
3. Identify and implement an electronic single-entry leave tracking system that integrates into the time keeping program but can also be used by non-billing staff members.
4. Identify and implement a document management system that meets the needs of document retention for the various law practices within the office. (Need a document retention policy as well.)
5. Improve scanning capabilities within the office to meet the growing demand of e-filing and electronic evidence production.
6. Work with DPA to implement voice over IP (VOIP) system.

Legal Support Services

1. In conjunction with IT provide high quality, timely, and effective scanning for the Department. Enhance our services for in house copying
- 2: Improve the Department's Digital recording capabilities.
- 3: Offer a customer driven cost efficient travel center to handle all aspects of Department travel. Includes bookings to reimbursement

Accounting and Budgeting

The main goal is to support the mission of the Department of Law by facilitating the effective and efficient delivery of services at each of the Department's organizational units by assisting with planning and policy development, reporting performance against identified standards, coordinating administrative functions and systems, and resource development. By aligning with the overall mission, values, and strategy of the Department of Law, accounting and budget professionals create value as influential business partners. This Section is responsible for the fiscal administration.

Objectives

1. Accounting applies information management processes to create value for our business by being partners in value creation.
2. Utilize collaboration and partnerships to foster innovation and effectiveness through the maximization of our limited resources.
3. Maintain a highly skilled workforce and continuously develop capacity of employees to advance the department's mission and assure ongoing, high-caliber leadership.
4. Obtain and maximize the use of financial resources to assure the successful accomplishments of goals. Continue to provide high quality financial reporting and analysis presentation.
5. Provide accurate and timely financial information, quality customer service, fiscally sound cash management, and apply risk management techniques.
6. Complete the development of grant accounting guidelines to address the establishment of grant fund accounts, record receipts and expenditures, billing processes, and reporting fiscal information to granting agencies.
7. Ensure the security and proper disbursement of funds through effective appropriation management. Review and update the Department's credit card policies and procedures to improve and monitor internal control procedures and to ensure the Department's cash assets are adequately safeguarded.
8. Provide more electronic transactions options.
9. Improve our interface w/clients/customers.

Strategic Plan FY 12-13

Business & Licensing Section

Department of Law

MISSION: The Business and Licensing Section's mission is to provide the highest quality legal representation to regulatory boards, commissions, programs and governmental agencies.

Objective 1: Business and Licensing's ("B&L") attorneys shall serve as general counsel to the following clients to effectuate the shared goal of public protection: Department of Regulatory Agencies, Department of Agriculture, Board of Assessment Appeals, and the Independent Ethics Commission.

Goal 1: Attorneys shall provide timely, accurate and responsive legal advice to the agencies.

Goal 2: Attorneys for all Units shall assist in rulemaking as needed or requested by the agencies.

Goal 3: When appropriate to the agency, attorneys shall develop and maintain internal tracking systems for informal attorney general opinions rulemaking, and legislation affecting the agencies.

Goal 4: Attorneys shall provide aggressive and effective legal representation of the Board or other clients on all appeals of Board or agency decisions.

Objective 2: The Assistant Attorneys General ("AAGs") within B&L shall develop subject matter expertise on issues relevant to the clients they represent.

Goal 1: The Section shall continue to implement the training protocols for new attorneys by pairing each new attorney with a mentor and by holding section-wide practice improvement sessions.

Goal 2: The Section shall maintain competence of all attorneys by participating in the evaluation process and the goal planning process with supervisors.

Goal 3: The attorneys shall attend Continuing Legal Education programs relevant to their practice.

Goal 4: Supervisors shall improve legal advice to all agencies by identifying areas of law and practice where Section wide consistency can be achieved, and shall implement tools to address consistency.

Objective 3: The Section shall effectuate the client's goals through effective litigation by initiating actions in administrative court, State District Court, courts of appeals and other courts as necessary.

Goal 1: PUC attorneys shall assist Litigation Staff with early identification and development of issues to be presented at hearings.

Goal 2: The PUC supervisor and team leaders shall provide an educational environment in which attorneys and staff may increase their substantive knowledge of the subject

matter and pursue opportunities for attorneys and staff to develop discovery, trial, and preparation skills.

Goal 3: All Units shall have policies in place to assure early attorney review and action on all referred cases.

Goal 4: All Units shall identify backlogs and have plans in place to effectively manage backlogs.

Goal 5: Units shall work with clients to continually educate investigators and staff regarding their role in managing evidence, affidavits and documentations supporting the legal elements that must be proved at hearing.

Objective 4: The B&L attorneys shall provide effective conflicts counsel to agencies as assigned.

Goal 1: Attorneys shall effectively advise the State Personnel Board in its adjudicatory role in actions that come before the board, and provide rulemaking support and other advice as required.

Goal 2: Attorneys shall effectively advise the Civil Rights Commission in its adjudicatory role in actions that come before the commission, and provide rulemaking support and other advice as required.

Goal 3: Attorneys shall effectively advise the Mined Land Reclamation Board in its adjudicatory role in actions that come before the board.

D) BACKGROUND INFORMATION: BUSINESS AND LICENSING SECTION.

OBJECTIVE: The Business and Licensing Section's mission is to provide the highest quality legal representation to regulatory boards, commissions, programs and other governmental agencies. Through Business and Licensing's ("B&L") representation, these clients are able to effectuate the shared goal of public protection. The Assistant Attorneys General ("AAGs") within B&L develop subject matter expertise depending on the clients they represent. Attorneys litigate enforcement actions most often in state district court, initiate licensing actions in administrative court, assist in rulemaking, and provide general counsel advice to the client agencies. In most cases B&L utilizes a collaborative model to promote efficiency, consistency, and excellent legal services for our clients.

The Business & Licensing Section is headed by Deputy Attorney General Diana Black and has approximately sixty (60) attorneys, nine (9) legal assistants and eight (8) support staff organized into units, each headed by a First Assistant Attorney General.

The Business and Licensing Section clients include:

- Department of Regulatory Agencies
- Department of Agriculture
- Department of Revenue
- Independent Ethics Commission
- State Personnel Board
- Unrelated clients in other Sections for whom we serve as conflicts counsel

The Department of Regulatory Agencies

The Department of Regulatory Agencies (“DORA”) houses several divisions represented by more than 30 B&L AAGs. The AAGs enforce compliance with the law by prosecuting disciplinary actions against licensed professionals, by representing the programs in licensure denial actions, by litigating civil enforcement and subpoena enforcement actions, and by litigating injunctive actions. In addition to prosecuting individual cases, the attorneys provide general counsel advice regarding legislative and policy matters, rulemaking and case analysis. Examples include:

Division of Registrations: B&L AAGs provide legal representation to regulatory boards, committees and programs within the Division of Registrations, the largest Division within DORA. The professions regulated include accountants, acupuncturists, addictions counselors, architects, barbers, cosmetologists, chiropractors, dentists, electricians, engineers, land surveyors, landscape architects, hearing aid dealers, massage therapists, marriage and family therapists, midwives, nurses, nurse aides, nursing home administrators, occupational therapists, optometrists, outfitters, passenger tramways, physicians, physical therapists, plumbers, podiatrists, pharmacists, professional counselors, psychologists, respiratory therapists, social workers, registered psychotherapists, and veterinarians.

Division of Real Estate: The AAGs representing the Division of Real Estate provide legal counsel to the Colorado Real Estate Commission, the Board of Real Estate Appraisers, the Mortgage Loan Originator Board (formerly the Mortgage Broker Program), and the Colorado Conservation Easement Oversight Commission.

Division of Insurance: AAGs representing the Division of Insurance act as general and litigation counsel to the various divisions of the Division of Insurance (“DOI” or the “Division”). Unit attorneys assist and advise on a wide variety of subject areas in rulemaking related to the regulation of insurance companies and their agents, and provide legal advice regarding changes and amendments to the insurance laws. Litigation is conducted in administrative and district courts on behalf of the DOI against unauthorized companies and individuals and insurance companies and their agents. These entities offer numerous types of insurance including, but not limited to, health care insurance, health maintenance organizations, long-term care, Medicare supplement insurance, life insurance, property and casualty insurance, and preneed funeral contracts.

Division of Securities: AAGs representing the Division of Securities assist the client in the regulation of securities, broker-dealers, sales representatives, investment advisers, and investment adviser representatives and other related entities. Unit attorneys conduct litigation on behalf of the Division of Securities in administrative and district court against individuals, companies, and investment funds or entities that operate in violation of the Colorado Securities Act.

Division of Banking: The Division of Banking regulates state-chartered commercial banks, trust companies, and money transmitters. The AAGs provide legal representation and

advice to the Board and the Division of Banking on such issues as involuntary liquidations of banks, merger and consolidation applications, and general legal advice including rulemaking.

Division of Financial Services: AAGs representing the Colorado Financial Services Board assist the client in the regulation of life care institutions, state-chartered credit unions, and state-chartered savings and loan associations.

Public Utilities Commission Staff: The Colorado Public Utilities Commission (“PUC” or “Commission”) regulates the rates, charges, services, and facilities of public utilities within the State of Colorado. Within B&L, the PUC AAGs primary responsibility is to represent Litigation Staff of the PUC in cases before the Commission itself.

Staff of the Commission consists of experts in fields including, but not limited to engineering, finance, and economics. When Staff enters an appearance and becomes a party to a proceeding, Staff is divided into Advisory Staff and Litigation Staff. Representation of Litigation Staff includes advising on a daily basis and representing them in cases before the PUC. Such cases include but are not limited to those in which public utilities seek to increase the rates charged to the public, including residential, commercial, and industrial customers as well as cases in which public utilities seek to either build new facilities or extend existing Colorado facilities.

The AAGs also represent the PUC and its Commissioners in judicial review actions; in civil actions commenced by or against the PUC in state and federal courts (except civil actions for damages against the PUC and/or PUC Commissioners, which are litigated by attorneys in the Tort Litigation Unit); and in federal administrative proceedings before the Federal Communications Commission, Federal Energy Regulatory Commission, and the Surface Transportation Board.

Department of Revenue

The Department of Revenue (“Revenue”) also houses several divisions represented by B&L AAGs, including:

Taxation divisions: These include Audit and Compliance, Collections, Fair Share, Taxpayer Services, Tax Policy Analysis, and the Office of the Tax Conferee. Attorneys represent the Tax Conferee in administrative, district court and appellate proceedings in which all types of tax assessments are contested; attorneys defend the Department against multiple tax protester lawsuits in several different courts; attorneys provide regular legal advice defending the state’s interest in consumer bankruptcy cases; and attorneys represent the department in actions related to tax collection efforts. The Unit’s attorneys represented the Department in an appellate case analyzing whether the generation of electricity constitutes the “manufacture” of “tangible personal property.” Attorneys are representing the Department in various taxation disputes in state district courts. Issues litigated included the location of a sale of tangible personal property associated with a wind farm, the validity and value of conservation easement tax credits, the interpretation of a transportation deduction for an oil and gas company, and whether “blunts” or “blunt wraps” are tobacco products subject to the tobacco tax.

Enforcement programs and divisions: These include the Division of Gaming and the Colorado Limited Gaming Control Commission; the Auto Industry Division and the Colorado Motor Vehicle Dealer Board; the Division of Racing and the Racing Commission; the Medical Marijuana Enforcement Division and the Liquor and Tobacco Enforcement Division. Attorneys provide general counsel advice on matters including rulemaking, interpretations, policies, legislative matters and other questions presented. Attorneys represent the clients in administrative hearings, during the exceptions process and on appeal. Finally, attorneys defend clients in injunctive, declaratory judgment and other civil procedures in district court.

The Division of Motor Vehicles: Attorneys review rules and records requests, represent the Division in appeals of driver's license revocation cases to the Colorado Court of Appeals and Supreme Court, and provide other legal assistance as requested.

The Executive Director's Office: Attorneys provide legal representation to the Executive Director's Office, which oversees all of Revenue. Attorneys are defending the Executive Director in a variety of lawsuits related to any of Revenue's Divisions. This year, attorneys defended a constitutional challenge to House Bill 10-1193, which establishes a number of notification provisions designed to improve Colorado's collection of use tax on sales of goods where sales tax has not been collected, including on many e-commerce transactions. Attorneys also are defending the Executive Director in a lawsuit filed by Chrysler challenging 2010 legislation.

Independent Ethics Commission

The AAGs representing the Independent Ethics Commission assist the Commission in carrying out its constitutional and statutory duties through the Commission's issuance of Position Statements, Advisory Opinions and Letter Rulings relating to standards of conduct for government officials. AAGs also help the Commission in its constitutional duty to investigate and hold hearings on ethical complaints.

Department of Agriculture

The Business and Licensing Section provides general and litigation counsel to the Colorado Department of Agriculture and the Commissioner of Agriculture. This representation is provided by two full-time AAGs who represent and provide legal advice to the various divisions within the department including: the Animals Division, the Colorado State Board of Livestock Inspection, the Conservation Services Division, the Inspection and Consumer Services Division, the Plants Division, and the Markets Division. The AAGs also represent and advise the Colorado State Fair and several other marketing-related boards associated with the department. The AAGs assist the department in dealing with a myriad of complicated legal issues on a daily basis from livestock disease emergency quarantines, takings and destructions, to regulation of pesticide use, licensing of commodity handlers, certification of organic producers, and prevention of plant diseases, many of which involve complex interactions between state and federal law. The AAGs also assist with rulemaking, drafting of proposed legislation and the sunset review process.

Mined Land Reclamation Board

The Business and Licensing Section provides a General Counsel position that serves as permanent conflicts counsel to the Colorado Mined Land Reclamation Board (“MLRB”), a multi-interest citizen board that establishes the regulations, standards, and policies that guide the Division of Reclamation, Mining and Safety (“DRMS”). The MLRB implements the Colorado Mined Land Reclamation Act and is actively involved in the decision-making process for controversial permit issuance and enforcement actions. Generally, the Board oversees the reclamation permitting activity for the hard rock mining and construction materials mining industries. The MLRB also has jurisdiction over reclamation permits issued for oil shale activities and coal mines. The General Counsel position ensures the separation of the prosecutorial and decision making processes by advising the MLRB at its adjudicatory hearings in which it approves or denies permits and permit modifications when there are objections or public comment, issues violations, sets civil penalties and corrective actions, revokes permits and authorizes bond forfeitures. The MLRB’s General Counsel provides guidance on procedural issues before, during, and after hearings. The General Counsel also provides guidance regarding substantive issues of law throughout the process, and drafts the Orders that result from the monthly enforcement hearings. The General Counsel also ensures MLRB compliance with open meetings requirements and provides guidance on rulemaking procedures.

The Department of Local Affairs

Colorado’s Department of Local Affairs (“DOLA”) is an initial and primary point of contact where local communities work in partnership with the state. Approximately half of DOLA’s legal services budget is allocated to attorneys within the Business and Licensing Section, who represent two of DOLA’s key divisions: the Board of Assessment Appeals and the Property Tax Administrator. Because these two divisions have sometimes conflicting legal interests, the attorneys for the Board of Assessment Appeals and the attorneys for the Property Tax Administrator are in separate Units within the Business and Licensing Section, and report to different supervisors.

DOLA’s Property Tax Division coordinates and administers the implementation of property tax law throughout 64 counties in Colorado. The Property Tax Administrator, who is appointed by the state Board of Equalization, leads the Division. The Administrator’s responsibilities include review of county government grants of property tax refunds exceeding \$1000, valuation of public utilities for property taxation, review of applications for property tax exemptions, and ruling on other property tax questions. The attorneys representing the Property Tax Administrator provide statutory interpretation and other general counsel services as needed and represent the Administrator in administrative hearings and negotiations before the Board of Assessment Appeals. Attorneys have represented the Property Tax Administrator this year in several complex district court and appellate cases of importance to the state.

DOLA’s Board of Assessment Appeals (“BAA”) is a three-member board appointed by the Governor and confirmed by the state Senate. The Governor also may appoint up to six additional members to one-year terms. Currently there are nine members of the BAA. The BAA hears appeals filed by real and personal property owners regarding the valuation placed on their

property. Taxpayers may appeal decisions of county boards of equalization or county boards of commissioners to the BAA. Decisions of the Property Tax Administrator regarding state assessed properties and exemptions may also be appealed to the BAA. Business and Licensing attorneys provide advice to the BAA in its adjudicatory role and represent the BAA when its decisions are appealed.

Other Conflicts Counsel Clients

Business and Licensing also represents the Civil Rights Commission and the State Personnel Board. The Civil Rights Commission is a seven-member commission appointed by the Governor for four-year terms. The State Personnel Board includes five members serving five-year terms, three of whom are appointed by the Governor and two of whom are elected by members of the state personnel system.

II) PRIOR YEAR LEGISLATION

Department of Regulatory Agencies:

Division of Registrations: This year, 10 programs underwent sunset review. Those programs include the Colorado Board of Veterinary Medicine (SB 11-091), the Colorado Board of Optometry (SB 11-094), the Colorado Board of Psychologist Examiners (SB 11-187), the Colorado Board of Social Work Examiners (SB 11-187), the Colorado Board of Marriage and Family Therapist Examiners (SB 11-187), the Colorado Board of Licensed Professional Counselors (SB 11-187), the Colorado Registered Psychotherapist Board (formerly Grievance Board) (SB 11-187), the Colorado Board of Addiction Counselor Examiners (formerly Addiction Counselor Advisory Board) (SB 11-187), the Colorado Board of Physical Therapists (SB 11-169), and the Colorado Direct-Entry Midwives Registration Program (SB 11-088), .

Other newly added programs that will also receive representation this fiscal year by the Business and Licensing Section include: private investigators (HB 11-1195) and surgical assistants and surgical technologists (HB 10-1415).

Division of Real Estate: The AAGs representing the Division of Real Estate provide legal counsel to the Colorado Real Estate Commission, the Board of Real Estate Appraisers, the Mortgage Loan Originator Board (formerly the Mortgage Broker Program), and the Colorado Conservation Easement Oversight Commission.

The Conservation Easement Oversight Commission: Created by HB 08-1353, CEOC provides guidance to the Department of Revenue and to the Director of the Division of Real Estate concerning conservation easement appraisals and holders. The Commission's AAGs assisted the client with its statutory purpose of maintaining the integrity of the Conservation Easement Tax Credit Program. Consistent therewith, AAGs provided legal advice regarding rulemaking and implementation of the Conservation Easement Holder Certification Program.

Division of Insurance: The General Assembly passed at least 22 bills impacting the Division of Insurance. Many of them will require either the drafting of new rules or amending

existing ones. The legislation includes: HB 10-1004, which requires standardized health insurance information to be provided to consumers; HB 10-1008, which prohibits gender rating in the individual market; HB10-1160, which permits health insurance carriers to offer incentives for participation in wellness programs based on outcomes; and HB 10-1220, which involved the sunset review of functions of the Division. In addition, the Division will be impacted by the Patient Protection and Affordable Care Act of 2009, the federal health care reform bill. New legislation will impact attorneys' legal services as the bills become effective and new cases develop.

Public Utilities Commission: The General Assembly passed HB 10-1365, which provides incentives for electric public utilities to reduce air emissions and requires the utilities to submit plans to achieve such reductions by replacing or repowering coal generation with natural gas, and also consider other low-emitting resources. The bill contains a stringent deadline by which the Public Utilities Commission must approve plans submitted by the utilities. The hearing process regarding implementation of HB 10-1365 requires participation by the Unit's attorneys.

Department of Revenue: This year, Colorado's General Assembly adopted multiple bills impacting the Department of Revenue. Business and Licensing Section attorneys representing Revenue have, when requested, assisted the Department with rulemaking and modification of policies and procedures to implement these new laws effectively and efficiently. For example, attorneys assisted with developing rules to implement diverse legislative changes, including a bill modifying the procedures governing conservation easement tax credit cases (HB 11-1300) and a bill modifying the law governing the newly regulated medical marijuana industry (HB 11-1043). Attorneys also are defending Revenue in lawsuits challenging three new bills. Attorneys are defending the state against a lawsuit challenging HB 10-1193, which imposed reporting requirements on retailers who do business in Colorado but who do not collect Colorado sales tax. In addition, attorneys are defending Revenue against a lawsuit challenging HB 10-1049 and SB 10-201, which affected the relationship between motor vehicle manufacturers and motor vehicle dealers holding a franchise from the manufacturer.

Independent Ethics Commission: HB 10-1404 transferred the Commission from the department of personnel to the judicial department as an independent agency.

III) HOT ISSUES:

Department of Regulatory Agencies:

Division of Registrations: Examples of cases handled by the attorneys representing the various boards, committees and programs within the Division of Registrations include:

Douglas Ikeler, DVM: AAGs representing the Board of Veterinary Medicine brought this matter to trial following allegations that Dr. Ikeler practiced in an unsanitary environment with dozens of uncontrolled cats wandering the premises, violated the standards of care in his treatment of animals, and violated the law when he dispensed DEA controlled medications without having the proper DEA licensure. Following a trial on the merits, the Judge found in

favor of the Board and against Dr. Ikeler on all counts, recommending revocation of his license to practice veterinary medicine. In a companion case against Peggy Cruder and Aurora Cat Vet Clinic, AAGs obtained an order directing Ms. Cruder to cease and desist the unlicensed practice of veterinary medicine.

Wang Kho: The AAG representing the Colorado Office of Massage Therapist Registration obtained revocation of Mr. Kho's massage therapist registration following allegations that Mr. Kho sexually assaulted an 18 year old client in Breckenridge during a massage.

Gerald M. Bradshaw, CPA: The AAGs representing the Board of Accountancy resolved a case against Gerald Bradshaw, a licensed certified public accountant without the need of a formal hearing. Mr. Bradshaw began soliciting tax clients and other individuals to participate in an investment opportunity which, in actuality, was a Ponzi scheme. AAGs representing the Board were able to negotiate relinquishment of Mr. Bradshaw's certificate and his firm's registration along with an agreement that Mr. Bradshaw would not offer any investments in the future.

Pharmacy Board v Calvin Tyree: Respondent Calvin Tyree, a licensed pharmacist in Colorado, failed to report a wrongful death suit and related felony complaint pending against him. In addition, Mr. Tyree transferred approximately 22,000 dosage units of controlled substances, which had been previously repackaged, from a pharmacy he owned to a pharmacy in which he had no ownership interest, in violation of Board rules. He further failed to notify the DEA of the closure of one of his pharmacies and the disposition of the controlled substances therein. Finally, Mr. Tyree edited a malpractice claim form referencing the incidents leading to the felony complaint and civil suit to delete his name as the responsible party. The AAG for the Board filed a notice of charges against Mr. Tyree's license. After extensive discovery, Mr. Tyree agreed to permanently relinquish his license.

Before the Colorado Medical Board, concerning the license to practice medicine of George MacDonald, M.D: Dr. George MacDonald was arrested in late 2008 for assaulting and threatening his family after he had consumed a large amount of alcohol. At one point during this incident he pointed a shotgun at his three children, chased them to the roof, and yelled at them that he was going to get them. After pleas to three felony charges and one misdemeanor charge, Dr. MacDonald was sentenced to prison. The AAG successfully negotiated a Stipulation and Final Agency Order resulting in Dr. MacDonald surrendering his medical license.

Before the Colorado Medical Board, concerning the license to practice medicine of Manuel Aquino, M.D: The AAG for the Board filed a notice of charges against Dr. Aquino alleging substandard medical practice resulting from Dr. Aquino's recommendation of marijuana to a twenty year old pregnant woman. Dr. Aquino conducted no physical examination prior to recommending marijuana, and the patient's child was born drug-exposed. After extensive discovery conducted by the AAG for the Board, Dr. Aquino relinquished his medical license.

State Board of Nursing v. Nurse M: The Board suspended Nurse M. for failing to attend or complete the Peer Assistance Services (“PAS”) program. (Nurse M. was being monitored by PAS for depression and for indications of a possible alcohol problem). Nurse M. requested a hearing on the suspension. This case was the first of its kind and posed a significant challenge, as there is no case law and little interpretation of the statute at issue, § 12-38-131(4), C.R.S. At hearing, the Board proved that Nurse M. is not safe to practice nursing without psychiatric treatment and had not received any treatment in the year after the suspension. In the Initial Decision, the ALJ ruled that the Board could continue the suspension of Nurse M.’s license only if it filed disciplinary charges; otherwise, the Board should lift the suspension. Following the exceptions process, Nurse M.’s suspension has been continued until such time as she returns to participation in the PAS program.

People of the State of Colorado & the State Board of Nursing v. Velez-Murillo: Between November 2006 and August 2009, Ms. Velez-Murillo used a false identity to obtain employment as a certified nurse aide (“C.N.A.”). On behalf of the Board, the OAG filed a Motion for Permanent Injunction in Denver District Court, requesting that Respondent be enjoined from holding herself out as or offering to practice as a C.N.A. without the proper certification. Ms. Velez-Murillo did not appear in the case, and the permanent injunction was issued by default in October 2009.

In January, 2010, the Board received information that Ms. Velez-Murillo was again attempting to obtain employment as a C.N.A., using another [male] C.N.A.’s certificate number. The OAG filed a Motion for Contempt in District Court, asking the court to hold Ms. Velez-Murillo in contempt for violating the injunction. Ms. Velez-Murillo appeared at the contempt hearing, and after hearing the Board’s evidence, the court sentenced Ms. Velez-Murillo to five days in jail. Ms. Velez-Murillo was to report to Denver County Jail the following Monday but did not appear. A bench warrant was issued, and in June 2011, Ms. Velez-Murillo was arrested and remanded to Denver County Jail to serve her sentence.

The State Board of Dental Examiners v. Jennifer Zipfel, DDS: Dr. Zipfel engaged in a wide range of substandard care including misdiagnosis, improper treatment related to the placement of implants, engaging in treatment without records of proper consent and a pattern of making treatment recommendations without documentation of medical and dental histories and findings and diagnoses to support the necessity of all of the dental work she recommended. Dr. Zipfel also displayed a pattern of billing for services which were not documented in the records as having been performed. The parties settled the case with a stipulation providing for an indefinite suspension until the completion of a clinical evaluation, office audit and all recommendations arising there from. If Dr. Zipfel successfully completes the terms of her suspension, upon reinstatement, she agreed to practice under probation for three years, with a practice monitor for the first two years.

The State Board of Dental Examiners v. Ernesto Macias, (unlicensed): Mr. Macias was the subject of the Board’s cease and desist order in 2006 for holding himself out as a dentist and practicing dentistry without a license. In 2010, the Board obtained further information that Mr. Macias was continuing to perform acts constituting dentistry or dental hygiene in

violation of the cease and desist order. Accordingly, the Board obtained a permanent injunction against Mr. Macias that enjoins him from any act constituting the practice of dentistry or dental hygiene in the state of Colorado without being duly licensed, the violation of which is punishable by the court's contempt powers.

Office of Outfitters Registration v. Terry Sandmeier: The Office of Outfitters Registration ("Office") initiated formal disciplinary proceedings against Mr. Sandmeier for allowing a client to illegally shoot a bighorn ram approximately 100 yards from Interstate 70 near Georgetown, an area closed to hunting, and condoning the violation by lying to law enforcement. Mr. Sandmeier is a former chair of the Advisory Committee to the Office and was a prominent member of the outfitting community. The AAG representing the Office successfully moved for summary judgment against Mr. Sandmeier, proving his violation of state laws regulating wildlife and rules governing outfitter conduct. Following a sanctions hearing, an administrative law judge ordered Mr. Sandmeier's registration as an outfitter to be revoked. The Office approved the ALJ's decision and Mr. Sandmeier appealed. The Colorado Court of Appeals affirmed the Office's order.

Division of Real Estate: Examples of cases handled by the AAG's representing the Division of Real Estate and programs within the Division include:

Colorado Board of Real Estate Appraisers v. Goldstein: The Board of Real Estate Appraisers referred this case to our office after it received nine complaints against Mr. Goldstein, a certified residential appraiser, for his appraisals of over 40 properties. Each appraisal contained multiple violations of the professional standards for appraisers. AAGs helped the Board settle this case at mediation for a voluntary surrender of Respondent's license to be treated as a revocation, an agreement to never re-apply for a Colorado appraiser license, and admissions to facts and violations of the real estate statute.

Colorado Real Estate Commission v. Bartlett: AAGs received a favorable published decision from the Colorado Court of Appeals, affirming the revocation of Respondent's real estate broker license. The Court of Appeals held that the Commission met its burden to prove that the Respondent was not rehabilitated from the acts forming the basis of a guilty plea Respondent entered to the crime of Attempted Sexual Assault on a Child in 2006.

Colorado Real Estate Commission v. Carrillo: AAGs aided the Commission obtain a positive settlement in this case with a real estate broker who unlawfully retained earnest money deposits from people seeking to buy homes. Mr. Carrillo admitted eight violations of licensing law, agreed to revocation of his license and agreed to pay a \$10,000 fine.

Mortgage Loan Originator Board v. Brenneman: AAGs facilitated a settlement in this matter, effectively revoking Ms. Brenneman's license, based on her falsification of loan documentation.

Colorado Real Estate Commission v. Barron: AAGs successfully convinced Mr. Barron to voluntarily surrender his real estate broker license, based on his plea to attempted sexual

assault of a 15 year old, failure to report this plea to the Commission and violation of his probation subsequent to the plea.

Division of Insurance: Significant cases handled by the Insurance Unit include:

Pinnacol Assurance: Negotiated \$15M settlement/credit to Colorado consumers in case involving payment of excess premium by Colorado consumers for worker's compensation insurance from Pinnacol.

Anthem (Rocky Mountain Hospital and Medical Services): Negotiated a \$20 million dollar settlement with Anthem regarding health insurance rates for the benefit of health insurance consumers.

International Fidelity Insurance Company: \$442,000.00 civil penalty assessed and paid to Colorado after market conduct examination (bail bond underwriter).

Lexington National Insurance Company: \$125,000 settlement involving a market conduct examination of Lexington National Insurance Company (bail bond underwriter).

Pioneer General Insurance Company: \$225,000 settlement involving a market conduct examination of Pioneer General Insurance Company (bail bond underwriter);

Minnesota Surety & Trust: The Attorney General's Office assisted the Division with taking sworn statements of 11 witnesses over the course of 72 hours, drafting a complex Show Cause Order for a public hearing on the suspension or revocation of the carrier's authority, and preparing for a hearing involving 18 witnesses and over 300 pages of exhibits with less than 3 week notice. The case settled the Friday before the hearing and resulted in Minnesota Surety being fined \$1,200,000 and having its certificate of authority suspended.

Joseph Amelang: The Division received several consumer complaints that Joseph Amelang (Escalante Insurance Agency) had accepted premium from consumers and made misrepresentations about insurance coverage to the consumers. Further, that premium received by Amelang was never forwarded or remitted to insurance companies to obtain insurance coverage. As a result, insurance policies were never issued to the consumers, or were not renewed, or were cancelled. Some consumers found themselves without insurance and/or have received cancellation notices from various insurance companies. The Division filed an Order of Summary Suspension at the Office of Administrative Courts and obtained an Initial Decision after default against Amelang/Escalante in the amount of \$120,000 and restitution for consumers and victims in the amount of approximately \$67,000.

Kwan Perry: The Division was notified that Kwan Perry had submitted about 50 fraudulent applications for life insurance and received thousands of dollars in advance commissions from the life insurance underwriter. The applications included false social security numbers, addresses and bank account numbers. The Division filed an order of summary suspension at the Office of Administrative Courts and obtained an Initial Decision after default judgment in the amount of \$1.2 million dollars (not including restitution).

The Unit's attorneys are assisting the Division with its implementation of the new federal health care reform act as the Division scrutinizes insurance premiums and rate filings. In addition, the attorneys are assisting the Division with restructuring the bail bond industry.

Division of Securities: The AAGs representing the Division of Securities handled a significant number of complex civil matters. For example:

Joseph v. Financial Services Investors #4, LLC: Unit attorneys represented the Division of Securities in bring an injunctive enforcement action in the Denver District Court against Financial Services Investors #4, LLC ("FSI4"), Steven Signer, Lynden Bridges, and David Bell based upon the fraudulent offer and sale of an investment in a leveraged US Treasury Bond trading program. The Division also alleged that Miles Scott, as a relief defendant, received investor funds without investing any money or performing any services for FSI4 and thus was subject to disgorgement. Unit attorneys obtained summary judgment against Bridges on all counts, reached a settlement with Bell, and obtained a judgment against Scott. Part of the way through a trial on the merits, the remaining parties opted to settle with the Commissioner. As a result, all defendants are subject to a permanent injunction barring them from working in the securities industry in Colorado, and a substantial amount of funds were obtained to return to investors injured by the violations.

Joseph v. Colorcom, Ltd: Unit attorneys brought an injunctive enforcement action in the Denver District Court against Colorcom, Ltd., IFR Technologies, Inc. d/b/a Accelerated I/O, Inc. ("Accelerated"), Custom Design and Manufacturing ("CDM"), Joseph Doll, and Richard Janoka based upon their offer and sale of investments in the development of "raster to vector" computer software to hundreds of investors in Colorado and across the United States. Unit attorneys obtained summary judgment against all defendants based upon their violations of the registration and antifraud provisions of the Colorado Securities Act. Following the entry of summary judgment, all defendants stipulated to the entry of a permanent injunction, and agreed to make a rescission offer to Colorado investors, As a result of the rescission offer, Colorado investors had the opportunity to obtain the return of more than \$2.2 million in investment funds plus statutory interest.

Joseph v. Polocz: Unit attorneys brought an injunctive enforcement action in the Denver District Court against Robert Polocz Jr. based upon the fraudulent offer and sale of unregistered securities to Colorado investors. As a result of the efforts of unit attorneys, Polocz stipulated to the entry of a permanent injunction and agreed to the entry of a judgment of restitution, with payment of restitution to be made within 5 years of the entry of the order.

In addition to traditional injunctive litigation, AAGs representing the Division of Securities are actively managing a number of cases where a receiver has been successfully sought by the DOS to seize investment funds, including Mueller Capital Management, Wealth Systems International and the DelGreene family of funds, Secured Financial Group and the Integrity Funds, Southern Financial Corporation and the Secured Real Estate Lending Fund, Mark Jackson, Dharma Investment Group and the Dharma family of entities, as well as XL Capital and the Vision and Velocity Funds.

Division of Banking: As outlined below, AAGs representing the Division of Banking worked with Banking Board staff and the FDIC to close one bank in January 2011 and three banks in July 2011.

FirsTier Bank, Boulder County, Colorado: On January 28, 2011, Fred Joseph, the Acting Colorado State Bank Commissioner, with the approval of the Colorado State Banking Board, took emergency action to close FirsTier Bank and appoint the FDIC as receiver for the purpose of liquidating the bank. FirsTier was a \$781 million State bank with seven branches. Because there was no acquiring institution, the FDIC immediately transferred all insured deposits, except for brokered deposits, certificates of deposit, and individual retirement accounts to the newly created Deposit Insurance National Bank of Louisville (DINB). The DINB was a newly chartered, national bank operated by the FDIC for a thirty day transition period.

Colorado Capital Bank, Douglas County Colorado: On July 8, 2011, Fred Joseph, the Acting Colorado State Bank Commissioner, with the approval of the Colorado State Banking Board, took emergency action to close Colorado Capital Bank and appoint the FDIC as receiver for the purpose of liquidating the bank. Colorado Capital Bank was a \$718 million State bank with six branches.

Signature Bank, Weld County, Colorado: On July 8, 2011, Fred Joseph, the Acting Colorado State Bank Commissioner, with the approval of the Colorado State Banking Board, took emergency action to close Signature Bank and appoint the FDIC as receiver for the purpose of liquidating the bank. Signature Bank was a \$67 million State bank with one full-time branch. On July 15, 2011, a director of the bank filed an application with the Banking Board to rescind this action.

Bank of Choice, Weld County, Colorado: On July 22, 2011, Fred Joseph, the Acting Colorado State Bank Commissioner, with the approval of the Colorado State Banking Board, took emergency action to close Bank of Choice and appoint the FDIC as receiver for the purpose of liquidating the bank. Bank of Choice was a \$1.1 billion State bank with 17 branches.

Public Utilities Commission: Significant cases in which the PUC Unit was involved include:

Public Service Company of Colorado's Gas Rate Cases: Represents staff on behalf of the public interest in an application to increase gas rates submitted by an Xcel Energy subsidiary, Public Service Company of Colorado ("Xcel Energy"). Xcel initially requested a rate increase of \$27.8 million. Staff, Xcel Energy, and the Office of Consumer Counsel settled on an increase of \$10.8 million. After considering certain requests by Energy Outreach of Colorado, the hearing Commissioner approved an increase of \$12.6 million. The case has now moved to Phase II which determines how the rates will be allocated among rate classes.

Black Hills Electric Rate Case: Represents staff on behalf of the public interest in an application to increase electric rates \$40.8 million.

Renewable Energy Production: In response to legislative mandates, many utilities are attempting to increase the amount of renewable energy that they provide. AAGs represent staff on behalf of the public interest in the applications to increase renewable energy supply. For example, Black Hills sought approval from the Commission to develop and own fifty percent of a wind project constituting a new distributed generation resource. The case settled in principle and is awaiting approval from the Commission. Similarly Xcel Energy's submitted an application for approval of its 2012 renewable energy standard compliance plan. AAGs represent staff on behalf of the public interest in that matter.

Energy Resource Plans: In response to legislation and Commission decisions, many utilities have applied for approval of certain pollution reduction measures. AAGs represent staff on behalf of the public interest in these matters. One example is Xcel Energy's application for approval of the Pawnee Emissions Control Project.

Independent Ethics Commission: This past fiscal year, the IEC issued numerous Advisory Opinions and Position Statements and were assisted by AAGs in doing so. AAGs also helped the Commission draft and promulgate new rules of procedure, effective April 14, 2011.

Department of Revenue: Significant cases handled on behalf of the Department of Revenue include:

Direct Marketing Association: The Unit's attorneys are defending Revenue in this federal lawsuit challenging HB 10-1193 on several constitutional grounds.

Public Service Co v. Dept of Revenue: The Unit's attorneys are representing the Department on appeal in this case in which Public Service seeks refunds of more than \$40 million (all pending claims) for sales tax paid on purchases of machinery used to generate electricity. The critical issue is whether electricity is "tangible personal property" under the statute.

BP America Production Company v. Dep't of Revenue: The Unit's attorneys are representing the Department in this case, which is set for trial in December 2011. The issue in the case is whether Return-On-Investment ("ROI") for capital assets used in the transportation of oil/gas by Petitioner is a transportation cost qualifying as a deduction from the gross lease revenue prescribed under §39-29-102(3)(a).

Creager Mercantile v. Dep't of Revenue: The Unit's attorneys are representing the Department in this dispute over whether "blunts" or "blunt wraps" are a "tobacco product" as defined in C.R.S. §39-28.5-101(5) for the purposes of tobacco taxes proscribed in C.R.S. §39-28.5-102 and §39-28.5-102.5.

Farm Deals, Farms of Hasty, Kindone and Vanman v. Revenue: The Unit's attorneys are representing the Department in this District Court proceeding regarding the validity and value of donated conservation easement tax credits.

GE Wind v. Dep't of Revenue: District Court proceedings are pending in this case regarding county sales taxes assessed by the Department in connection with a wind farm erected and installed by GE Wind Energy, LLC ("GE Wind") in Prowers County, Colorado. The parties are litigating issues related to the transfer of title, possession and ownership for purposes of sales tax.

Champion Auto Group dealerships: The Unit's attorneys have continued to represent the Motor Vehicle Dealer Board in connection with the summary suspension of five related motor vehicle dealer licenses. The dealerships are alleged to have failed to pay off consumer loans when a vehicle was traded in, failed to activate warranties, failure to forward tax payments to the counties and failure to deliver titles, all of which affected some 150 consumers.

Gilpin County v. the Colorado Limited Gaming Control Commission: The Unit's attorneys are representing the Commission in this case. In this case, Gilpin County challenged the Commission's interpretation of Article XVIII, Section 9(5)(b)(II) of the Colorado Constitution governing distribution of the limited gaming fund. A motion to dismiss on procedural grounds is pending.

Department of Agriculture: The Animals Division of Agriculture relied upon the attorneys with regard to several cease and desist orders, instituting discipline against several licensed pet animal care facilities, and managing a Memorandum of Understanding with CDPHE regarding carcass disposal during emergency disease outbreak. During FY 11, the AAGs handled fifteen cases enforcing the pesticide regulation laws. They also assisted the department with ongoing efforts to enforce legal actions related to livestock-animal cruelty in Logan County and Park County, enforcing preliminary injunctions while preparing for trials that are set for FY 12.

Stulp v. Schuman: The Bureau of Animal Protection intervened in a livestock neglect and cruelty case in which over twenty head of livestock were severely malnourished, sick, dehydrated, and dying; one had to be euthanized on-site. CDA petitioned the Logan County District Court for possession of the livestock and temporarily restrained the owner from owning, possessing, managing, or otherwise tending livestock in Logan County through and to a hearing for a permanent injunction. The permanent injunction enjoining the owners from owning, managing or controlling livestock in Logan County was issued July 22, 2011.

Stulp v. Wagner, et al: The Bureau of Animal Protection intervened in a second livestock neglect and cruelty case in which over 150 head, in a 1,200-head herd, were found deceased, having become malnourished and ultimately perishing in the winter's elements in Park County. The Department sought possession of the entire herd, removed 379, sold that herd, and negotiated a temporary restraining order to uphold the status quo of the remainder of the herd pending a trial on whether Mr. Wagner should be permanently restrained from owning, possessing, managing, or otherwise tending livestock in Park County. The trial is currently set for December 5-9, 2011.

Mined Land Reclamation Board: During the 2010 fiscal year, the MLRB heard approximately 60 matters and, in nearly as many cases, issued orders drafted by the General Counsel. In

addition, General Counsel for the MLRB is currently defending five suits in state district courts, four in Denver and the other in Montrose. Two of those cases are significant, including Cotter Corporation v. MLRB and the Division of Reclamation, Mining and Safety and High Country Citizens' Alliance v. MLRB and U.S. Energy.

Cotter Corporation v. MLRB and the Division of Reclamation, Mining and Safety: Cotter Corporation holds a reclamation permit for the Schwartzwalder Mine, an inactive uranium mine in Jefferson County. The mine is located near Ralston Creek. Ralston Creek flows into Ralston Reservoir, which is a drinking water source for Denver, Arvada and other communities. Cotter ceased production at the mine in 2000. When it was active, Cotter dewatered the mine. After mining ceased, the mine was allowed to fill with water, eventually reaching a level at least twenty-five feet above the level of Ralston Creek. After a hearing, the MLRB found Cotter that the level of the mine water is creating a hydrologic gradient toward Ralston Creek, allowing mine water to pollute it. The MLRB found Cotter in violation of the Mined Land Reclamation Act for failing to minimize disturbances to the hydrologic balance, failing to handle toxic-forming material to protect the drainage system from pollution, and failing to protect areas outside of the affected land from damage. The MLRB ordered Cotter to begin dewatering the mine, treat the water removed, and pay a \$55,000 civil penalty. The MLRB subsequently found Cotter had taken no action to comply with its order; the Board issued Cotter a cease and desist order and levied an additional \$39,000 civil penalty. Cotter filed an appeal of both the Board's initial order and its cease and desist order.

High Country Citizens' Alliance v. MLRB and U.S. Energy: U.S. Energy holds a permit for a 365-acre molybdenum mine approximately three miles from Crested Butte, Colorado. U.S. Energy filed an application to amend its permit to allow it to expand access portals, generate additional waste rock, and take other actions at the site. The Division of Reclamation, Mining and Safety approved the application and High Country petitioned for a hearing before the Board. The Board affirmed the Division's approval of the application. High Country appealed the MLRB's decision, claiming that water supplies in the area may be polluted with heavy metals from mine runoff. High Country's appeal seeks judicial review of the Board's decision to affirm without requiring financial warranty for the costs for water quality treatment.

Department of Local Affairs:

Board of Assessment Appeals: Boulder County Board of Commissioners vs. HealthSouth Corporation: AAGs represented the Board of Assessment Appeals ("BAA") before the Colorado Supreme Court, obtaining a successfully decision for the BAA, which reversed the Court of Appeals. In its opinion, the Supreme Court held that HealthSouth was not entitled to property tax refunds on moneys paid to Boulder County based on fictitious assets.

Qwest Corp v. Division of Property Tax: Public utilities, including telephone companies, are state assessed for property tax. Most businesses are locally assessed, and there are some differences in valuation methods. Qwest, as a telephone company, challenged the distinction between public utilities and locally assessed property because cable companies, which also

offer telephone services, are locally assessed and allegedly enjoy certain advantages. Qwest asserted violations of equal protection and of the Colorado Constitution's uniformity clause. Unit attorneys successfully moved to dismiss the case in district court, and have defended the district court's order of dismissal in the Colorado Court of Appeals. A decision is expected this year.

Colorado Horse Park v. Property Tax Administrator: The Horse Park sought an exemption from property tax, asserting that it qualified as a charitable enterprise under exemption statutes. The PTA denied and Horse Park then sought exemption as a qualified amateur sports organization. Following a hearing before the Board of Assessment Appeals (BAA), the BAA upheld the Property Tax Administrator's denial of the exemption. The Court of Appeals affirmed, upholding the denial of the exemption. The Horse Park has sought and obtained an extension to seek certiorari.

Colorado Department of Human Services v. Maggard: The AAG for the Personnel Board successfully argued this matter before the Colorado Supreme Court, resulting in an affirmation of the straightforward and efficient standard of review applicable to appeals from Personnel Board decisions. The Personnel Board AAG's also assisted with rulemaking related to procedures applicable to state employees in the classified system.

IV) WORKLOAD MEASURE:

WORKLOAD INDICATORS

As a result of DORA's increased use of the Expedited Settlement Program within the Division of Registrations and Division of Real Estate, cases not requiring referral for legal services have been resolved within the agency. Consequently, the cases that have been referred to the Office of the Attorney General have been more complex and contentious. Consistent with the client's expectation, AAGs have continued to aggressively file or resolve most cases within a one-year period of time. AAGs have responded to this goal without compromising their commitment to prioritize the most egregious cases and promote public protection. Additionally, the AAGs for the Division of Registrations have reduced the total number of cases pending for longer than one year without filing or resolution by 75%. Furthermore, the ongoing mortgage crisis has resulted in increased litigation surrounding the regulation of mortgage loan originators. Under HB 10-1141 enforcement authority shifted to a Board model, as well as to Department of Regulatory Agencies oversight. As has been the case for four years, substantial statutory changes to the Mortgage Loan Originator Program have required a significant amount of legal time to be allocated to the drafting and review of newly promulgated rules.

STATE SERVICES STRATEGIC PLAN 2012-2013

GOALS AND OBJECTIVES

GOAL #1: Develop and support attorneys and administrative staff who will provide quality legal services to client agencies.

Objective 1: Provide a collegial environment to develop analytical, legal and trial skills.

- Assign experienced attorneys to mentor newer attorneys on simple cases
- Pair experienced attorneys with newer attorneys on complex cases
- Conduct in-house training on procedures, litigation strategies and other legal matters that are frequently handled by the section
- Conduct regularly scheduled unit and Firsts meetings to discuss legal matters and management issues

Objective 2: Develop funding to provide additional training for attorneys and support staff.

- Contact client agencies to explore possibility of paying for Continuing Legal Education seminars for attorneys
- Contact client agencies to request funding for additional training for legal assistants
- Contact various educational institutions to discuss possibility of scholarships for seminars and classes

Objective 3: Enhance reporting of major cases

- Have First Assistants submit brief written updates of major cases or events on monthly basis.
- Submit reports to clients to supplement monthly billings

GOAL #2: Provide timely, efficient and responsive legal services in matters related to labor and employment.

Objective 1: Promote timely response to requests for petroleum leak remediation

- Contact petroleum storage tank fund applicants within 10 days of request by agency
- Process fund payment settlements within 7 business days of receiving documentation from parties.

Objective 2: Expedite the reduction of the number of employers without workers' compensation insurance

- Contact such employers within 10 days of referral
- Apply for a hearing within 20 days of contact if employers do not obtain insurance.

Objective 3: Contribute to the effective adjudication of workers' compensation and unemployment compensation proceedings

- Enhance the completion of workers' compensation and unemployment compensation proceedings by filing briefs on behalf of the Industrial Claims Appeals Office as quickly as possible.

GOAL #3: Provide timely, efficient and responsive legal services in matters related to state administration.

Objective 1: Assist in the development of fiscal policies and rules

- Review rules to ensure compliance with statute
- Provide representation and advice to the Controller's Advisory Group

Objective 2: Review and process contracts

- Assist in improving the contract process to reduce review time
- Provide more assistance in the negotiation and execution of contracts
- Provide training to state agencies regarding contracts and procurement

GOAL #4: Provide timely, efficient and responsive legal services in matters related to health care.

Objective 1: Provide legal services in relation to the Colorado Benefits Management System

- Provide legal advice to ensure the success of the System or appropriate alternatives
- Provide legal advice related to ongoing efforts to resolve the CBMS litigation, whether through continued settlement efforts or judicial resolution

Objective 2: Pursue repayment of public funds expended to provide medical benefits from estates, trusts and responsible third parties

- Maximize recovery from personal injury settlements and from liable third parties in line with number of cases referred by HCPF

Objective 3: Insure the integrity of Medicaid funds

- Defend appeals brought by Medicaid providers challenging reimbursement audits, reductions and denials
- Represent state in bankruptcy cases

Objective 4: Take appropriate action to terminate, suspend or limit HCPF and CDPHE provider agreements, certification or licensure

- Review referrals and prosecute actions to terminate Medicaid provider agreements, pursue revocation, suspension or other adverse action against health facility licenses and EMT/paramedic certifications when appropriate
- Eligibility – defending department’s final agency decisions and litigation and general legal advice surrounding the use of Medicaid trusts and eligibility. About 50 per year.
- Nursing facility rate appeals – defending department’s reimbursement methodology. About 5 last year, but expecting a very significant increase this year.
- Vital statistics/birth and death records. Providing legal advice and litigation support. Approximately 50 cases/requests for advice last year and expected this year.

Objective 5: Pursue false claims as appropriate

- Review cases to identify potential false claims
- Prosecute cases in conjunction with federal government
- Identify civil and criminal fraud and refer appropriate cases to MFCU

Objective 6: Represent Boards

- Represent and counsel the Medical Services board
- Represent and counsel the Board of Health
- Represent and counsel the Hospital Provider Fee Oversight and Advisory Board

GOAL #5: Provide timely, efficient and responsive legal services in matters related to education

Objective 1: Defend court challenges to legislation

- Defend court challenge to school financing system

Objective 2: Provide preventative legal advice to education clients to avoid costly litigation and prosecute and defend necessary lawsuits to protect the clients and the state

- Advise clients with employment and student actions
- Assist clients with contracting and enforce contract terms as necessary and defend breach of contract actions
- Advise clients on board governance and open meetings and public records issues and defend challenges to client actions

Objective 3: Help improve the quality of educational and vocational instruction

- Assist the Department of Education in policing teacher licensing by reviewing licensing statutes and rules and evaluating and prosecuting disciplinary actions where appropriate
- Assist Capital Construction Advisory Board on allocation of funding for school construction projects
- Work with the Division of Private and Occupational Schools to monitor schools offering vocational training in Colorado
- Assist the Colorado Department of Higher Education to enforce the Degree Authorization Act
- Work with the Charter School Institute to review, approve and oversee Institute Charter Schools
- Assist state boards in drafting policies and regulations
- Review the School Violence Prevention Manual and Student Discipline Manual for any needed changes and updates
- Assist public colleges and universities and state educational agencies with compliance with state and federal regulations
- Assist governing boards of public institutions of higher education with policy and governance issues

GOAL #6: Provide timely, efficient and responsive legal services in matters related to child care, child protection and treatment of the persons in the state hospital

Objective 1: Resolve all child licensing enforcement cases as expeditiously as possible while assuring that children are safe

- Review all referrals to determine appropriate action
- Draft summary suspension orders within 72 hours from the time that the matter is referred

- Prepare notice of charges in non-emergency cases with 30 days after matter is referred
- Prosecute effectively where revocation or other licensing action is appropriate

Objective 2: Advise and defend state hospital

- Continue to assist state hospital in development of policies and procedures to ensure quality care
- Defend civil court challenges to policies and procedures
- Assist hospital with record requests
- Provide legal advice as needed

Objective 3: Prosecute child abuse cases in a timely fashion

- Attempt to resolve most requests without hearing
- Assist in continuously improving the process for fair hearings
- Prosecute persons found responsible for child abuse or neglect

Objective 4: Provide legal services and advice to the various divisions within the Department of Human Services

- Respond and draft legal opinion memos as requested
- File petitions and provide legal representation to the Division of Youth Corrections
- Prosecute administrative court cases for the Division of Vocational Rehabilitation and Division of Behavioral Health
- Advise the Board of Human Services, the Juvenile Parole Board, and other Boards and Committees of the Department
- Advise the Department on Open Records Act requests
- Respond to subpoenas for records and protect confidential and privileged information
- Defend or Represent the Department in civil district court non-Tort cases

Objective 5: Support state child support enforcement

- Defend state automated remedies
- Challenge district court jurisdiction over state remedies when necessary

GOAL #7: Provide timely, efficient and responsive legal services to statewide elected officials

Objective 1: Provide legal services to the Secretary of State

- Represent the Secretary in legal challenges to the Campaign and Political Finance Amendment, the Initiative Code and the Election Code
- Defend the Secretary in ongoing legal challenges to the State's voter registration laws and practices
- Assist the Secretary in prosecuting violations of notary and bingo raffle statutes
- Assist the Secretary's preparation for the 2012 general election
- Defend challenges to Title Board action

Objective 2: Provide legal services to the Governor

- Provide assistance in the Governor's efforts to coordinate state and federal immigration policies

Objective 3: Provide legal services to the State Treasurer

- Provide assistance and advice with regard to property tax deferrals
- Provide assistance and advice with regard to unclaimed property
- Ensure that persons who make claims under the escheat and unclaimed property statutes are entitled to receive the requested funds.

GOAL #8: Provide timely, efficient and responsive legal services to the Public Utilities Commission.

Objective 1: Act as counselor to the Commission

- Provide on-going legal assistance to the Commission on all pending matters

Objective 2: Represent the Commission in court proceedings.

**NATURAL RESOURCES & ENVIRONMENT SECTION
STRATEGIC PLAN
FY 2012-13**

GENERAL

GOAL #1: Protect and Defend Environmental and Natural Resource Interests of the State of Colorado and its Citizens.

- Objective 1: Provide high quality, timely, and effective legal representation to the Governor and the Departments of Natural Resources (DNR), Public Health and Environment (CDPHE), and Labor and Employment on natural resources and environmental matters.
- Objective 2: Provide an educational and collegial environment for attorneys and support staff to develop their substantive knowledge of natural resource and environmental law and their legal skills.

WATER MATTERS

GOAL #2: Aggressively Safeguard the State's Interests in all Interstate Compacts and Equitable Apportionment Decrees for Interstate Rivers.

- Objective 1: Vigorously represent State interests in all pending interstate litigation to which Colorado is a party.
- Objective 2: Develop an appropriate process to resolve or avoid future controversies between Kansas and Colorado regarding the Arkansas River Compact.
- Objective 3: Analyze developments on the Rio Grande River and act to protect Colorado's compact entitlements.
- Objective 4: Work with the State and Division Engineers to resolve issues with New Mexico concerning implementation of the Costilla Creek Compact.
- Objective 5: Prepare to defend Colorado against any future litigation by Nebraska over the South Platte Compact.
- Objective 6: Work with the Republican River Water Conservation District to assure Colorado's future compliance with the Settlement Agreement reached on the Republican River.
- Objective 7: Prepare to defend Colorado against any future litigation by Nebraska or Kansas over the Republican River Compact.

GOAL #3: Proactively Represent the State on all Matters Relating to the Colorado River.

- Objective 1: Counsel and represent the Governor, the Colorado River Commissioner, the DNR Executive Director, and the Colorado Water Conservation Board (CWCB) on existing and potential

litigation over the Colorado River and the Colorado River Compact.

- Objective 2: Prepare an electronic indexed and searchable library of Colorado River information, documents, research, correspondence, legislative history, legal research, and other material relevant to possible interstate litigation over the Colorado River Compact and the Law of the Colorado River.
- Objective 3: Support Colorado's interests in ongoing interstate negotiations regarding the administration and operation of the Colorado River.
- Objective 4: Represent Colorado's interests on the legal committee of the Upper Colorado River Compact Commission.
- Objective 5: Advise the State Engineer on intrastate administration and operation of Colorado water rights subject to the Colorado River Compact, including the promulgation of rules.

Goal #4: Work With the Department of Natural Resources, the State Engineer, and the Colorado Water Conservation Board to Anticipate and Address the Major Legal Battles Concerning Water Supplies Needed for Colorado's Existing Uses and Growth.

- Objective 1: Provide quality legal representation to the State of Colorado in approximately 1,000 active water cases.
- Objective 2: Advise CWCB regarding acquisitions, financial grants and loan contracts and TABOR restrictions.
- Objective 3: Work with the State Engineer to support efforts to develop and implement policies and rules that resolve current conflicts between well users and surface water users.
- Objective 4: Support efforts to maintain the independent authority of the State Engineer's Office in litigation concerning water rights.
- Objective 5: Support efforts to maintain the independence and protect the interests of the water users, such as the CWCB, the Division of Wildlife and Department of Parks and Outdoor Recreation, from the State Engineer's Office in litigation concerning water rights.
- Objective 6: Provide legal advice to the Interbasin Compact Committee.
- Objective 7: Work with the State Engineer to proactively address questions regarding the State Engineer's administration of water rights, and attempt to resolve such questions in cooperative manner without resort to litigation.
- Objective 8: Assist the State Engineer in reviewing State Engineer policies to ensure effective, efficient, and consistent administration of water rights across Colorado.

Objective 9: Work with the Colorado Water Conservation Board to draft and promulgate new rules for weather modification programs as required by statute.

GOAL #5: Work with the Department of Natural Resources, the Division of Wildlife and the Division of Parks and Outdoor Recreation to Address the Water Needs of these Agencies.

Objective 1: File for and obtain water rights necessary to support State Parks and State Wildlife areas.

Objective 2: Provide legal advice and representation to protect existing water rights for current State Parks and Wildlife Areas by helping the agency establish a data base to determine its existing water rights, the rights needing protecting and the rights needing diligence.

Objective 3: Continue to assist Department of Parks to assess future water needs for Parks resources by helping the agency establish a data base for its existing parks that need new water rights or an expansion of its existing rights.

GOAL #6: Help Resolve Indian Reserved Rights Issues in Southwestern Colorado Related to the Animas-La Plata Project.

Objective 1: Resolve issues pending after the State's recent victory in District Court regarding the construction and operation of the Animas-La Plata Project.

Objective 2: Work with the parties to Indian reserved rights litigation and settlement to complete implementation of settlement.

GOAL #7: Resolve Claims for Federal Reserved Rights and Federal Appropriative Rights of the U.S. Forest Service and Bureau of Land Management.

Objective 1: Vigorously pursue final decrees in outstanding cases to finally decree federal rights or have those rights denied.

Objective 2: Cooperate with water users, interested parties and federal agencies to resolve issues regarding potential claims for federal reserved rights for future Wild and Scenic River designations in the Colorado Basin to assure protection of existing water rights and future development, where appropriate.

GOAL #8: Work With the Department of Natural Resources to Protect Colorado's Interests in Endangered Species Recovery Efforts.

Objective 1: Support the DNR in its work with state and federal agencies, together with interested water users, to implement species recovery efforts in the Colorado, Platte, and Rio Grande River Basins.

ENVIRONMENTAL MATTERS

GOAL #9: Facilitate Timely and Effective Cleanup of Contaminated Sites, and Help Create Opportunities at Those Sites for Future Land Uses that Protect and Enhance Colorado's Quality of Life.

- Objective 1: Support state efforts to expedite an effective cleanup and delisting of the remaining California Gulch Site Operable Units in Leadville and Lake County.
- Objective 2: Resolve the State's claims against Asarco for response costs and natural resource damages at the California Gulch Site, and other sites in Colorado for which Asarco has responsibility in the pending bankruptcy action.
- Objective 3: Assist CDPHE in updating the 1988 Remedial Action Plan to reflect progress made at the Cotter Mill/Lincoln Park CERCLA site and detail future remediation requirements.
- Objective 4: Work with CDPHE and EPA to develop and implement effective, community-supported remedies at the listed Standard Mine (Crested Butte), Nelson Tunnel (Creede), and Captain Jack Superfund sites.
- Objective 5: Negotiate an agreement on behalf of CDPHE for additional remedial work at the Eagle Mine Superfund site to reduce metals loading in the Eagle River and meet newly promulgated water quality standards.
- Objective 6: Finalize settlement documents with parties paying damages for injuries to the State's natural resources at the Lowry Landfill and continue evaluation of sites where natural resources may have been injured, on behalf of the State's Natural Resources Trustees.
- Objective 7: Work with CDPHE, Idarado, and the Town of Telluride to improve the remedy for mine tailings on the Telluride Valley Floor and draft an environmental covenant to ensure protection of human health and the environment.
- Objective 8: Maintain and enhance strong working relationships with federal, state and local authorities in implementing the CERCLA program.
- Objective 9: Coordinate CDPHE/EPA remedial action at the Clear Creek/Central City Superfund Site with CDOT's Highway 119 Corridor Rebuilding Project and jointly implement CERCLA and major road improvement projects quickly and cost effectively.
- Objective 10: Participate in settlement negotiations with insurers of the Standard Metals Company, a liable party under CERCLA for cleanup costs and natural resource damages at multiple sites in Colorado.

GOAL #10: Aggressively Pursue Cleanup and Reuse of Contaminated Federal Facilities.

- Objective 1: Support efforts of State Natural Resource Trustees, in consultation with affected local governments and the public to select and fund appropriate restoration projects to mitigate natural resource damages at the Rocky Mountain Arsenal Site.
- Objective 2: Work with other states and federal natural resources trustees, citizens and affected local governments to implement approved restoration projects for injured natural resources at Rocky Flats.
- Objective 3: Work with CDPHE, U.S. Department of Energy and U.S. Environmental Protection Agency (EPA) to provide regulatory oversight and to ensure effective implementation of the Rocky Flats Legacy Management Agreement.
- Objective 4: Work with CDPHE to evaluate, enforce, implement, and accelerate cleanup at numerous current and former federal facilities, including the Pueblo Chemical Depot, the Air Force Academy, the Lowry Bombing and Gunnery Range, Buckley Field, Lowry Air Force Base, Fitzsimons Army Hospital, the Denver Federal Center, and other “formerly used defense sites” and closing military bases.
- Objective 5: Work with the National Association of Attorneys General (NAAG), the Governor, CDPHE, and Colorado’s Congressional delegation to lobby for legislation clearly establishing the Comprehensive Environmental, Response, Compensation and Liability Act of 1980 sovereign immunity waiver.
- Objective 6: Work with NAAG, the Governor, CDPHE, and Colorado’s congressional delegation to lobby for adequate funding for cleanup of federal facilities, particularly U.S. Department of Energy and U.S. Department of Defense facilities.
- Objective 7: Work with CDPHE to force acceleration of the chemical weapons treatment program at Pueblo Chemical Depot through litigation or settlement of the State’s Hazardous Waste Act enforcement suit.

GOAL #11: Protect Colorado’s Citizens and Lands from Dangers of Mismanaged Hazardous and Solid Wastes.

- Objective 1: Assist the Hazardous Materials and Waste Management Division (HMWMD) in continuing to implement an innovative and effective hazardous waste management and enforcement program.
- Objective 2: Continue working with HMWMD to develop and implement a model solid waste management and enforcement program, including implementation of recently enhanced solid waste administrative order enforcement authority.
- Objective 3: Counsel HMWMD in efforts to clarify and strengthen state solid waste statutes and regulations, especially regarding unique solid waste streams targeted by the Legislature, including brine wastes, used tires and used food-grade grease.

- Objective 4: Continue to assist CDPHE's efforts to remediate innumerable dry cleaner sites contaminated with perchloroethelene, and seek an overarching solution to the problem of under-capitalized drycleaners unable to pay for remediation.
- Objective 5: Assist CDPHE's expansion of pharmaceutical take-back programs beyond the current pilot-scale program.

Goal # 12: Assist in Promulgation and Implementation of Environmental Programs to Protect Colorado's Air and Water.

- Objective 1: Assist the Air Pollution Control Division (APCD), Water Quality Control Division (WQCD), and the Radiation Management Program to require compliance with environmental laws.
- Objective 2: Aggressively prosecute people and companies who break the environmental laws.
- Objective 3: Assist CDPHE in developing educational programs to teach Colorado's citizens and industry about the dangers of uncontrolled pollution and how to actively protect the environmental quality of Colorado.
- Objective 4: Assist the Air Quality Control Commission (AQCC) and CDPHE in implementing changes in the Automobile Inspection and Readjustment Program, including increased motorist convenience through greater remote sensing. [and renumber remaining objectives]
- Objective 5: Assist the APCD and AQCC in protecting visibility in National Parks and other "class I" areas, by moving forward towards installation of "Best Available Retrofit" and "Reasonable Progress" Technology at specified sources, pursuant to Colorado's Regional Haze State Implementation Plan (SIP).
- Objective 6: Assist the AQCC and AQCD in implementing new national ambient air quality standards, including the new federal ozone standard.
- Objective 7: Work with the APCD and AQCC to implement the 2008 Ozone Action Plan, and to develop, adopt and implement new Ozone Action Plans to maintain compliance with the 2008 ozone standard and attain the anticipated 2011 ozone standard.
- Objective 8: Assist the WQCC and WQCD in developing a general permit for application of pesticides.

- Objective 9: Work with Colorado’s Congressional delegation and other interested parties seeking to obtain “Good Samaritan” legislation for the cleanup of abandoned mining sites.
- Objective 10: Work with WQCD, APCD, DNR and industry on ensuring environmental protection from increased oil and gas exploration and production.
- Objective 11: Work with WQCD, APCD, DNR, federal agencies and industry to ensure that development of oil shale in Colorado is done in an economically and environmentally protective manner.
- Objective 12: Work with the APCD and AQCC and affected stakeholders to successfully implement the Colorado Clean Air – Clean Jobs Act (CACJA). Defend state agencies from lawsuits challenging the implementation of the CACJA and the Regional Haze SIP.
- Objective 13: Work with the APCD and AQCC to clarify the emission standards for asbestos and to improve compliance with the standards through education, coordination with key stakeholders and aggressive enforcement.
- Objective 14: Assist WQCD in protecting drinking water supplies by revisiting antiquated or otherwise inappropriate disinfection waivers.
- Objective 15: Protect Colorado’s water interests by continuing to participate in litigation relating to EPA’s water transfers rule.
- Objective 16: Protect Colorado’s control over regulatory programs by resisting federal challenges to state permitting decisions.
- Objective 17: Assist CDPHE in promulgating and implementing federal requirements regarding greenhouse gas emission sources.
- Objective 18: Work with the WQCD and the Division of reclamation, Mining and safety to bring the Schwartzwalder mine into compliance with water quality requirements.
- Objective 19: Assist CDPHE in issuing and defending appropriate permits for uranium facilities.
- Objective 20: Assist CDPHE with efforts to reduce air permit backlog, including issuance of general permit for certain oil and gas operations.
- Objective 21: Assist and defend WQCD in making state water quality standard certifications pursuant to section 401 of the Clean Water Act.

NATURAL RESOURCES MATTERS

GOAL #13: Resolve Issues Regarding Oil and Gas Extraction.

- Objective 1: Defend the Colorado Oil and Gas Conservation Commission (COGCC) in various litigation pending before the Denver District Court, the Court of Appeals and the Supreme Court.
- Objective 2: Assist the COGCC in implementing regulations the COGCC promulgated to regulate oil and gas activities.
- Objective 3: Assist COGCC staff in bringing the backlog of enforcement actions before the COGCC for finding of violations.

GOAL #14: Provide Legal Advice and Representation Regarding Oil Shale Development in Colorado.

- Objective 1: Participate in federal-state team meetings regarding oil shale development in Colorado including on five research, development and demonstration projects located on federal land managed by the Bureau of Land Management.
- Objective 2: Assist the Division of Reclamation, Mining and Safety in regard to oil shale development including legal representation at administrative hearings on permit applications.

GOAL #15: Provide Legal Advice and Representation Regarding Coal, Uranium and Hard Rock Mining in Colorado.

- Objective 1: Assist the Division of Reclamation, Mining and Safety in implementing new rules and amendments the Mined Land Reclamation Board adopted to implement legislation regarding regulation of hard rock mining operations involving uranium and regarding prospecting activities.
- Objective 2: Defend the Board in judicial review litigation concerning the new rules and amendments the Board adopted to implement legislation regarding regulation of uranium mining operations and prospecting activities.
- Objective 3: Assist the Division of Reclamation, Mining and Safety in rulemaking proceedings to implement changes to the regulations concerning coal mining operations.
- Objective 4: Defend the Division in various litigation related to Hard Rock and Coal Mining currently pending before the district courts in Denver, La Plata, and Montrose counties.

GOAL #16: Assist the former Division of Parks and Outdoor Recreation and Division of Wildlife in addressing issues raised by the recent merger of the two agencies into the Division of Parks and Wildlife.

Objective 1: Work with both the newly created Board of Parks and Wildlife and the merged Division of Parks and Wildlife in developing the implementation plan required in Senate Bill 2011-208 to complete the merger and facilitate the drafting of any necessary legislation.

Objective 2: Work with the Division of Parks and Wildlife, and its new Director, to ensure that the merging of the functions and responsibilities of the two former agencies under Senate Bill 2011-208 is accomplished in a manner that protects dedicated parks and wildlife funding sources and avoids any diversions of dedicated funds to unauthorized purposes.

GOAL #17: Assist the Division of Parks and Wildlife in preserving and managing park and outdoor recreation resources in Colorado.

Objective 1: Work with the Division of Parks and Wildlife to address its significant budget shortfalls, including a further proposed reduction in general fund support for park management in a legal and thoughtful manner and that otherwise avoids unwarranted impacts to the recreating public in Colorado.

Objective 2: Work with the Division of Parks and Wildlife in managing all state parks and recreation areas and in developing and adopting regulatory programs in a manner that provides the widest possible variety of park and outdoor recreation opportunities in Colorado for its residents and visitors.

GOAL #18: Assist the Division of Parks and Wildlife in preserving and managing wildlife and wildlife related recreational resources in Colorado.

Objective 1: Work with the Division of Parks and Wildlife to address the significant threats to wildlife resources and the decrease in public hunting opportunities caused by residential and oil and gas development throughout Colorado.

Objective 2: Work with the Division of Parks and Wildlife in developing and adopting regulatory programs to protect wildlife resources, including threatened and endangered species, and continuing to provide a wide variety of wildlife-related recreational opportunities in Colorado for its residents and visitors.

Objective 3: Work with the Division of Parks and Wildlife in its continuing efforts to protect valuable wildlife habitat by acquiring real property interests, including both fee title and conservation easements, throughout Colorado.

Objective 4: Work with the Division of Parks and Wildlife in responding to the recently announced state financial audit of accounting issues leading to an apparent over expenditure of moneys from the reserve account in the Wildlife Cash fund.

GOAL #19: Assist the State Board of Land Commissioners in maximizing revenues from and in protecting State Trust Lands.

Objective 1: Assist the State Land Board in its ongoing management of trust lands, including the sale, exchange and lease of such lands and minerals, and in producing reasonable and consistent revenues for support of public education in Colorado, and the designated beneficiaries of the various inter-generational trusts and portfolios managed by the Board.

Objective 2: Assist the State Land Board in protecting trust assets, including the fee title and mineral interests granted by the United States to Colorado and held in trust by the State Land Board, for the designated beneficiaries of the various inter-generational trusts and portfolios managed by the Board.

Objective 3: Assist the State Land Board implement its revised strategic plan.

Objective 4: Assist the State Land Board in its comprehensive review and revision of its policies and administrative procedures.

Objective 5: Assist the State Land Board develop and implement a comprehensive management strategy for the Lowry Range property.

Objective 6: Assist the State Land Board develop and implement a comprehensive management plan to promote stewardship of natural values on Stewardship Trust lands in compliance with its trust obligations, including developing best management practices for oil and gas development on Stewardship Trust lands.

Strategic Plan FY 12-13

Civil Litigation and Employment

Department of Law

GOAL: Develop and maintain a successful and well-regarded litigation section that aggressively and effectively represents the state, state agencies, state employees, and state officials in administrative, state, and federal court cases and that is available to assist other sections in complex litigation.

Objective 1: Provide aggressive and effective legal representation to state agencies and employees.

- Win cases/hearings/claims on behalf of client agencies and employees.
- Settle cases favorably for the state where appropriate.
- Maintain high levels of satisfied clients.

Performance Measure	Unit	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Win cases/hearings/claims on behalf of client agencies:	Corrections (successful dispositive motions, hearings, trials, appeals, and Rule 106 appeals)	299/434	254/387	300	300
	Employment Personnel and Civil Rights (successful personnel motions, petitions, hearings, and appeals)	62/76	56/74	60	60
	Employment Personnel and Civil Rights (successful civil rights and special funds motions, hearings, and appeals)	6/9	2/2	3	3
	Employment Tort (successful dispositive motions, trials, and appeals)	227/303 claims	301/373 claims	300	300
	Tort Litigation (successful dispositive motions, trials, and appeals)	63/76	57/62	60	60
	Transportation (successful dispositive motions, hearings, trials, and appeals)	5/6	4/7	5	5

Performance Measure	Unit	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Minimize financial risk to state agencies through effective representation and appropriate settlements.	Corrections (settled cases only)	Saved \$2,778,000	Saved \$1,695,500	\$2,000,000	\$2,000,000
	Employment Personnel and Civil Rights		Saved \$5,106,381	\$5,000,000	\$5,000,000
	Employment Tort	Saved \$2,524,000	Saved \$3,872,614	\$3,000,000	\$3,000,000
	Tort Litigation	Saved \$11,502,975	Saved \$22,445,736	\$15,000,000	\$15,000,000
	Transportation (condemnation and construction cases only)	Saved \$3,445,100	Saved \$5,123,000	\$3,500,000	\$3,500,000

Performance Measure	Unit	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Percentage of the attorney ratings by client agencies that fall in the "Satisfied" and "Very Satisfied" categories.	Corrections	NA	91.67%	100%	100%
	Employment Personnel and Civil Rights	NA	100%	100%	100%
	Employment Tort	NA	100%	100%	100%
	Tort Litigation	NA	98.27%	100%	100%
	Transportation	NA	82.61%	100%	100%

GOAL: Reduce expenditures by state agencies on litigation costs and awards by training state agencies on state and federal statutes and rules, and how to prevent litigation.

Performance Measure	Unit	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Number of training sessions offered by unit during year.	Corrections	5	4	4	4
	Employment Personnel and Civil Rights	10	20	12	12
	Employment Tort	15	19	12	12
	Tort Litigation	4	2	4	4
	Transportation	6	6	6	6

GOAL: Represent the Attorney General in matters of statewide interest concerning civil litigation.

Objective 1: Represent the Attorney General on committees to consider legislation or revisions relating to governmental immunity, civil damages, court procedures, and other areas that impact civil litigation.

Objective 2: Participate in associations of attorneys addressing procedural and substantive issues regarding civil litigation.

- The Deputy is a member of the Defense Research Institute, a national civil litigation defense organization that disseminates information and holds conference on civil litigation issues from a defense perspective.
- The Deputy and one First Assistant are members of the Colorado Defense Lawyers Association, a state-wide group that disseminates information and holds conferences on civil litigation issues from a defense perspective.
- The Deputy and several attorneys are members of the Faculty of Federal Advocates, a state-wide group of attorneys that practice in federal court and holds seminars on District of Colorado rules and procedures.
- The First Assistant of the Corrections Unit shares information and case citations with attorneys from other jurisdictions via email, either directly or upon request from NAAG.

**CRIMINAL JUSTICE DIVISION
STRATEGIC PLAN
FY2012-13**

Colorado statutes provide that the Attorney General's Office has criminal jurisdiction to: 1) Represent the state on appeals of all felony convictions, 2) To pursue trial level prosecutions of certain offenses, 3) To oversee certification and training of peace officers, and 4) Provide victim services for Department of Law cases. We also provide all legal counsel for the Department of Public Safety, Colorado Bureau of Investigation, Colorado State Patrol, Department of Criminal Justice, and the newly formed Office of Preparedness, Security, and Fire Safety.

Special Prosecution Unit: This unit has six areas of prosecution: Environmental Crimes, Complex Crimes, Gang Prosecutions, Worker's Compensation Fraud, Foreign Prosecutions (murder fugitives in Mexico), and the Homicide Assistance Team (HAT). In addition to assisting in the prosecution of cases determined by the District Attorney to warrant filing of the death penalty, HAT also provides investigative assistance concerning aggravated homicides and cold case homicides throughout the state.

Securities and Insurance Fraud Unit: This unit was recently consolidated to improve prosecution efficiency. The two areas of fraud prosecution are: Securities Fraud and Insurance Fraud.

Medicaid Fraud Control Unit: The State of Colorado spends \$1.9 billion a year on its Medicaid program serving over 292,000 recipients. This Unit investigates: 1) Providers who fraudulently divert Medicaid Funds, and 2) Allegations of patient abuse (physical, sexual, and financial) in which the victims are Medicaid recipients. **The Medicaid Unit secured a grant to educate and train service law enforcement/ prosecutors regarding elder abuse investigations and prosecutions.**

Victim Services: It is often a complex and drawn out process as a criminal prosecution works its way through the justice system. Victims of serious crimes have a real need to know what is happening with their cases and when it will be over. The Attorney General Victim Service Coordinator assists over 1200 victims of felonies each year. The Coordinator also works with the other victim services providers to insure the best services possible at every step of the proceedings.

P.O.S.T. Board and Staff: The Peace Officers' Standards and Training Board is responsible for: 1) Basic officer training and certification standards and tests, 2) Inspections of the 40 academies, 3) Review and updates of the course curriculums, and 4) Revocation and denial of individual officer certification.

Department of Public Safety: Department of Public Safety includes the State Patrol, Colorado Bureau of Investigation and other state agencies. One designated attorney provides legal services to the 1300 employees of the Department of Public Safety. This work includes everything from rulemaking and contract review to counsel on discipline or termination of employees.

**APPELLATE DIVISION
STRATEGIC PLAN
FY 2012-2013**

The attorneys in the Appellate Division of the Attorney General's Office are Colorado's prosecutors at the appellate level of the criminal justice system. They represent law enforcement when defendants appeal criminal convictions to the Colorado Court of Appeals. In addition, they represent the interests of the state in habeas corpus actions in the federal courts, in extradition appeals, and in selected civil appeals (such as property and bond forfeiture actions).

The overwhelming majority of these trial convictions are obtained by the 22 offices of the state's District Attorneys. Some 1500 Deputy District Attorneys do the felony and misdemeanor trial work for these offices; a very conservative estimate is that at least half of those attorneys (750) do felony trial work.

The Division responds to appeals that are brought on behalf of convicted criminals and therefore cannot control the size of its caseload. It must provide effective and ethical representation in every case. These cases range from relatively simple challenges to trial court denials of postconviction motions or the amount of restitution imposed; to more complicated questions of complicitor liability, equal protection, double jeopardy, and whether state and federal constitutions offer the same or different protections. While a majority of the cases directly impact only the defendant and the victims, any given case may have a staggering impact on how law enforcement authorities conduct searches and arrests, on criminal trials and sentencing hearings throughout the state, on the state's Department of Corrections, and on probation, parole, and county Community Corrections programs.

In FY 2011, Appellate Division attorneys filed 1021 briefs. On some appeals, the attorney must also argue the case before an appellate court; appellate attorneys did 117 such arguments in FY 2011. In most instances, to prepare the attorney handling the case for argument, panels of three or more Division attorneys review the briefs and serve as judges in a mock argument.

Goal: Maintain the continued imprisonment of Colorado's most serious offenders and beneficially affect the future of the law governing enforcement efforts in this state.

Objectives:

- 1: Hire and retain the best lawyers possible to write and argue criminal appeals
2. Assign the most effective appellate advocates to those cases involving either the most serious offenders or the greatest potential for changing the law in the state.

3. Provide adequate and ongoing training to lawyers on brief-writing, oral advocacy, and substantive and procedural matters.
4. Exercise good judgment in determining and in advising the District Attorneys about the cases on which further review should be sought.
5. Maintain at least an 85% success rate in upholding convictions/sentences (win/loss percentage for FY 2011 was 90%).

Goal: Improve the effectiveness and timeliness of our response to an unpredictable, reactive caseload

Objectives:

1. Review and continue to revise internal procedures for increasing effectiveness through case assignments and specialization.
2. Keep pace with incoming cases to the extent possible.
3. Work toward reducing the backlog of pending cases to the extent possible.
4. Continue to develop and maintain resource banks of information for appellate attorneys.
5. Develop and maintain a standards of review outline to facilitate compliance with Colorado Appellate Rule 28.
6. Continue to work with the courts to develop a long-term plan for effectively and timely dealing with our backlog and with the huge number of new cases we are receiving annually.
7. Develop a decision item and an effective political/legislative strategy for obtaining the substantial attorney and support staff resources needed to address this problem.

Goal: Maintain our service to the people of the state of Colorado, as represented most directly by the elected District Attorneys and by the victims of crime.

Objectives:

1. Provide ongoing, up-to-the-minute compilations of new case law to Appellate and Criminal Justice staff in the AG's Office, and to the various District Attorneys' Offices.

2. Attend CDAC meetings to advise the District Attorneys on case law developments and to network with the District Attorneys on common problems and issues on which we might be of assistance to each other.
3. Continue participation in CDAC committees and Supreme Court committees.
4. Develop presentations and accompanying materials on timely topics for presentation at the annual Colorado District Attorneys Council Training conference, and at other CDAC training sessions as requested.
5. Respond to requests for assistance in the areas of criminal law and procedure, constitutional law, and appellate practice. (Such questions may come from the Office of the Attorney General, District Attorneys, Colorado General Assembly, and other state entities.) Answers may take the form of written advice, including formal and informal Attorney General Opinions.
6. Conduct reviews of legislation (which includes research into legislative history as well as research into the ramifications of proposed legislation), and provide other assistance on legal matters as requested by the Attorney General, Chief Deputy Attorney General, Solicitor General, Deputy Attorney General, or Deputy Solicitor General.
7. Maintain relationships with, and responsiveness to, victims of crime through the victim services coordinator.

Goal: Improve our relationships with the state and federal courts.

Objective:

Meet with representatives of the state and federal courts and the public defender's office as necessary to foster a good working relationship among our offices, and to assess the needs of the system and the strengths and weaknesses in our performance before those courts.

Goal: Further the sense of professionalism between earnest adversaries (i.e. prosecutors and criminal defense counsel).

Objectives:

1. Continue Appellate participation in Supreme Court committee work (there are currently Appellate Division representatives on the Appellate Rules Committee, the Criminal Rules Committee, and the Rules of Evidence Committee).
2. Continue Appellate Division participation in the Colorado Bar Association Appellate Practice Subcommittee (an Appellate Division First Assistant Attorney General currently chairs that committee).

**CONSUMER PROTECTION SECTION
STRATEGIC PLAN
FY 2012-13**

The Consumer Protection Section is comprised of four organizational units. Each Unit has the primary mission of protecting Colorado consumers and legitimate businesses. Each Unit has separate and distinct statutory authority to carry out their respective consumer protection goals and objectives.

Uniform Consumer Credit Code/Collection Agency Board Unit

Consumer Credit

The Consumer Credit group enforces the state's consumer credit and lending laws – the Colorado Uniform Consumer Credit Code (“UCCC”). The UCCC protects the rights of consumers who borrow money, establishes reasonable limits on interest rates and fees, fosters fair competition among lenders, and promotes an adequate supply of credit. The Unit licenses and examines lenders who make high-rate loans – defined as loans with an annual percentage rate of more than 12%. The Unit also licenses deferred deposit or “pay-day” lenders. Finally the Unit enforces the Colorado Equity Protection Act, which prohibits certain terms and conditions in high-cost loans.

Debt Collection

The Collection Agency Board enforces Colorado's collection agency laws (Colorado Fair Debt Collection Practices Act). The law protects business clients who place accounts for collection and establishes protections for consumers who are contacted by collection agencies. This ensures that all collection agencies act in compliance with the law and there is no unfair competition. The CAB Unit licenses collection agencies, investigates complaints of unlawful activity, and takes administrative discipline against agencies that violate the law.

Debt Management Companies

Beginning in January 2008, the Unit will regulate debt management companies. A “debt management” company provides services as an intermediary between an individual and one or more creditors of the individual for the purpose of obtaining concessions from those creditors. Services may also include, for a fee, the provision of a settlement plan to allow a debtor make periodic payments to retire debt. Debt management companies will need to be registered and must post a bond before engaging in business in Colorado under the new law.

Consumer Fraud Unit

The Unit investigates and prosecutes violations of the Colorado Consumer Protection Act, the Colorado Charitable Solicitations Act, the Colorado No-Call List Act, and other

consumer and business protection statutes. The Attorney General shares jurisdiction with the local district attorneys of the State over many of these violations. The Unit also participates in a broad range of multi-state initiatives, and joint activities with federal enforcement agencies. The Unit engages in extensive consumer outreach and educational efforts for the citizens of Colorado, including outreach efforts that are specifically targeted to reach Colorado's senior citizens.

Antitrust, Tobacco and Consumer Protection Unit

The Unit investigates and prosecutes violations of the Colorado Antitrust Act of 1992 and the federal Sherman and Clayton antitrust acts. The Attorney General has exclusive jurisdiction over civil and criminal enforcement actions under the Colorado Antitrust Act. The Unit also participates in a broad range of multistate antitrust initiatives, and joint activities with other State Attorneys General and federal law enforcement agencies.

The Unit is responsible for the enforcement and defense of the state's Tobacco Master Settlement Agreement ("MSA") and the Smokeless Tobacco Master Settlement Agreement ("STMSA"). The MSA requires the nation's leading tobacco manufacturers to comply with extensive injunctive relief and to pay approximately \$2.8 billion dollars to Colorado over the next 25 years. The Unit is responsible for enforcing the tobacco companies' compliance with the payment and other obligations of the MSA and is responsible for making sure that certain statutory schemes implemented in furtherance of the MSA are implemented and vigorously enforced.

Finally, the Unit also has new and greatly expanded jurisdiction to enforce violations of article 61 of Title 12 relating to mortgage brokers and enforces the Colorado Foreclosure Protection Act.

Office of Consumer Counsel Unit

This Unit provides full legal services to the Office of Consumer Counsel, a type 1 agency within the Colorado Department of Regulatory Agencies, and the Utility Consumers' Board. By statute, the OCC is charged with representing the public interest and specific interests of residential, small business, and agricultural consumers in proceedings before the Colorado Public Utilities Commission (PUC). Such advocacy most often involves matters relating to proposed changes in electric, gas, and telephone utility rates and services. See Legal Services to State Agencies for Program Summary.

The Consumer Protection Section is comprised of thirty-four FTE working in three organizational units. Each Unit has the primary mission of protecting Colorado consumers and legitimate businesses. Each Unit has separate and distinct statutory authority to carry out their respective consumer protection goals and objectives.

Colorado Department of Law

FY 2011-12 Budget Request

SCHEDULE 2 - PROGRAM SUMMARY

	Actual FY10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Administration	3,510,059	36.6	3,669,726	38.5	9,112,183	40.7	3,824,987	40.7	10,209,122	41.7
General Fund	523,984	0.0	518,677	0.0	1,430,950	0.0	502,938	0.0	1,682,688	0.0
General Fund Exempt	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Cash Fund	-	0.0	-	0.0	615,194	0.0	-	0.0	944,042	0.0
Reappropriated Funds	2,986,075	0.0	3,151,049	0.0	6,885,090	0.0	3,297,010	0.0	7,353,031	0.0
Federal Funds	-	0.0	-	0.0	180,949	0.0	25,039	0.0	229,361	0.0
Legal Services to State Agencies	24,532,997	212.7	25,240,327	218.0	24,954,127	237.8	28,381,508	237.8	25,628,560	238.3
General Fund	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
General Fund Exempt	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Cash Fund	1,659,140	0.0	1,582,388	0.0	1,659,140	0.0	1,659,140	0.0	1,671,962	0.0
Reappropriated Funds	22,873,857	0.0	23,657,939	0.0	23,294,987	0.0	26,722,368	0.0	23,956,598	0.0
Federal Funds	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Criminal Justice and Appellate	10,065,566	81.7	11,062,461	84.5	10,400,997	89.5	11,556,558	89.5	10,580,067	89.5
General Fund	4,690,282	0.0	5,054,115	0.0	4,071,602	0.0	4,728,796	0.0	4,084,116	0.0
General Fund Exempt	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Cash Fund	2,544,217	0.0	3,713,847	0.0	3,758,442	0.0	4,005,446	0.0	3,776,970	0.0
Reappropriated Funds	1,628,917	0.0	917,910	0.0	1,251,691	0.0	1,347,144	0.0	1,377,924	0.0
Federal Funds	1,202,150	0.0	1,376,588	0.0	1,319,262	0.0	1,475,172	0.0	1,341,057	0.0
Water and Natural Resources	1,785,137	12.2	1,691,208	11.9	2,389,673	12.0	2,528,590	12.0	2,337,818	12.0
General Fund	884,424	0.0	570,211	0.0	502,159	0.0	603,462	0.0	513,883	0.0
General Fund Exempt	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Cash Fund	384,582	0.0	354,516	0.0	890,920	0.0	890,919	0.0	895,198	0.0
Reappropriated Funds	516,131	0.0	766,481	0.0	996,594	0.0	1,034,209	0.0	928,738	0.0
Federal Funds	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Consumer Protection	3,741,564	36.8	3,973,212	37.7	3,447,795	39.0	4,013,132	39.0	4,165,057	46.0
General Fund	973,361	0.0	1,088,018	0.0	908,598	0.0	1,078,113	0.0	928,104	0.0
General Fund Exempt	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0

SCHEDULE 2 - PROGRAM SUMMARY

	Actual FY10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Cash Fund	2,463,952	0.0	2,579,882	0.0	2,263,054	0.0	2,631,245	0.0	2,956,298	0.0
Reappropriated Funds	304,251	0.0	305,312	0.0	276,143	0.0	303,774	0.0	280,655	0.0
Federal Funds	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Special Purpose	2,780,285	0.0	4,035,881	0.0	4,734,347	0.0	4,734,347	0.0	3,911,368	0.0
General Fund	2,099,564	0.0	2,263,229	0.0	2,479,796	0.0	2,479,796	0.0	2,656,368	0.0
General Fund Exempt	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Cash Fund	680,720	0.0	1,235,079	0.0	1,205,000	0.0	1,205,000	0.0	1,205,000	0.0
Reappropriated Funds	-	0.0	537,573	0.0	1,049,551	0.0	1,049,551	0.0	50,000	0.0
Federal Funds	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
GRAND TOTAL Department of Law	46,415,608	380.0	49,672,814	390.6	55,039,122	419.0	55,039,122	419.0	56,831,994	427.5
General Fund	9,171,615	0.0	9,494,250	0.0	9,393,105	0.0	9,393,105	0.0	9,865,160	0.0
General Fund Exempt	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Cash Funds	7,732,611	0.0	9,465,711	0.0	10,391,750	0.0	10,391,750	0.0	11,449,470	0.0
Reappropriated Funds	28,309,231	0.0	29,336,265	0.0	33,754,056	0.0	33,754,056	0.0	33,946,946	0.0
Federal Funds	1,202,150	0.0	1,376,588	0.0	1,500,211	0.0	1,500,211	0.0	1,570,418	0.0

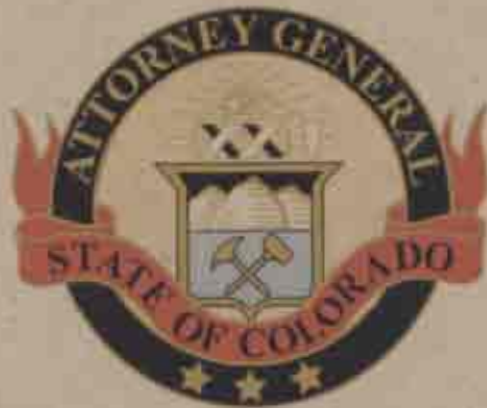
55,039,122

Roll Forwards

Colorado River RF	75,498
Lobato RF	617,051
Total	692,549

FY 12-13 Schedule 5

Line Item to Statute



**Colorado Department of Law
FY 2011-12 Budget Request
Schedule 5: Line Item to Statute**

(1) Administration

Line Item Name	Line Item Description	Statutory Citation
(A) Personal Services	The Administration's primary functions are Fiscal/Accounting, Human Resources, Information Technology, Legal Support Services and the Office of the Attorney General.	24-31-101 & 102 C.R.S. (1988)
(B) Health, Life, and Dental	This appropriation covers the cost of the State's share of the employee's health, life and dental insurance.	24-50-609, C.R.S. (2007)
(C) Short-term Disability	This funds insurance coverage available for all employees and paid by the State based on payroll that provides partial payment of an employee's salary if that individual becomes disabled and cannot perform his or her work duties.	24-51-701, C.R.S. (2007)
(D) SB 04-257 Amortization Equalization	This appropriation reflects an increase to the effective PERA contribution rates beginning January 1, 2006 to bring the Department into compliance with 24-51-211 C.R.S. (2007).	24-51-411, C.R.S. (2007) Amortization equalization disbursement - repeal
(E) SB 06-235 Supplemental Amortization	This appropriation reflects an increase to the effective PERA contribution rates beginning January 1, 2006 to bring the Department into compliance with 24-51-211 C.R.S. (2007).	24-51-101(25)(b), C.R.S. (2006) Supplemental Amortization Equalization Disbursement
(F) Salary Survey for Classified Employees	This appropriation funds for Salary Survey which is equal to the recommended base salary increase for State Employees. The percentage increase is relational to private sector salary growth for similar position/occupational groups.	24-50-104(4)(c), C.R.S. (2007)
(G) Salary Survey for Exempt Employees	This appropriation funds for Salary Survey study which was done by Fox Lawson & Associates for the Department exempt employees. The percentage increase is relational to comparable pay ranges at seventeen city and county attorney offices along the Front Range.	24-50-104(4)(c), C.R.S. (2007)

**Colorado Department of Law
FY 2011-12 Budget Request
Schedule 5: Line Item to Statute**

(1) Administration (Continue)

Line Item Name	Line Item Description	Statutory Citation
(H) Performance-based Pay Awards for Classified Employees	This funds the Total Compensation Survey includes recommendations on Performance-based Pay.	24-50-104(1)(c), C.R.S. (2007)
(I) Performance-based Pay Awards for Exempt Employees	This funds the annual salary survey conducted by Fox Lawson & Associates for exempt employees.	24-50-104(4)(c), C.R.S. (2007)
(J) Attorney Registration and Continuing Legal Education	This funds \$225 annual registration fee that the Department's attorneys must pay to practice law in Colorado and \$150 for continuing legal education (CLE) expenses of the Department's attorneys.	N/A
(K) Workers' Compensation	This funds workers' compensation insurance coverage available for all employees and paid by the State. This is a job related insurance for state employee for injury coverage while performed on state duty.	8-14.5-102 C.R.S.
(L) Operating Expenses	The Administration's primary functions are Fiscal/Accounting, Human Resources, Information Technology, Text Management and the Office of the Attorney General.	24-31-101 & 102 C.R.S. (1988)
(M) Purchase of Services from Computer Center	This funds the automated data processing services from the General Government Computer Center within the Department of Personnel and Administration.	24-30-1606 C.R.S.
(N) Payment to Risk Management and Property Funds	This funds the insurance coverage for state buildings and their contents, boilers and machinery, and for employee fidelity, liability claims and workers' compensation.	N/A
(O) Vehicle Lease Payments	This funds the payments made to State Fleet Management for the cost of lease purchasing and administering the State fleet of motor vehicles.	N/A
(P) ADP Capital Outlay	This funds the computer and capital outlay for a new FTE.	N/A

**Colorado Department of Law
FY 2011-12 Budget Request
Schedule 5: Line Item to Statute**

(1) Administration (Continue)

Line Item Name	Line Item Description	Statutory Citation
(Q) Information Technology Asset Maintenance	This funds IT Asset Maintenance replacement such as desk top computer, laptop computer and servers.	N/A
(R) Lease Space	This funds the off site storage lease space for the Department.	N/A
(S)Capitol Complex Leased Space	This funds the payments made to the Department of Personnel and Administration for leased space for the State Services building - 1525 Sherman office.	N/A
(T) Security for State Services Building	This funds the building security for 1525 Sherman building where the Attorney General's Office resides.	N/A
(U) Communications Services Payments	This funds for all the telephone equipment and services for the Department's employees.	N/A
(V) Attorney General Discretionary Fund	This funds for the Attorney General to utilize this money on his discretionary.	24-9-105(1)(c), C.R.S.

(2) Legal Services to State Agencies.

Line Item Name	Line Item Description	Statutory Citation
(A) Personal Services	This funds personal services expense incurred in the legal counsel of Legal Services to State Agencies.	24-31-101(1)(a) C.R.S. (1998)
(B) Operating & Litigation	This funds personal services expense incurred in the legal counsel of Legal Services to State Agencies.	24-31-101(1)(a) C.R.S. (1998)
(C) Indirect Costs Assessment	This funds personal services expense incurred in the legal counsel of Legal Services to State Agencies.	24-31-101(1)(a) C.R.S. (1998)

**Colorado Department of Law
FY 2011-12 Budget Request
Schedule 5: Line Item to Statute**

4-6

(3) Criminal Justice & Appellate

Line Item Name	Line Item Description	Statutory Citation
(A) Special Prosecution Unit	This unit investigates and prosecutes crimes - Complex Crimes; Gang prosecution; Environmental crimes; Workers' Compensation and Foreign prosecution.	24-31-105 C.R.S.
(B) Auto Theft Prevention Grant	This grant supports the FTE and operating to address auto theft	24-31-108(1) C.R.S.
(C) Appellate Unit	This unit represents the State of Colorado in criminal cases that are appealed to state and federal appellate courts and houses the Victim Assistance Unit	24-31-101(1)(a) C.R.S. (2001)
(D) Medicaid Fraud Unit	This unit is mandated by federal law, investigates and prosecutes criminal fraud against the Medicaid program as well as misconduct against patients at Medicaid funded facilities, including physical and sexual abuse, threaten abuse and criminal neglect.	§ 24-31-101(1)(a), C.R.S. (1982); Executive Order D001787, dated March 4, 1987; 42 C.F.R. § 1002.301 (1987); 42 U.S.C. § 1396b(h) (1987); and § 26-4-101, <i>et seq.</i>
(E) Peace Officer Standards and Training Board (POST)	This unit provides for certification of peace officers appointed by state and local enforcement agencies, as well as regulating basic training programs pursuant to the provision of sections 24-31-31 through 24-31-310 CRS.	24-31-301 through 24-31-310 C.R.S.
(F) Safe2Tell	This grant funds the personal services for 1.0 FTE to coordinate the Safe2Tell program statewide.	24-31-108(1) C.R.S.

**Colorado Department of Law
FY 2011-12 Budget Request
Schedule 5: Line Item to Statute**

(4) Natural Resources and Water Rights

Line Item Name	Line Item Description	Statutory Citation
(A) Federal & Interstate Water Unit	This Unit protects the State's interests in the waters of interstate rivers, with respect to both interstate water allocation and federal environmental requirements.	§§ 37-60-113, 114, 120, & 121.1; 37-80-116; 37-81-102, C.R.S. (1998).
(B) Defense of the Colorado River Basin Compact	This special appropriation funds the costs of litigation on the upper Colorado River Basin Compact.	§§ 37-60-113, 114, 120, & 121.1; 37-80-116; 37-81-102, C.R.S. (1998).
(B) Defense of the Republican River Compact	This special appropriation funds the costs of litigation with Kansas and Nebraska regarding Colorado's alleged violations of the Republican River Compact.	§§ 37-60-113, 114, 120, & 121.1; 37-80-116; 37-81-102, C.R.S. (1998).
(C) Consultant Expenses	This line item is being used to make payments to the private counsel that represents Colorado in Arkansas River Compact	N/A
(D) Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)	This Unit handles the legal work for ten seriously contaminated sites – known as Superfund sites – most of which are being cleaned up under consent decrees by those who contaminated them.	§ 24-31-101(1)(a) C.R.S. (1998), as implemented by Executive Order Nos. D-0038-83, D-0012-86, D-0060-86, D-0084-86, D-0004-96 and D-0007-97; 42 U.S.C. §§. 9601 to 9675 (1988); §§. 25-15-301 to 313 (1998); §§ 25-16-101 to 201 (1998)
(E) CERCLA Contracts	This line item provides funding for contractors who support the work of the CERLA litigation unit. These contractors include expert witnesses, scientists knowledgeable about hazardous waste and economists knowledgeable about natural resources damages.	N/A
(F) Natural Resource Damage Claims at Rocky Mountain Arsenal	This line funds CERLA litigation against Shell Oil Company and the U.S. Army over natural resource damages at the Rocky Mountain Arsenal.	§ 24-31-101(1)(a) C.R.S. (1998)

Colorado Department of Law
FY 2011-12 Budget Request
Schedule 5: Line Item to Statute

(5) Consumer Protection

Line Item Name	Line Item Description	Statutory Citation
(A) Consumer Protection and Anti-Trust	The Unit enforces both criminally and civilly, the legislative mandate set forth in the state and federal antitrust laws. It does so on behalf of the state and local governments and their citizens.	Colorado Antitrust Act of 1992, §§ 6-4-101 to 122, C.R.S. (1999);
(B) Consumer Credit Unit	The Consumer Credit unit enforces the Colorado Uniform Consumer Credit Code (UCCC) (consumer lending); Uniform Debt Management Services Act (credit counseling and debt settlement); Credit Services Organization Act (CSOA) (credit repair), and Rental Purchase Agreement Act (CROA) (rent-to-own).	§§ 12-24-101 to 12-24-137, C.R.S.; 15 U.S.C. § 1692, §§ 5-1-101 to 5-9-102.5, C.R.S.; §§ 5-10-101 to 5-10-1001, C.R.S.; §§ 12-14.5-101 to 12-14.5-113, C.R.S. 15 U.S.C. § 1601 et seq.; 12 C.F.R. § 226.

(6) Special Purpose

Line Item Name	Line Item Description	Statutory Citation
(A) District Attorneys Salaries	This funds the state portion of the state district attorney's salary expenses.	20-1-306 C.R.S. (2007)
(B) Litigation Management and Technol	This funds the unanticipated legal expenses during the fiscal year and also funds a portion of the approved IT expenditures for the Department.	24-31-101 & 102 C.R.S. (1988)
(C) Tobacco Litigation	This line item defends the enforcement of the Tobacco Settlement Agreement.	N/A

FY 12-13 Schedule 6 Special Bills Summary



Colorado Department of Law

FY 2011-12 Budget Request

Schedule 6: Special Bills Summary

Bill Number	Short Bill Title	Line Items	FTE	Total Funds	General Fund	General Fund Exempt	Cash Funds	Cash Funds Exempt / Reappropriated Funds	Federal Funds
FY 2011-12									
SB11-088	Sunset Review Direct Entry Midwives	LSSA PS	0.00	\$ 3,698				\$ 3,698	
		LSSA OP		\$ 411				\$ 411	
		Total	0.00	\$ 4,109				\$ 4,109	
SB11-091	Sunset Board Veterinary Medicin	LSSA PS	0.00	\$ 3,962				\$ 3,962	
		LSSA OP		\$ 440				\$ 440	
		Total	0.00	\$ 4,402				\$ 4,402	
SB 11-094	Sunset Optometric Board (DORA)	LSSA PS	0.00	\$ 3,962				\$ 3,962	
		LSSA OP		\$ 440				\$ 440	
		Total	0.00	\$ 4,402				\$ 4,402	
SB 11-128	Child-only Health Insurance Plans (DORA)	LSSA PS	0.00	\$ 2,642				\$ 2,642	
		LSSA OP		\$ 293				\$ 293	
		Total	0.00	\$ 2,935				\$ 2,935	
SB11-169	Sunset Physical Therapy Board	LSSA PS	0.30	\$ 34,997				\$ 34,997	
		LSSA OP		\$ 3,889				\$ 3,889	
		Total	0.30	\$ 38,886				\$ 38,886	
SB11-187	Sunset Mental Health Prof	LSSA PS	1.40	\$ 158,479				\$ 158,479	
		LSSA OP		\$ 17,609				\$ 17,609	
		Total	1.40	\$ 176,088				\$ 176,088	
SB 11-251	Division of Fire Safety Duties Public Safety	LSSA PS	0.00	\$ 6,603				\$ 6,603	
		LSSA OP		\$ 734				\$ 734	
		Total	0.00	\$ 7,337				\$ 7,337	
SB 11-1100	Military Experience License Certificate	LSSA PS	0.40	\$ 31,036				\$ 31,036	
		LSSA OP		\$ 3,448				\$ 3,448	
		Total	0.40	\$ 34,484				\$ 34,484	
HB 11-1121	Bar Felons from School Employment Education	LSSA PS	0.00	\$ 9,905				\$ 9,905	
		LSSA OP		\$ 1,100				\$ 1,100	
		Total	0.00	\$ 11,005				\$ 11,005	
HB 11-1195	Private Investigators Voluntary License	LSSA PS	0.00	\$ 6,603				\$ 6,603	
		LSSA OP		\$ 734				\$ 734	
		Total	0.00	\$ 7,337				\$ 7,337	
HB11-1300	Conservation Easements Revenue	LSSA PS	9.10	\$ 1,216,740				\$ 1,216,740	
		LSSA OP		\$ 135,193				\$ 135,193	
		Total	9.10	\$ 1,351,933				\$ 1,351,933	
	LSSA Total	Total	11.2	\$ 1,642,918	\$ -	\$ -	\$ -	\$ 1,642,918	\$ -
SB 11-076	PERA Bill	Administration PS	0.00	\$ (31,901)	\$ -			\$ (31,901)	\$ -
		LSSA PS		\$ (451,303)				\$ (451,303)	
		Cons Prot/Anti Trust		\$ (34,271)	\$ (19,506)	\$ -	\$ (9,991)	\$ (4,774)	
		Special Prosecution		\$ (56,055)	\$ (31,984)		\$ (17,328)	\$ (6,743)	
		Appellate		\$ (54,234)	\$ (54,234)				

Colorado Department of Law

FY 2011-12 Budget Request

Schedule 6: Special Bills Summary

Bill Number	Short Bill Title	Line Items	FTE	Total Funds	General Fund	General Fund Exempt	Cash Funds	Cash Funds Exempt / Reappropriated Funds	Federal Funds
		Medicaid Fraud		\$ (30,537)	\$ (7,634)				\$ (22,903)
		POST		\$ (8,920)			\$ (8,920)		
		Consumer Credit Unit		\$ (28,499)			\$ (28,499)		
		CERCLA		\$ (7,947)				\$ (7,947)	
		Fed Interstate Water		\$ (11,724)	\$ (11,724)				
		Defense of CO River		\$ (4,278)			\$ (4,278)		
		District Attorney's Salaries		\$ (55,000)	\$ (55,000)				
		Total	0.00	\$ (774,669)	\$ (180,082)	\$ -	\$ (69,016)	\$ (502,668)	\$ (22,903)
FY 2011-12 Department Total			11.20	\$ 868,249	\$ (180,082)	\$ -	\$ (69,016)	\$ 1,140,250	\$ (22,903)
FY 2010-11									
SB10-072	Colorado Seed Potatoes Act	LSSA PS	0.00	\$ 815				\$ 815	
		LSSA OP		\$ 90				\$ 90	
		Total	0.00	\$ 905				\$ 905	
SB10-109	Physician-patient relationship for Marijunan (CDPHE)	LSSA PS	0.73	\$ 89,891				\$ 89,891	
		LSSA OP		\$ 9,988				\$ 9,988	
		Total	0.73	\$ 99,879				\$ 99,879	
SB10-109	Physician-patient relationship for Marijunan (DORA)	LSSA PS	3.77	\$ 461,326				\$ 461,326	
		LSSA OP		\$ 51,258				\$ 51,258	
		Total	3.77	\$ 512,584				\$ 512,584	
SB10-124	Healthcare provider disclose info practices (DORA)	LSSA PS	0.00	\$ 6,784				\$ 6,784	
		LSSA OP		\$ 754				\$ 754	
		Total	0.00	\$ 7,538				\$ 7,538	
SB10-203	Colo Elections after the US Supr court (Dept. of State)	LSSA PS	0.00	\$ 4,069				\$ 4,069	
		LSSA OP		\$ 453				\$ 453	
		Total	0.00	\$ 4,522				\$ 4,522	
HB10-1018	Regulate waste tires (CDPHE)	LSSA PS	0.20	\$ 13,568				\$ 13,568	
		LSSA OP		\$ 1,508				\$ 1,508	
		Total	0.20	\$ 15,076				\$ 15,076	
HB10-1125	Regulate waste food preparation (CDPHE)	LSSA PS	0.00	\$ 6,784				\$ 6,784	
		LSSA OP		\$ 754				\$ 754	
		Total	0.00	\$ 7,538				\$ 7,538	
HB10-1128	Supervision of Regulated Profes (DORA)	LSSA PS	0.00	\$ (8,819)				\$ (8,819)	
		LSSA OP		\$ (980)				\$ (980)	
		Total	0.00	\$ (9,799)				\$ (9,799)	
HB10-1141	Mortgage Company registered w Real Estate (DORA)	LSSA PS	0.00	\$ 5,766				\$ 5,766	
		LSSA OP		\$ 641				\$ 641	
		Total	0.00	\$ 6,407				\$ 6,407	
HB10-1148	Renew license to pratice architct (DORA)	LSSA PS	0.00	\$ (10,176)				\$ (10,176)	
		LSSA OP		\$ (1,131)				\$ (1,131)	
		Total	0.00	\$ (11,307)				\$ (11,307)	

Colorado Department of Law

FY 2011-12 Budget Request

Schedule 6: Special Bills Summary

Bill Number	Short Bill Title	Line Items	FTE	Total Funds	General Fund	General Fund Exempt	Cash Funds	Cash Funds Exempt / Reappropriated Funds	Federal Funds
HB10-1176	Government overpayment of tax (Local Affairs)	LSSA PS	0.00	\$ 1,800				\$ 1,800	
		LSSA OP		\$ 200				\$ 200	
		Total	0.00	\$ 2,000				\$ 2,000	
HB10-1193	Collect sales/use taxes (Revenue)	LSSA PS	0.00	\$ 36,000				\$ 36,000	
		LSSA OP		\$ 4,000				\$ 4,000	
		Total	0.00	\$ 40,000				\$ 40,000	
HB10-1224	Colorado Podiatry Board (DORA)	LSSA PS	0.00	\$ 2,035				\$ 2,035	
		LSSA OP		\$ 226				\$ 226	
		Total	0.00	\$ 2,261				\$ 2,261	
HB10-1260	Sunset - Board of Medical Exm (DORA)	LSSA PS	0.10	\$ 14,926				\$ 14,926	
		LSSA OP		\$ 1,658				\$ 1,658	
		Total	0.10	\$ 16,584				\$ 16,584	
HB10-1260	Sunset - Board of Medical Exm (CDPHE)	LSSA PS	0.00	\$ 610				\$ 610	
		LSSA OP		\$ 68				\$ 68	
		Total	0.00	\$ 678				\$ 678	
HB10-1278	Colorado Common Interest Owe Act (DORA)	LSSA PS	0.10	\$ 14,112				\$ 14,112	
		LSSA OP		\$ 1,567				\$ 1,567	
		Total	0.10	\$ 15,679				\$ 15,679	
HB10-1284	Regulate Medical Marijuana and (Revenue)	LSSA PS	2.00	\$ 244,231				\$ 244,231	
		LSSA OP		\$ 27,137				\$ 27,137	
		Total	2.00	\$ 271,368				\$ 271,368	
HB10-1365	PUC reduce air emissions DORA-PUC	LSSA PS	0.10	\$ 11,737				\$ 11,737	
		LSSA OP		\$ 1,304				\$ 1,304	
		Total	0.10	\$ 13,041				\$ 13,041	
HB10-1415	Registration of assistant for surg (DORA)	LSSA PS	0.00	\$ 3,392				\$ 3,392	
		LSSA OP		\$ 377				\$ 377	
		Total	0.00	\$ 3,769				\$ 3,769	
LSSA Total		Total	7.0	\$ 998,723	\$ -		\$ -	\$ 998,723	\$ -
SB10-167	False Claims Act (HCPF)	Medicaid	3.00	\$ 245,095	\$ 61,274			\$ -	\$ 183,821
		Fraud		\$ 31,485	\$ 7,871			\$ -	\$ 23,614
		Total	3.00	\$ 276,580	\$ 69,145			\$ -	\$ 207,435
HB10-1329	Solid Waste User Fees (CDPHE)	CERCLA	0.00	\$ 41,384	\$ (511,159)			\$ 552,543	
				\$ -					
		Total	0.00	\$ 41,384	\$ (511,159)			\$ 552,543	
HB10-1385	Division of Insurance Legislation	Special Pros	0.00	\$ -			\$ 860,186	\$ (860,186)	
				\$ -			\$ -		
		Total	0.00	\$ -			\$ 860,186	\$ (860,186)	
FY 2010-11 Department Total			10.00	\$ 1,316,687	\$ (442,014)	\$ -	\$ 860,186	\$ 691,080	\$ 207,435
FY 2009-10									
SB 09-026	Athletic Trainers to register with	(2) Legal Services to State Agencies							

Colorado Department of Law

FY 2011-12 Budget Request

Schedule 6: Special Bills Summary

Bill Number	Short Bill Title	Line Items	FTE	Total Funds	General Fund	General Fund Exempt	Cash Funds	Cash Funds Exempt / Reappropriated Funds	Federal Funds
	DORA	Personal Services	0.2	\$21,779	\$0	\$0	\$0	\$21,779	\$0
		Total	0.2	\$21,779	\$0	\$0	\$0	\$21,779	\$0
		Total SB 09-026	0.2	\$21,779	\$0	\$0	\$0	\$21,779	\$0
SB 09-123	Pilot Program to reduce the dropout rate of adolescent students	(2) Legal Services to State Agencies							
		Personal Services	0.0	\$751	\$0	\$0	\$0	\$751	\$0
		Total	0.0	\$751	\$0	\$0	\$0	\$751	\$0
		Total SB 08-123	0.0	\$751	\$0	\$0	\$0	\$751	\$0
SB 09-138	Certification of nurse aides	(2) Legal Services to State Agencies							
		Personal Services	0.0	\$3,755	\$0	\$0	\$0	\$3,755	\$0
		Total	0.0	\$3,755	\$0	\$0	\$0	\$3,755	\$0
		Total SB 08-138	0.0	\$3,755	\$0	\$0	\$0	\$3,755	\$0
SB 09-163	Amends the Education Accreditation Act	(2) Legal Services to State Agencies							
		Personal Services	0.0	\$7,135	\$0	\$0	\$0	\$7,135	\$0
		Total	0.0	\$7,135	\$0	\$0	\$0	\$7,135	\$0
		Total SB 08-163	0.0	\$7,135	\$0	\$0	\$0	\$7,135	\$0
SB 09-167	Regulation of Chiropractors	(2) Legal Services to State Agencies							
		Personal Services	0.0	\$4,882	\$0	\$0	\$0	\$4,882	\$0
		Total	0.0	\$4,882	\$0	\$0	\$0	\$4,882	\$0
		Total SB 08-167	0.0	\$4,882	\$0	\$0	\$0	\$4,882	\$0
SB 09-239	Regulation of Nurses	(2) Legal Services to State Agencies							
		Personal Services	0.2	\$33,795	\$0	\$0	\$0	\$33,795	\$0
		Total	0.2	\$33,795	\$0	\$0	\$0	\$33,795	\$0
		Total SB 08-239	0.2	\$33,795	\$0	\$0	\$0	\$33,795	\$0
HB 09-1036	Increase the motor vehicle registration fee to .60 cents	(2) Legal Services to State Agencies							
		Personal Services	1.0	\$1,494,995	\$0	\$0	\$1,494,995	\$0	\$0
		Total	1.0	\$1,494,995	\$0	\$0	\$1,494,995	\$0	\$0
		Total HB 08-1036	1.0	\$1,494,995	\$0	\$0	\$1,494,995	\$0	\$0
HB 09-1086	Renewal of licenses or certifications for social workers	(2) Legal Services to State Agencies							
		Personal Services	0.2	\$30,000	\$0	\$0	\$0	\$30,000	\$0
		Total	0.2	\$30,000	\$0	\$0	\$0	\$30,000	\$0
		Total HB 08-1086	0.2	\$30,000	\$0	\$0	\$0	\$30,000	\$0
HB 09-1136	Renewal of licenses of electricians	(2) Legal Services to State Agencies							
		Personal Services	0.1	\$11,265	\$0	\$0	\$0	\$11,265	\$0
		Total HB 08-1136	0.1	\$11,265	\$0	\$0	\$0	\$11,265	\$0
HB 09-1173	Enforcement of tobacco laws	(2) Legal Services to State Agencies							
		Personal Services	0.1	\$7,510	\$0	\$0	\$0	\$7,510	\$0
		Total	0.1	\$7,510	\$0	\$0	\$0	\$7,510	\$0

Colorado Department of Law

FY 2011-12 Budget Request

Schedule 6: Special Bills Summary

Bill Number	Short Bill Title	Line Items	FTE	Total Funds	General Fund	General Fund Exempt	Cash Funds	Cash Funds Exempt / Reappropriated Funds	Federal Funds
		Total HB 08-1173	0.1	\$7,510	\$0	\$0	\$0	\$7,510	\$0
HB 09-1188	Medical practitioners disclosure certain information for licenses renewal	(2) Legal Services to State Agencies							
		Personal Services	0.0	\$0	\$0	\$0	\$0	\$0	\$0
		Total	0.0	\$0	\$0	\$0	\$0	\$0	\$0
		Total HB 08-1188	0.0	\$0	\$0	\$0	\$0	\$0	\$0
HB 09-1202	Registration program for funeral establishments and crematories	(2) Legal Services to State Agencies							
		Personal Services	0.2	\$24,783	\$0	\$0	\$0	\$24,783	\$0
		Total	0.2	\$24,783	\$0	\$0	\$0	\$24,783	\$0
		Total HB 08-1202	0.2	\$24,783	\$0	\$0	\$0	\$24,783	\$0
HB 09-1319	Repeals enrollment programs	(2) Legal Services to State Agencies							
		Personal Services	0.0	\$10,139	\$0	\$0	\$0	\$10,139	\$0
		Total	0.0	\$10,139	\$0	\$0	\$0	\$10,139	\$0
		Total HB 08-1319	0.0	\$10,139	\$0	\$0	\$0	\$10,139	\$0
FY 2009-10 Department Total			2.0	\$1,650,789	\$0	0.0	1,494,995.0	155,794.0	0.0
FY 2008-09									
SB 08-029	Architect Obtain Continuing Education	(2) Legal Services to State Agencies							
		Personal Services	0.0	\$8,104	\$0	\$0	\$0	\$8,104	\$0
		Operating Expense	0.0	\$900	\$0	\$0	\$0	\$900	\$0
		Total	0.0	\$9,004	\$0	\$0	\$0	\$9,004	\$0
		Total SB 08-029	0.0	\$9,004	\$0	\$0	\$0	\$9,004	\$0
SB 08-152	Occupational Therapy	(2) Legal Services to State Agencies							
		Personal Services	0.0	\$9,725	\$0	\$0	\$0	\$9,725	\$0
		Operating Expense	0.0	\$1,081	\$0	\$0	\$0	\$1,081	\$0
		Total	0.0	\$10,806	\$0	\$0	\$0	\$10,806	\$0
		Total SB 08-152	0.0	\$10,806	\$0	\$0	\$0	\$10,806	\$0
SB 08-153	Home Care Agencies by DPHE	(2) Legal Services to State Agencies							
		Personal Services	0.0	\$2,593	\$0	\$0	\$0	\$2,593	\$0
		Operating Expense	0.0	\$288	\$0	\$0	\$0	\$288	\$0
		Total	0.0	\$2,881	\$0	\$0	\$0	\$2,881	\$0

Colorado Department of Law

FY 2011-12 Budget Request

Schedule 6: Special Bills Summary

Bill Number	Short Bill Title	Line Items	FTE	Total Funds	General Fund	General Fund Exempt	Cash Funds	Cash Funds Exempt / Reappropriated Funds	Federal Funds
		Total SB 08-153	0.0	\$2,881	\$0	\$0	\$0	\$2,881	\$0
SB 08-200	The Expansion of Prohibitions against Discrimination	(2) Legal Services to State Agencies							
		Personal Services	0.5	\$54,066	\$0	\$0	\$0	\$54,066	\$0
		Operating Expense	0.0	\$6,007	\$0	\$0	\$0	\$6,007	\$0
		Total	0.5	\$60,073	\$0	\$0	\$0	\$60,073	\$0
		Total SB 08-200	0.5	\$60,073	\$0	\$0	\$0	\$60,073	\$0
SB 08-219	Regulation of Massage Therapists	(2) Legal Services to State Agencies							
		Personal Services	0.2	\$16,207	\$0	\$0	\$0	\$16,207	\$0
		Operating Expense	0.0	\$1,801	\$0	\$0	\$0	\$1,801	\$0
		Total	0.2	\$18,008	\$0	\$0	\$0	\$18,008	\$0
		Total SB 08-219	0.2	\$18,008	\$0	\$0	\$0	\$18,008	\$0
HB 08-1058	Uniform Athlete Agents Act	(2) Legal Services to State Agencies							
		Personal Services	0.0	\$6,808	\$0	\$0	\$0	\$6,808	\$0
		Operating Expense	0.0	\$756	\$0	\$0	\$0	\$756	\$0
		Total	0.0	\$7,564	\$0	\$0	\$0	\$7,564	\$0
		Total HB 08-1058	0.0	\$7,564	\$0	\$0	\$0	\$7,564	\$0
HB 08-1161	Mined Land Reclamation Board	(2) Legal Services to State Agencies							
		Personal Services	0.0	\$12,965	\$0	\$0	\$0	\$12,965	\$0
		Operating Expense	0.0	\$1,441	\$0	\$0	\$0	\$1,441	\$0
		Total	0.0	\$14,406	\$0	\$0	\$0	\$14,406	\$0
		Total HB 08-1161	0.0	\$14,406	\$0	\$0	\$0	\$14,406	\$0
HB 08-1226	CPA from another state to practice	(2) Legal Services to State Agencies							
		Personal Services	0.0	\$3,242	\$0	\$0	\$0	\$3,242	\$0
		Operating Expense	0.0	\$360	\$0	\$0	\$0	\$360	\$0
		Total	0.0	\$3,602	\$0	\$0	\$0	\$3,602	\$0
		Total HB 08-1226	0.0	\$3,602	\$0	\$0	\$0	\$3,602	\$0
HB 08-1227	PUC under the Sunset Law	(2) Legal Services to State Agencies							
		Operating Expense	0.0	\$4,322	\$0	\$0	\$0	\$4,322	\$0
		Total	0.3	\$43,218	\$0	\$0	\$0	\$43,218	\$0
		Total HB 08-1227	0.3	\$43,218	\$0	\$0	\$0	\$43,218	\$0

Colorado Department of Law

FY 2011-12 Budget Request

Schedule 6: Special Bills Summary

Bill Number	Short Bill Title	Line Items	FTE	Total Funds	General Fund	General Fund Exempt	Cash Funds	Cash Funds Exempt / Reappropriated Funds	Federal Funds	
HB 08-1257	Motor Vehicle with an Overweight Divisible Load	(2) Legal Services to State Agencies								
		Personal Services	0.0	\$9,801	\$0	\$0	\$0	\$9,801	\$0	
		Operating Expense	0.0	\$1,089	\$0	\$0	\$0	\$1,089	\$0	
		Total	0.0	\$10,890	\$0	\$0	\$0	\$10,890	\$0	
		Total HB 08-1257	0.0	\$10,890	\$0	\$0	\$0	\$10,890	\$0	
HB 08-1314	Gambling Addiction Counseling	(2) Legal Services to State Agencies								
		Personal Services	0.0	\$2,579	\$0	\$0	\$0	\$2,579	\$0	
		Operating Expense	0.0	\$287	\$0	\$0	\$0	\$287	\$0	
		Total	0.0	\$2,866	\$0	\$0	\$0	\$2,866	\$0	
		Total HB 08-1314	0.0	\$2,866	\$0	\$0	\$0	\$2,866	\$0	
HB 08-1325	Non-Immigrant Agricultural Seasonal	(2) Legal Services to State Agencies								
		Personal Services	0.0	\$3,890	\$0	\$0	\$0	\$3,890	\$0	
		Operating Expense	0.0	\$432	\$0	\$0	\$0	\$432	\$0	
		Total	0.0	\$4,322	\$0	\$0	\$0	\$4,322	\$0	
		Total HB 08-1325	0.0	\$4,322	\$0	\$0	\$0	\$4,322	\$0	
HB 08-1335	Finance Public School Facility	(2) Legal Services to State Agencies								
		Personal Services	0.3	\$29,173	\$0	\$0	\$0	\$29,173	\$0	
		Operating Expense	0.0	\$3,241	\$0	\$0	\$0	\$3,241	\$0	
		Total	0.3	\$32,414	\$0	\$0	\$0	\$32,414	\$0	
		Total HB 08-1335	0.3	\$32,414	\$0	\$0	\$0	\$32,414	\$0	
HB 08-1353	Easement in the state	(2) Legal Services to State Agencies								
		Personal Services	0.3	\$33,710	\$0	\$0	\$0	\$33,710	\$0	
		Operating Expense	0.0	\$6,771	\$0	\$0	\$0	\$6,771	\$0	
		Total	0.3	\$40,481	\$0	\$0	\$0	\$40,481	\$0	
		Total HB 08-1353	0.3	\$40,481	\$0	\$0	\$0	\$40,481	\$0	
HB 08-1383	Inactive Status for Nursing Licenses	(2) Legal Services to State Agencies								
		Personal Services	0.0	\$648	\$0	\$0	\$0	\$648	\$0	
		Operating Expense	0.0	\$72	\$0	\$0	\$0	\$72	\$0	
		Total	0.0	\$720	\$0	\$0	\$0	\$720	\$0	
		Total HB 08-1383	0.0	\$720	\$0	\$0	\$0	-\$720	\$0	
HB 08-1397	Evidence Collected in Criminal Cases	(3) Criminal Justice and Appellate								
		Peace Officers Standards and Training Board								

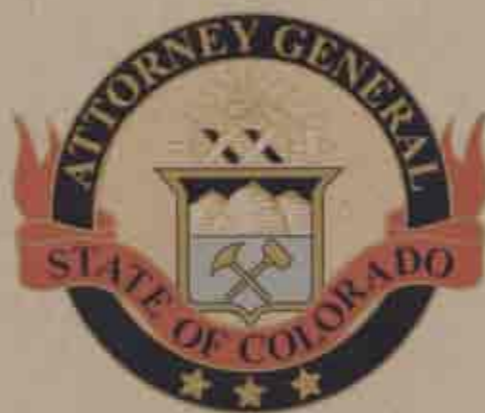
Colorado Department of Law

FY 2011-12 Budget Request

Schedule 6: Special Bills Summary

Bill Number	Short Bill Title	Line Items	FTE	Total Funds	General Fund	General Fund Exempt	Cash Funds	Cash Funds Exempt / Reappropriated Funds	Federal Funds
		Personal Services	0.0	\$61,382	\$61,382	\$0	\$0	\$0	\$0
		Operating Expense	0.0	\$19,825	\$19,825	\$0	\$0	\$0	\$0
		Total	0.0	\$81,207	\$81,207	\$0	\$0	\$0	\$0
		Total HB 08-1397	0.0	\$81,207	\$81,207	\$0	\$0	\$0	\$0
HB09-1188	Modified Skolnik Medical Transparency Act	(2) Legal Services to State Agencies							
		Personal Services	0.0	\$907	\$0	\$0	\$0	\$907	\$0
		Operating Expense	0.0	\$220	\$0	\$0	\$0	\$220	\$0
		Total	0.0	\$1,127	\$0	\$0	\$0	\$1,127	\$0
		Total HB 08-1188	0.0	\$1,127	\$0	\$0	\$0	\$1,127	\$0
FY 2008-09 Department Total			1.6	\$343,589	\$81,207	0.0	0.0	262,382.0	0.0

FY 12-13 Schedule 7 Supplemental Bills Summary



Colorado Department of Law
FY 2011-12 Budget Request
Schedule 7: Supplemental Bills Summary

Bill Number	Line Items	FTE	Total Funds	General Fund	Cash Funds	Cash Funds Exempt / Reappropriated Funds	Federal Funds
SB 11-144	(1) Administration						
	Health, Life, Dental	0.0	(\$55,000)	(\$55,000)	\$0	\$0	\$0
	Vehicle Lease Payments	0.0	\$1,517	\$ 970	\$417	\$0	\$130
	Total	0.0	(\$53,483)	(\$54,030)	\$417	\$0	\$130
	(2) Legal Services to State Agencies						
	Personal Services	6.2	\$806,828	\$0	\$0	\$806,828	\$0
	Operating and Litigation	0.0	\$103,670	\$0	\$0	\$103,670	\$0
	Total	6.2	\$910,498	\$0	\$0	\$910,498	\$0
	Need to figure fund splits						
	(4) Water and Natural Resources						
	Consultant Expenses	0.0	\$25,000	\$0	\$25,000	\$0	\$0
	Total	0.0	\$25,000	\$0	\$25,000	\$0	\$0
	(6) Special Purpose						
	District Attorney's Salaries	0.0	(\$50,600)	(\$50,600)	\$0	\$0	\$0
	Tobacco Litigation (SB 11-209 Add on)	0.0	\$259,790	\$0	\$259,790	\$0	\$0
Lobato Litigation Expenses	0.0	\$774,593	\$0	\$0	\$774,593	\$0	
Total	0.0	\$983,783	(\$50,600)	\$259,790	\$774,593	\$0	
Total HB 10-1305		6.2	\$1,865,798	(\$104,630)	\$285,207	\$1,685,091	\$130
HB 10-1305	(1) Administration						
	Personal Services	0.0	(\$205,000)	\$0	\$0	(\$205,000)	\$0
	Workers' Compensation	0.0	(\$2,213)	(\$664)	(\$189)	(\$1,301)	(\$59)
	Operating Expenses	0.0	(\$20,856)	\$0	\$0	(\$20,856)	\$0
	Purchase of Services from Comp. Ce	0.0	(\$3,182)	(3,182)	\$0	\$0	\$0
	Payment to Risk Mgt and Prop Funds	0.0	(\$5,678)	\$0	\$0	(\$5,678)	\$0
	Capitol Complex Leased Space	0.0	(\$17,445)	(5,243)	(\$1,483)	(\$10,254)	(\$465)
	Total	0.0	(\$254,374)	(\$9,089)	(\$1,672)	(\$243,089)	(\$524)

Colorado Department of Law
FY 2011-12 Budget Request
Schedule 7: Supplemental Bills Summary

Bill Number	Line Items	FTE	Total Funds	General Fund	Cash Funds	Cash Funds Exempt / Reappropriated Funds	Federal Funds
	(2) Legal Services to State Agencies						
	Personal Services	1.9	\$218,152	\$0	\$718,714	(\$500,562)	\$0
	Operating and Litigation	0.0	\$42,024	\$0	\$0	\$42,024	\$0
	Total	1.9	\$260,176	\$0	\$718,714	(\$458,538)	\$0
	Need to figure fund splits						
	(3) Criminal Justice and Appellate						
	Special Prosecutions Unit	0.0	(\$131,198)	(\$131,198)	\$0	\$0	\$0
	Auto theft Prevention Grant	0.5	\$72,083	\$0	\$72,083	\$0	\$0
	Appellate Unit	0.0	(\$228)	(\$281,762)	\$0	\$281,534	\$0
	Medicaid Fraud Unit	0.0	(\$39,280)	(\$9,820)	\$0	\$0	(\$29,460)
	Peace Officers Standards and Training Board Support	0.0	(\$50,367)	(\$50,000)	(\$367)	\$0	\$0
	Defense of the Republican River	0.0	\$0	\$0	\$0	\$0	\$0
	Total	0.5	(\$148,990)	(\$472,780)	\$71,716	\$281,534	(\$29,460)
	(4) Water and Natural Resources						
	Federal and Interstate Water Unit	0.0	(\$26,840)	(\$26,840)	\$0	\$0	\$0
	Consultant Expenses	0.0	\$50,000	\$0	\$50,000	\$0	\$0
	CERLA	0.0	(\$77,154)	(\$77,154)	\$0	\$0	\$0
	CELRA Contracts	0.0	\$20,000	(\$75,000)	\$0	\$95,000	\$0
	Total	0.0	(\$33,994)	(\$178,994)	\$50,000	\$95,000	\$0
	(5) Consumer Protection						
	Consumer Protection & Anti-Trust	0.0	(\$117,333)	(\$117,333)	\$0	\$0	\$0
	Collection Agency Board	0.0	(\$566)	\$0	(\$566)	\$0	\$0
	Uniform Consumer Credit Code	0.0	(\$624)	\$0	(\$624)	\$0	\$0
	Total	0.0	(\$118,523)	(\$117,333)	(\$1,190)	\$0	\$0
	(6) Special Purpose						
	Statewide HIPAA Legal Services	0.0	(\$4,000)	(\$4,000)	\$0	\$0	\$0
	Tobacco Litigation	0.0	\$300,000	\$0	\$300,000	\$0	\$0
	Total	0.0	\$296,000	(\$4,000)	\$300,000	\$0	\$0
Total HB 10-1305		2.4	\$295	(\$782,196)	\$1,137,568	(\$325,093)	(\$29,984)

Colorado Department of Law
FY 2011-12 Budget Request
Schedule 7: Supplemental Bills Summary

Bill Number	Line Items	FTE	Total Funds	General Fund	Cash Funds	Cash Funds Exempt / Reappropriated Funds	Federal Funds
SB 09-192	(1) Administration						
	Health, Life, and Dental	0.0	(\$9,113)	\$ (9,113)	\$0	\$0	\$0
	Amortization Equalization Disb	0.0	(\$3,921)	\$ (3,921)	\$0	\$0	\$0
	Supplemental Amortization Eq. Disb	0.0	(\$1,918)	\$ (1,918)	\$0	\$0	\$0
	Salary survey for Classified Employee	0.0	(\$90,062)	\$ (90,062)	\$0	\$0	\$0
	Salary survey for Exempt Employees	0.0	(\$9,128)	\$ (9,128)	\$0	\$0	\$0
	PBP for Classified Employees	0.0	(\$23,827)	\$ (23,827)	\$0	\$0	\$0
	PBP for Exempt Employees	0.0	(\$3,167)	\$ (3,167)	\$0	\$0	\$0
	Workers' Compensation	0.0	(\$673)	\$ (673)	\$0	\$0	\$0
	Capitol Complex Leased Space	0.0	(\$9,696)	\$ (9,696)	\$0	\$0	\$0
	Total	0.0	(\$151,505)	\$ (151,505)	\$0	\$0	\$0
	(2) Legal Services to State Agencies						
	Personal Services	2.0	\$237,425	\$0	\$0	\$237,425	\$0
	Operating and Litigation	0.0	\$49,236	\$0	\$0	\$49,236	\$0
	Total	2.0	\$286,661	\$0	\$0	\$286,661	\$0
	(3) Criminal Justice and Appellate						
	Special Prosecutions Unit	12.8	(\$10,000)	(\$10,000)	\$0	\$0	\$0
	Securities Fraud Unit	7.6	(\$10,000)	(\$10,000)	\$0	\$0	\$0
	Appellate Unit	30.0	(\$120,000)	(\$120,000)	\$0	\$0	\$0
	Medicaid Fraud Unit	14.0	(\$80,000)	(\$20,000)	\$0	\$0	(\$60,000)
	Capital Crimes Prosecution Unit	4.0	(\$70,000)	(\$70,000)	\$0	\$0	\$0
	Total	68.4	(\$290,000)	(\$230,000)	\$0	\$0	(\$60,000)
	(4) Water and Natural Resources						
	Federal and Interstate Water Unit	5.5	(\$30,000)	(\$30,000)	\$0	\$0	\$0
	Defense of the Republican River	0.0	\$19,144	\$0	\$19,144	\$0	\$0
	Consultant Expenses	0.0	\$70,000	\$0	\$70,000	\$0	\$0
	CERLA	4.3	(\$70,000)	(\$70,000)	\$0	\$0	\$0
	CELRA Contracts	0.0	(\$130,000)	(\$155,000)	\$0	\$25,000	\$0
	Total	9.8	(\$140,856)	(\$255,000)	\$89,144	\$25,000	\$0

Colorado Department of Law
FY 2011-12 Budget Request
Schedule 7: Supplemental Bills Summary

Bill Number	Line Items	FTE	Total Funds	General Fund	Cash Funds	Cash Funds Exempt / Reappropriated Funds	Federal Funds
	(5) Consumer Protection						
	Consumer Protection & Anti-Trust	20.0	(\$33,495)	(\$153,495)	\$120,000	\$0	\$0
	Total	20.0	(\$33,495)	(\$153,495)	\$120,000	\$0	\$0
	(6) Special Purpose						
	Litigation Mgt and Tech. Fund	0.0	\$150,000	\$0	\$150,000	\$0	\$0
	Total	0.0	\$150,000	\$0	\$150,000	\$0	\$0
Total SB 09-192		31.8	(\$179,195)	(\$790,000)	\$359,144	\$311,661	(\$60,000)
HB 08-1290	(1) Administration						
	Workers' Compensation	0.0	(\$27,430)	(\$8,599)	(\$1,976)	(\$16,072)	(\$783)
	Administrative Law Judge Services	0.0	(\$1,282)	\$0	(\$1,282)	\$0	\$0
	Purchases of Services from Computer Center	0.0	\$4,697	\$0	\$0	\$4,697	\$0
	Payment to Risk Management and Property Funds	0.0	(\$8,671)	\$0	\$0	(\$8,671)	\$0
	Vehicle Lease Payment	0.0	(\$9,308)	(\$1,342)	(\$3,016)	(\$4,890)	(\$60)
	Capitol Complex Leased Space	0.0	\$18,065	\$5,697	\$1,298	\$10,556	\$514
	Communication Services Payments	0.0	(\$86)	(\$36)	(\$5)	(\$21)	(\$24)
	Total	0.0	(\$24,015)	(\$4,280)	(\$4,981)	(\$14,401)	(\$353)
	(2) Legal Services to State Agencies						
	Personal Services	1.5	\$127,237	\$0	\$0	\$127,237	\$0
	Operating and Litigation	0.0	\$63,619	\$0	\$0	\$63,619	\$0
	Total	1.5	\$190,856	\$0	\$0	\$190,856	\$0
	(4) Water and Natural Resources						
	Federal and Interstate Water Unit	0.0	(\$45,000)	(\$45,000)	\$0	\$0	\$0
	Defense of the Republican River	0.0	\$130,000	\$0	\$0	\$130,000	\$0
	Total	0.0	\$85,000	(\$45,000)	\$0	\$130,000	\$0
	(5) Consumer Protection						
	Consumer Protection & Anti-Trust	(5.3)	(\$450,957)	\$0	\$0	(\$450,957)	\$0
	Total	(5.3)	(\$450,957)	\$0	\$0	(\$450,957)	\$0

Colorado Department of Law
 FY 2011-12 Budget Request
 Schedule 7: Supplemental Bills Summary

Bill Number	Line Items	FTE	Total Funds	General Fund	Cash Funds	Cash Funds Exempt / Reappropriated Funds	Federal Funds
	(6) Special Purpose						
	Fraudulent Document (SB06-110)	(1.0)	(\$65,874)	\$0	(\$65,874)	\$0	\$0
	Referendum K	(0.5)	(\$20,000)	(\$20,000)			
	Total	(1.5)	(\$85,874)	(\$20,000)	(\$65,874)	\$0	\$0
Total HB 08-1290		(5.3)	(\$284,990)	(\$69,280)	(\$70,855)	(\$144,502)	(\$353)

FY 12-13 Schedule 8 Common Policy Summary



Department of Law
Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Health/Dental/Life					
FY 2009-010					
(1) Administration	\$190,695	\$190,695	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$1,138,254	\$0	\$0	\$1,138,254	\$0
(3) Criminal Justice and Appellate	\$361,686	\$215,526	\$29,978	\$57,133	\$59,049
(4) Water and Natural Resources	\$54,532	\$54,532	\$0	\$0	\$0
(5) Consumer Protection	\$197,501	\$73,661	\$122,633	\$1,207	\$0
Total Expenditures	\$1,940,668	\$534,414	\$152,611	\$1,194,594	\$59,049
Total Appropriated	\$1,940,668	\$534,414	\$152,611	\$1,194,594	\$59,049
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$207,632	\$207,632	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$1,197,340	\$0	\$0	\$1,197,340	\$0
(3) Criminal Justice and Appellate	\$316,615	\$163,794	\$85,030	\$17,524	\$50,267
(4) Water and Natural Resources	\$31,422	\$20,702	\$0	\$10,720	\$0
(5) Consumer Protection	\$214,122	\$82,262	\$131,047	\$813	\$0
Total Expenditures	\$1,967,131	\$474,390	\$216,077	\$1,226,397	\$50,267
Total Appropriated	\$1,967,131	\$474,390	\$216,077	\$1,226,397	\$50,267
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$209,146	\$209,146	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$1,341,104	\$0	\$0	\$1,341,104	\$0
(3) Criminal Justice and Appellate	\$437,724	\$258,034	\$87,056	\$32,556	\$80,078
(4) Water and Natural Resources	\$45,067	\$34,058	\$0	\$11,009	\$0
(5) Consumer Protection	\$228,453	\$76,662	\$150,490	\$1,301	\$0
Total Expenditures	\$2,261,494	\$577,900	\$237,546	\$1,385,970	\$80,078
Total Appropriated	\$2,281,572	\$577,900	\$237,546	\$1,385,970	\$80,156
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	(\$20,078)
FY 2012-13					
(1) Administration	\$2,415,841	\$642,316	\$317,507	\$1,362,479	\$93,539
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$2,415,841	\$642,316	\$317,507	\$1,362,479	\$93,539
Total Appropriated					
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law
Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Short-term Disability					
FY 2009-10					
(1) Administration	\$3,248	\$3,248	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$19,985	\$0	\$0	\$19,985	\$0
(3) Criminal Justice and Appellate	\$8,183	\$5,249	\$700	\$1,246	\$988
(4) Water and Natural Resources	\$1,456	\$1,456	\$0	\$0	\$0
(5) Consumer Protection	\$3,684	\$1,126	\$2,262	\$296	\$0
Total Expenditures	\$36,556	\$11,079	\$2,962	\$21,527	\$988
Total Appropriated	\$36,556	\$11,079	\$2,962	\$21,527	\$988
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$3,609	\$3,609	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$23,981	\$0	\$0	\$23,981	\$0
(3) Criminal Justice and Appellate	\$8,842	\$5,526	\$1,562	\$501	\$1,253
(4) Water and Natural Resources	\$1,435	\$1,029	\$0	\$406	\$0
(5) Consumer Protection	\$4,379	\$1,729	\$2,267	\$383	\$0
Total Expenditures	\$42,246	\$11,893	\$3,829	\$25,271	\$1,253
Total Appropriated	\$42,246	\$11,893	\$3,829	\$25,271	\$1,253
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$4,163	\$4,163	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$28,297	\$0	\$0	\$28,297	\$0
(3) Criminal Justice and Appellate	\$10,629	\$6,258	\$1,912	\$1,023	\$1,436
(4) Water and Natural Resources	\$1,587	\$1,118	\$0	\$469	\$0
(5) Consumer Protection	\$4,352	\$1,469	\$2,545	\$338	\$0
Total Expenditures	\$49,028	\$13,008	\$4,457	\$30,127	\$1,436
Total Appropriated	\$49,196	\$13,008	\$4,457	\$30,127	\$1,604
(Under)/Over Expenditures	(\$168)	\$0	\$0	\$0	(\$168)
FY 2012-13					
(1) Administration	\$54,275	\$15,188	\$5,889	\$30,957	\$2,241
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$54,275	\$15,188	\$5,889	\$30,957	\$2,241
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law
Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
S.B. 04-257 Amortization Equalization Disbursement					
FY 2009-10					
(1) Administration	\$47,556	\$47,556	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$324,136	\$0	\$0	\$324,136	\$0
(3) Criminal Justice and Appellate	\$118,593	\$75,400	\$10,763	\$16,079	\$16,351
(4) Water and Natural Resources	\$20,574	\$20,574	\$0	\$0	\$0
(5) Consumer Protection	\$49,963	\$15,924	\$30,220	\$3,819	\$0
Total Expenditures	\$560,822	\$159,454	\$40,983	\$344,034	\$16,351
Total Appropriated	\$560,822	\$159,454	\$40,983	\$344,034	\$16,351
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$54,036	\$54,036	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$374,987	\$0	\$0	\$374,987	\$0
(3) Criminal Justice and Appellate	\$142,132	\$92,748	\$23,511	\$6,474	\$19,401
(4) Water and Natural Resources	\$22,405	\$14,919	\$0	\$7,486	\$0
(5) Consumer Protection	\$60,753	\$21,429	\$34,741	\$4,583	\$0
(6) Special Purpose	\$1	\$1	\$0	\$0	\$0
Total Expenditures	\$654,314	\$183,131	\$58,252	\$393,530	\$19,401
Total Appropriated	\$654,314	\$183,131	\$58,252	\$393,530	\$19,401
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$63,581	\$63,581	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$447,651	\$0	\$0	\$447,651	\$0
(3) Criminal Justice and Appellate	\$168,422	\$99,259	\$30,251	\$16,178	\$22,724
(4) Water and Natural Resources	\$24,872	\$17,457	\$0	\$7,415	\$0
(5) Consumer Protection	\$68,573	\$22,972	\$40,254	\$5,347	\$0
Total Expenditures	\$773,099	\$203,279	\$70,505	\$476,591	\$22,724
Total Appropriated	\$775,756	\$203,279	\$70,505	\$476,591	\$25,381
(Under)/Over Expenditures	(\$2,657)	\$0	\$0	\$0	(\$2,657)
FY 2012-13					
(1) Administration	\$981,232	\$274,591	\$106,458	\$559,668	\$40,515
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$981,232	\$274,591	\$106,458	\$559,668	\$40,515
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law
Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
S.B. 06-235 Supplemental Amortization Equalization Disbursement					
FY 2009-10					
(1) Administration	\$29,218	\$29,218	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$202,585	\$0	\$0	\$202,585	\$0
(3) Criminal Justice and Appellate	\$73,382	\$46,385	\$6,728	\$10,050	\$10,219
(4) Water and Natural Resources	\$12,647	\$12,647	\$0	\$0	\$0
(5) Consumer Protection	\$31,057	\$9,784	\$18,886	\$2,387	\$0
Total Expenditures	\$348,889	\$98,034	\$25,614	\$215,022	\$10,219
Total Appropriated	\$348,889	\$98,034	\$25,614	\$215,022	\$10,219
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$39,946	\$39,946	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$273,429	\$0	\$0	\$273,429	\$0
(3) Criminal Justice and Appellate	\$103,438	\$67,429	\$17,143	\$4,720	\$14,146
(4) Water and Natural Resources	\$17,086	\$11,627	\$0	\$5,459	\$0
(5) Consumer Protection	\$43,419	\$14,745	\$25,332	\$3,342	\$0
Total Expenditures	\$477,318	\$133,747	\$42,475	\$286,950	\$14,146
Total Appropriated	\$477,318	\$133,747	\$42,475	\$286,950	\$14,146
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$51,891	\$51,891	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$359,719	\$0	\$0	\$359,719	\$0
(3) Criminal Justice and Appellate	\$133,672	\$78,102	\$24,309	\$13,001	\$18,260
(4) Water and Natural Resources	\$19,879	\$13,921	\$0	\$5,958	\$0
(5) Consumer Protection	\$54,964	\$18,320	\$32,347	\$4,297	\$0
Total Expenditures	\$620,125	\$162,234	\$56,656	\$382,975	\$18,260
Total Appropriated	\$622,261	\$162,234	\$56,656	\$382,975	\$20,396
(Under)/Over Expenditures	(\$2,136)	\$0	\$0	\$0	(\$2,136)
FY 2011-12					
(1) Administration	\$843,245	\$235,977	\$91,487	\$480,964	\$34,817
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$843,245	\$235,977	\$91,487	\$480,964	\$34,817
Total Appropriated					
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law
Schedule 8

2012-13 Proposed
Budget

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Salary Survey for Classified Employees					
FY 2009-10					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law

Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Salary Survey for Exempt Employees					
FY 2009-10					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law
Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Performance-based Pay Awards for Classified Employees					
FY 2009-10					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law

Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Performance-based Pay Awards for Exempt Employees					
FY 2009-10					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law
Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Workers' Compensation					
FY 2009-10					
(1) Administration	\$5,453	\$5,453	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$28,285	\$0	\$0	\$28,285	\$0
(3) Criminal Justice and Appellate	\$10,620	\$6,713	\$1,095	\$1,452	\$1,360
(4) Water and Natural Resources	\$1,684	\$1,684	\$0	\$0	\$0
(5) Consumer Protection	\$4,851	\$1,422	\$3,041	\$388	\$0
Total Expenditures	\$50,893	\$15,272	\$4,136	\$30,125	\$1,360
Total Appropriated	\$50,893	\$15,272	\$4,136	\$30,125	\$1,360
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$5,324	\$5,324	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$28,206	\$0	\$0	\$28,206	\$0
(3) Criminal Justice and Appellate	\$10,871	\$6,804	\$2,225	\$499	\$1,343
(4) Water and Natural Resources	\$1,604	\$1,087	\$0	\$517	\$0
(5) Consumer Protection	\$4,858	\$1,662	\$2,813	\$383	\$0
Total Expenditures	\$50,863	\$14,877	\$5,038	\$29,605	\$1,343
Total Appropriated	\$50,863	\$14,877	\$5,038	\$29,605	\$1,343
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$8,721	\$6,721	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$37,418	\$0	\$0	\$37,418	\$0
(3) Criminal Justice and Appellate	\$14,284	\$8,273	\$2,956	\$958	\$2,097
(4) Water and Natural Resources	\$1,980	\$1,402	\$0	\$578	\$0
(5) Consumer Protection	\$6,440	\$1,952	\$3,963	\$495	\$0
Total Expenditures	\$66,843	\$18,378	\$6,919	\$39,449	\$2,097
Total Appropriated	\$66,843	\$18,378	\$6,919	\$39,449	\$2,097
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$79,763	\$21,109	\$8,348	\$47,854	\$2,452
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$79,763	\$21,109	\$8,348	\$47,854	\$2,452
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law
Schedule B

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated	
				Funds	Federal Funds
Vehicle Lease Payments					
FY 2009-10					
(1) Administration	\$2,509	\$2,509	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$19,681	\$0	\$0	\$19,681	\$0
(3) Criminal Justice and Appellate	\$36,327	\$19,285	\$4,199	\$8,159	\$4,684
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$15,452	\$2,097	\$10,574	\$2,781	\$0
Total Expenditures	\$73,969	\$23,891	\$14,773	\$30,621	\$4,684
Total Appropriated	\$73,969	\$23,891	\$14,773	\$30,621	\$4,684
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$2,659	\$2,659	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$20,389	\$0	\$0	\$20,389	\$0
(3) Criminal Justice and Appellate	\$35,332	\$17,278	\$10,689	\$2,551	\$4,814
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$15,950	\$2,247	\$11,159	\$2,544	\$0
Total Expenditures	\$74,330	\$22,184	\$21,848	\$25,484	\$4,814
Total Appropriated	\$74,330	\$22,184	\$21,848	\$25,484	\$4,814
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$2,549	\$2,549	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$20,024	\$0	\$0	\$20,024	\$0
(3) Criminal Justice and Appellate	\$30,760	\$13,134	\$10,405	\$4,411	\$2,810
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$16,843	\$3,305	\$13,538	\$0	\$0
Total Expenditures	\$70,176	\$18,988	\$23,943	\$24,435	\$2,810
Total Appropriated	\$70,176	\$18,988	\$23,943	\$24,435	\$2,810
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$70,285	\$19,980	\$21,501	\$26,189	\$2,615
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$70,285	\$19,980	\$21,501	\$26,189	\$2,615
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law
Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated	
				Funds	Federal Funds
Capitol Complex Leased Space					
FY 2009-10					
(1) Administration	\$126,750	\$126,750	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$709,085	\$0	\$0	\$709,085	\$0
(3) Criminal Justice and Appellate	\$266,318	\$168,249	\$27,564	\$36,400	\$34,105
(4) Water and Natural Resources	\$32,225	\$32,225			
(5) Consumer Protection	\$141,761	\$55,707	\$76,310	\$9,744	
Total Expenditures	\$1,276,139	\$382,931	\$103,874	\$755,229	\$34,105
Total Appropriated	\$1,276,139	\$382,931	\$103,874	\$755,229	\$34,105
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$132,897	\$132,897	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$694,715	\$0	\$0	\$694,715	\$0
(3) Criminal Justice and Appellate	\$267,684	\$167,537	\$54,798	\$12,282	\$33,067
(4) Water and Natural Resources	\$28,791	\$17,699	\$0	\$11,092	\$0
(5) Consumer Protection	\$128,670	\$49,940	\$69,282	\$9,448	\$0
Total Expenditures	\$1,252,757	\$368,073	\$124,080	\$727,537	\$33,067
Total Appropriated	\$1,252,757	\$368,073	\$124,080	\$727,537	\$33,067
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$129,104	\$129,104	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$718,796	\$0	\$0	\$718,796	\$0
(3) Criminal Justice and Appellate	\$274,386	\$158,764	\$56,780	\$18,398	\$40,444
(4) Water and Natural Resources	\$38,064	\$26,662	\$0	\$11,102	\$0
(5) Consumer Protection	\$123,711	\$38,065	\$76,130	\$9,516	\$0
Total Expenditures	\$1,284,061	\$362,895	\$132,910	\$757,812	\$40,444
Total Appropriated	\$1,284,061	\$362,895	\$132,910	\$757,812	\$40,444
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$1,429,495	\$378,315	\$149,602	\$857,628	\$43,950
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$1,429,495	\$378,315	\$149,602	\$857,628	\$43,950
Total Appropriated					
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law
Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
ADP Capital Outlay					
FY 2009-10					
(1) Administration	\$0	\$6,882	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$13,764	\$2,294	\$0	\$4,588	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$13,764	\$9,176	\$0	\$4,588	\$0
Total Appropriated	\$13,764	\$9,176	\$0	\$4,588	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$154,370	\$0	\$154,370	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$154,370	\$0	\$154,370	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law
Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Information Technology					
FY 2009-10					
(1) Administration	\$14,948	\$14,948	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$321,177	\$0	\$0	\$321,177	\$0
(3) Criminal Justice and Appellate	\$32,021	\$345	\$12,425	\$17,870	\$1,381
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$39,523	\$0	\$34,873	\$4,650	\$0
Total Expenditures	\$407,667	\$15,291	\$47,298	\$343,697	\$1,381
Total Appropriated	\$407,667	\$15,291	\$47,298	\$343,697	\$1,381
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$14,948	\$15,291	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$321,177	\$0	\$0	\$321,177	\$0
(3) Criminal Justice and Appellate	\$32,021	\$0	\$24,715	\$5,580	\$1,381
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$39,523	\$0	\$34,873	\$4,650	\$0
Total Expenditures	\$407,667	\$15,291	\$59,588	\$331,407	\$1,381
Total Appropriated	\$407,667	\$15,291	\$59,588	\$331,407	\$1,381
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$15,291	\$15,291	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$321,177	\$0	\$0	\$321,177	\$0
(3) Criminal Justice and Appellate	\$31,676	\$0	\$24,715	\$5,580	\$1,381
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$39,523	\$0	\$34,873	\$4,650	\$0
Total Expenditures	\$407,667	\$15,291	\$59,588	\$331,407	\$1,381
Total Appropriated	\$407,667	\$15,291	\$59,588	\$331,407	\$1,381
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$445,807	\$21,754	\$63,299	\$359,373	\$1,381
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$445,807	\$21,754	\$63,299	\$359,373	\$1,381
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law
Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Lease Space Storage					
FY 2009-10					
(1) Administration	\$783	\$783	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$23,374	\$0	\$0	\$23,374	\$0
(3) Criminal Justice and Appellate	\$4,775	\$4,574	\$0	\$0	\$201
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$3,570	\$0	\$3,570	\$0	\$0
Total Expenditures	\$32,502	\$5,357	\$3,570	\$23,374	\$201
Total Appropriated	\$32,502	\$5,357	\$3,570	\$23,374	\$201
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$631	\$631	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$18,857	\$0	\$0	\$18,857	\$0
(3) Criminal Justice and Appellate	\$3,852	\$3,690	\$0	\$0	\$162
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$2,880	\$0	\$2,880	\$0	\$0
Total Expenditures	\$26,220	\$4,321	\$2,880	\$18,857	\$162
Total Appropriated	\$26,220	\$4,321	\$2,880	\$18,857	\$162
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$631	\$631	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$18,857	\$0	\$0	\$18,857	\$0
(3) Criminal Justice and Appellate	\$3,852	\$3,690	\$0	\$0	\$162
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$2,880	\$0	\$2,880	\$0	\$0
Total Expenditures	\$26,220	\$4,321	\$2,880	\$18,857	\$162
Total Appropriated	\$26,220	\$4,321	\$2,880	\$18,857	\$162
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$27,789	\$4,580	\$3,052	\$19,985	\$172
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$27,789	\$4,580	\$3,052	\$19,985	\$172
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law
Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Communication Service Payments					
FY 2009-10					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$5,616	\$1,995	\$298	\$1,773	\$1,552
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$592	\$313	\$279	\$0	\$0
Total Expenditures	\$6,208	\$2,308	\$575	\$1,773	\$1,552
Total Appropriated	\$6,208	\$2,308	\$575	\$1,773	\$1,552
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$6,688	\$2,376	\$1,760	\$704	\$1,848
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$1,056	\$372	\$332	\$352	\$0
Total Expenditures	\$7,744	\$2,748	\$2,092	\$1,056	\$1,848
Total Appropriated	\$7,744	\$2,748	\$2,092	\$1,056	\$1,848
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$7,225	\$2,548	\$1,909	\$764	\$2,004
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$1,140	\$398	\$360	\$382	\$0
Total Expenditures	\$8,365	\$2,946	\$2,269	\$1,146	\$2,004
Total Appropriated	\$8,365	\$2,946	\$2,269	\$1,146	\$2,004
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$11,726	\$4,160	\$3,168	\$1,600	\$2,798
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$11,726	\$4,160	\$3,168	\$1,600	\$2,798
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law
Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
CLE Registration Fees					
FY 2009-10					
(1) Administration	\$1,875	\$1,874	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$63,187	\$0	\$0	\$64,124	\$0
(3) Criminal Justice and Appellate	\$17,815	\$15,301	\$375	\$1,576	\$563
(4) Water and Natural Resources	\$4,501	\$2,813	\$750	\$0	\$0
(5) Consumer Protection	\$5,250	\$2,250	\$2,625	\$375	\$0
Total Expenditures	\$92,626	\$22,238	\$3,750	\$66,075	\$563
Total Appropriated	\$92,626	\$22,238	\$3,750	\$66,075	\$563
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$2,250	\$2,250	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$64,125	\$0	\$0	\$64,125	\$0
(3) Criminal Justice and Appellate	\$16,126	\$13,613	\$1,163	\$787	\$563
(4) Water and Natural Resources	\$3,751	\$3,751	\$0	\$0	\$0
(5) Consumer Protection	\$6,374	\$2,624	\$3,375	\$375	\$0
Total Expenditures	\$92,626	\$22,238	\$4,538	\$65,287	\$563
Total Appropriated	\$92,626	\$22,238	\$4,538	\$65,287	\$563
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$2,250	\$2,250	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$64,125	\$0	\$0	\$64,125	\$0
(3) Criminal Justice and Appellate	\$16,126	\$13,613	\$1,163	\$787	\$563
(4) Water and Natural Resources	\$3,751	\$3,751	\$0	\$0	\$0
(5) Consumer Protection	\$6,374	\$2,624	\$3,375	\$375	\$0
Total Expenditures	\$92,626	\$22,238	\$4,538	\$65,287	\$563
Total Appropriated	\$92,626	\$22,238	\$4,538	\$65,287	\$563
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$92,626	\$22,238	\$4,538	\$65,287	\$563
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$92,626	\$22,238	\$4,538	\$65,287	\$563
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

Department of Law
Schedule 8

Fiscal Year	Total Funds - General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Building Security				
FY 2009-10				
(1) Administration	\$21,066	\$21,066	\$0	\$0
(2) Legal Services to State Agencies	\$94,503	\$0	\$0	\$94,503
(3) Criminal Justice and Appellate	\$45,525	\$30,084	\$4,253	\$5,934
(4) Water and Natural Resources	\$6,505	\$6,505	\$0	\$0
(5) Consumer Protection	\$29,094	\$16,334	\$11,259	\$1,501
Total Expenditures	\$196,693	\$73,989	\$15,512	\$101,938
Total Appropriated	\$196,693	\$73,989	\$15,512	\$101,938
(Under)/Over Expenditures	\$0	\$0	\$0	\$0
FY 2010-11				
(1) Administration	\$11,880	\$11,880	\$0	\$0
(2) Legal Services to State Agencies	\$67,055	\$0	\$0	\$67,055
(3) Criminal Justice and Appellate	\$25,837	\$16,171	\$5,286	\$1,186
(4) Water and Natural Resources	\$4,595	\$2,584	\$0	\$2,011
(5) Consumer Protection	\$11,552	\$3,952	\$6,688	\$912
Total Expenditures	\$120,919	\$34,587	\$11,976	\$71,164
Total Appropriated	\$120,919	\$34,587	\$11,976	\$71,164
(Under)/Over Expenditures	\$0	\$0	\$0	\$0
FY 2011-12				
(1) Administration	\$12,611	\$12,611	\$0	\$0
(2) Legal Services to State Agencies	\$70,213	\$0	\$0	\$70,213
(3) Criminal Justice and Appellate	\$26,804	\$15,509	\$5,547	\$1,797
(4) Water and Natural Resources	\$3,718	\$2,634	\$0	\$1,084
(5) Consumer Protection	\$12,084	\$3,718	\$7,436	\$930
Total Expenditures	\$125,430	\$34,472	\$12,983	\$74,024
Total Appropriated	\$125,430	\$34,472	\$12,983	\$74,024
(Under)/Over Expenditures	\$0	\$0	\$0	\$0
FY 2012-13				
(1) Administration	\$140,489	\$37,180	\$14,704	\$84,287
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0
Total Expenditures	\$140,489	\$37,180	\$14,704	\$84,287
Total Appropriated	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0

Department of Law
Schedule 8

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
ALJ					
FY 2009-10					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2010-11					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$0	\$0	\$0	\$0	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$1,100	\$301	\$118	\$681	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$0	\$0	\$0	\$0	\$0
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$1,100	\$301	\$118	\$681	\$0
Total Appropriated	\$0	\$0	\$0	\$0	\$0
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0

SCHEDULE 8
Common Policy Summary

Health/Dental/Life	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$190,695	\$190,695	\$0	\$0	\$0
Legal Services to State Agencies	\$1,136,254	\$0	\$0	\$1,136,254	\$0
Appellate	\$129,738	\$129,738			
Capital Crimes	\$20,346	\$20,346			
Medicaid Fraud	\$78,732	\$19,683			\$59,049
POST Board	\$17,747		\$17,747		
Special Prosecution	\$47,791	\$35,560	\$12,231		
Securities Fraud	\$24,080	\$5,527		\$18,553	
Insurance Fraud	\$38,600			\$38,600	
Victims Assistance	\$4,672	\$4,672			
Federal & Interstate Water	\$25,698	\$25,698			
CERCLA	\$19,219	\$19,219			
RMA Litigation	\$0				
Colorado River Litigation	\$9,615	\$9,615			
Consumer Protection & Anti-Trust	\$114,749	\$73,661	\$39,881	\$1,207	
Collection Agency Board	\$36,439		\$36,439		
UCCC	\$46,313		\$46,313		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 09-10	\$1,940,688	\$534,414	\$152,611	\$1,194,614	\$59,049
Actual FY 10-11					
Administration	\$207,632	\$207,632	\$0	\$0	\$0
Legal Services to State Agencies	\$1,197,340	\$0	\$0	\$1,197,340	\$0
Appellate	\$120,629	\$120,629			
Medicaid Fraud	\$57,022	\$6,755			\$50,267
POST Board	\$33,176		\$33,176		
Special Prosecution	\$43,862	\$31,810	\$12,052		
Securities Fraud	\$17,524	\$0		\$17,524	
Insurance Fraud	\$39,802		\$39,802	\$0	
Safe2Tell	\$4,600	\$4,600			
Federal & Interstate Water	\$11,096	\$11,096			
CERCLA	\$10,720	\$0		\$10,720	
RMA Litigation	\$0				
Colorado River Litigation	\$9,606	\$9,606			
Consumer Protection & Anti-Trust	\$119,184	\$82,262	\$36,109	\$813	
Collection Agency Board	\$36,972		\$36,972		
UCCC	\$57,966		\$57,966		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 10-11	\$1,967,131	\$474,390	\$216,077	\$1,226,397	\$50,267

SCHEDULE 8
Common Policy Summary

Health/Dental/Life	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$209,146	\$209,146			
Legal Services to State Agencies	\$1,341,104			\$1,341,104	
Appellate	\$173,763	\$173,763			
Medicaid Fraud	\$80,104	\$20,026			\$60,078
POST Board	\$49,285		\$49,285		
Special Prosecution	\$65,035	\$59,426	\$5,609	\$0	
Securities Fraud	\$32,556			\$32,556	
Insurance Fraud	\$32,162		\$32,162		
Safe2Tell	\$4,819	\$4,819			
Federal & Interstate Water	\$24,306	\$24,306			
CERCLA	\$11,009			\$11,009	
RMA Litigation	\$0				
Colorado River Litigation	\$9,752	\$9,752			
Consumer Protection & Anti-Trust	\$126,607	\$76,662	\$48,644	\$1,301	
Collection Agency Board	\$34,282		\$34,282		
UCCC	\$67,564		\$67,564		
Reversions/Lapsed Appropriation	\$20,078				\$20,078
Department Total FY 11-12	\$2,281,572	\$577,900	\$237,546	\$1,385,970	\$80,156
Request FY 12-13					
Administration	\$2,415,841	\$642,316	\$317,507	\$1,362,479	\$93,539
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$2,415,841	\$642,316	\$317,507	\$1,362,479	\$93,539

SCHEDULE 8
Common Policy Summary

Short Term Disability	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$3,248	\$3,248			
Legal Services to State Agencies	\$19,985			\$19,985	
Appellate	\$2,883	\$2,883			
Capital Crimes	\$402	\$402			
Medicaid Fraud	\$1,397	\$409			\$988
POST Board	\$440		\$440		
Special Prosecution	\$1,513	\$1,253	\$260		
Securities Fraud	\$660	\$213		\$447	
Insurance Fraud	\$799			\$799	
Victims Assistance	\$89	\$89			
Federal & Interstate Water	\$587	\$587			
CERCLA	\$482	\$482			
RMA Litigation	\$0				
Colorado River Litigation	\$387	\$387			
Consumer Protection & Anti-Trust	\$1,996	\$1,126	\$574	\$296	
Collection Agency Board	\$360		\$360		
UCCC	\$1,328		\$1,328		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 09-10	\$36,556	\$11,079	\$2,962	\$21,527	\$988
Actual FY 10-11					
Administration	\$3,609	\$3,609			
Legal Services to State Agencies	\$23,981			\$23,981	
Appellate	\$3,229	\$3,229			
Medicaid Fraud	\$1,618	\$365			\$1,253
POST Board	\$394	\$0	\$394		\$0
Special Prosecution	\$2,210	\$1,932	\$278	\$0	
Securities Fraud	\$501	\$0	\$0	\$501	
Insurance Fraud	\$890	\$0	\$890	\$0	
Safe2Tell	\$0				
Federal & Interstate Water	\$655	\$655			
CERCLA	\$406	\$0		\$406	
RMA Litigation	\$0	\$0			
Colorado River Litigation	\$374	\$374			
Consumer Protection & Anti-Trust	\$2,633	\$1,729	\$521	\$383	
Collection Agency Board	\$368	\$0	\$368	\$0	
UCCC	\$1,378		\$1,378		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 10-11	\$42,246	\$11,893	\$3,829	\$25,271	\$1,253

SCHEDULE 8
Common Policy Summary

Short Term Disability	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$4,163	\$4,163			
Legal Services to State Agencies	\$28,297			\$28,297	
Appellate	\$3,948	\$3,948			
Medicaid Fraud	\$1,915	\$479			\$1,436
POST Board	\$663		\$663		\$0
Special Prosecution	\$2,124	\$1,831	\$293		
Securities Fraud	\$1,023			\$1,023	
Insurance Fraud	\$956		\$956		
Safe2Tell	\$0				
Federal & Interstate Water	\$729	\$729			
CERCLA	\$469	\$0		\$469	
RMA Litigation	\$0			\$0	
Colorado River Litigation	\$389	\$389			
Consumer Protection & Anti-Trust	\$2,406	\$1,469	\$699	\$338	
Collection Agency Board	\$476	\$0	\$476	\$0	
UCCC	\$1,470		\$1,470		
Reversions/Lapsed Appropriation	\$168				\$168
Department Total FY 11-12	\$49,196	\$13,008	\$4,457	\$30,127	\$1,604
Request FY 12-13					
Administration	\$54,275	\$15,188	\$5,889	\$30,957	\$2,241
Legal Services to State Agencies	\$0				
Appellate	\$0				
Capital Crimes	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$54,275	\$15,188	\$5,889	\$30,957	\$2,241

SCHEDULE 8
Common Policy Summary

S.B. 04-257 Amortization Equalization Disbursement	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$47,556	\$47,556			
Legal Services to State Agencies	\$324,136			\$324,136	
Appellate	\$42,181	\$42,181			
Capital Crimes	\$6,098	\$6,098			
Medicaid Fraud	\$21,802	\$5,451			\$16,351
POST Board	\$7,045		\$7,045		
Special Prosecution	\$21,200	\$17,482	\$3,718		
Securities Fraud	\$8,618	\$2,846		\$5,772	
Insurance Fraud	\$10,307			\$10,307	
Victims Assistance	\$1,342	\$1,342			
Federal & Interstate Water	\$8,144	\$8,144			
CERCLA	\$6,936	\$6,936			
RMA Litigation	\$0				
Colorado River Litigation	\$5,494	\$5,494			
Consumer Protection & Anti-Trust	\$27,498	\$15,924	\$7,755	\$3,819	
Collection Agency Board	\$5,335		\$5,335		
UCCC	\$17,130		\$17,130		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 09-10	\$560,822	\$159,454	\$40,983	\$344,034	\$16,351
Actual FY 10-11					
Administration	\$54,036	\$54,036			
Legal Services to State Agencies	\$374,987			\$374,987	
Appellate	\$49,852	\$49,852			
Medicaid Fraud	\$25,868	\$6,467			\$19,401
POST Board	\$6,561		\$6,561		
Special Prosecution	\$36,637	\$32,427	\$4,210		
Securities Fraud	\$8,474			\$6,474	
Insurance Fraud	\$12,740		\$12,740		
Safe2Tell	\$4,000	\$4,000			
Federal & Interstate Water	\$9,151	\$9,151			
CERCLA	\$7,486			\$7,486	
District Attorney Salaries	\$1	\$1			
Colorado River Litigation	\$5,768	\$5,768			
Consumer Protection & Anti-Trust	\$34,516	\$21,429	\$8,504	\$4,583	
Collection Agency Board	\$5,870		\$5,870		
UCCC	\$20,367		\$20,367		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 10-11	\$654,314	\$183,131	\$58,252	\$393,530	\$19,401

SCHEDULE 8
Common Policy Summary

S.B. 04-257 Amortization Equalization Disbursement	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$63,581	\$63,581			
Legal Services to State Agencies	\$447,651			\$447,651	
Appellate	\$61,683	\$61,683			
Medicaid Fraud	\$30,299	\$7,575			\$22,724
POST Board	\$10,493		\$10,493		
Special Prosecution	\$33,279	\$28,640	\$4,639		
Securities Fraud	\$16,178			\$16,178	
Insurance Fraud	\$15,119		\$15,119		
Safe2Tell	\$1,371	\$1,371			
Federal & Interstate Water	\$11,385	\$11,385			
CERCLA	\$7,415			\$7,415	
Colorado River Litigation	\$6,072	\$6,072			
Consumer Protection & Anti-Trust	\$37,793	\$22,972	\$9,474	\$5,347	
Collection Agency Board	\$7,525		\$7,525		
UCCC	\$23,255		\$23,255		
Reversions/Lapsed Appropriation	\$2,657				\$2,857
Department Total FY 11-12	\$775,756	\$203,279	\$70,505	\$476,591	\$25,381
Request FY 12-13					
Administration	\$981,232	\$274,591	\$106,458	\$559,668	\$40,515
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$981,232	\$274,591	\$106,458	\$559,668	\$40,515

SCHEDULE 8
Common Policy Summary

S.B. 06-235 Supplemental Amortization Equalization	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$29,218	\$29,218			
Legal Services to State Agencies	\$202,585			\$202,585	
Appellate	\$25,916	\$25,916			
Capital Crimes	\$3,747	\$3,747			
Medicaid Fraud	\$13,626	\$3,407			\$10,219
POST Board	\$4,403		\$4,403		
Special Prosecution	\$13,066	\$10,741	\$2,325		
Securities Fraud	\$5,357	\$1,749		\$3,608	
Insurance Fraud	\$6,442			\$6,442	
Victims Assistance	\$825	\$825			
Federal & Interstate Water	\$5,004	\$5,004			
CERCLA	\$4,268	\$4,268			
RMA Litigation	\$0				
Colorado River Litigation	\$3,375	\$3,375			
Consumer Protection & Anti-Trust	\$17,016	\$9,784	\$4,845	\$2,387	
Collection Agency Board	\$3,335		\$3,335		
UCCC	\$10,706		\$10,706		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 09-10	\$348,889	\$98,034	\$25,614	\$215,022	\$10,219
Actual FY 10-11					
Administration	\$39,946	\$39,946			
Legal Services to State Agencies	\$273,429			\$273,429	
Appellate	\$36,969	\$36,969			
Medicaid Fraud	\$18,861	\$4,715			\$14,146
POST Board	\$4,784		\$4,784		
Special Prosecution	\$25,815	\$22,745	\$3,070		
Securities Fraud	\$4,720			\$4,720	
Insurance Fraud	\$9,289		\$9,289		
Safe2Tell	\$3,000	\$3,000			
Federal & Interstate Water	\$6,927	\$6,927			
CERCLA	\$5,459			\$5,459	
RMA Litigation	\$0				
Colorado River Litigation	\$4,700	\$4,700			
Consumer Protection & Anti-Trust	\$24,288	\$14,745	\$6,201	\$3,342	
Collection Agency Board	\$4,280		\$4,280		
UCCC	\$14,851		\$14,851		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 10-11	\$477,318	\$133,747	\$42,475	\$286,950	\$14,146

SCHEDULE 8
Common Policy Summary

S.B. 06-235 Supplemental Amortization Equalization	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$51,891	\$51,891			
Legal Services to State Agencies	\$359,719			\$359,719	
Appellate	\$49,198	\$49,198			
Medicaid Fraud	\$24,347	\$6,087			\$18,260
POST Board	\$8,432		\$8,432		
Special Prosecution	\$26,545	\$22,817	\$3,728		
Securities Fraud	\$13,001			\$13,001	
Insurance Fraud	\$12,149		\$12,149		
Safe2Tell	\$0	\$0			
Federal & Interstate Water	\$9,078	\$9,078			
CERCLA	\$5,958			\$5,958	
RMA Litigation	\$0				
Colorado River Litigation	\$4,843	\$4,843			
Consumer Protection & Anti-Trust	\$30,231	\$18,320	\$7,614	\$4,297	
Collection Agency Board	\$6,047		\$6,047		
UCCC	\$18,686		\$18,686		
Reversions/Lapsed Appropriation	\$2,136				\$2,136
Department Total FY 11-12	\$622,261	\$162,234	\$56,656	\$382,975	\$20,396
Request FY12-13					
Administration	\$843,245	\$235,977	\$91,487	\$480,964	\$34,817
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$843,245	\$235,977	\$91,487	\$480,964	\$34,817

SCHEDULE 8
Common Policy Summary

Salary Survey for Classified Employees	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$0				
Legal Services to State Agencies	\$0				
Appellate	\$0				
Capital Crimes	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 09-10	\$0	\$0	\$0	\$0	\$0
Actual FY 10-11					
Administration	\$0				
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 10-11	\$0	\$0	\$0	\$0	\$0

Common Policy Summary

Salary Survey for Classified Employees	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$0	\$0	\$0	\$0	\$0
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 11-12	\$0	\$0	\$0	\$0	\$0
Request FY 12-13					
Administration	\$0	\$0	\$0	\$0	\$0
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$0	\$0	\$0	\$0	\$0

SCHEDULE 8
Common Policy Summary

Salary Survey for Exempt Employees	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$0				
Legal Services to State Agencies	\$0				
Appellate	\$0				
Capital Crimes	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 09-10	\$0	\$0	\$0	\$0	\$0
Actual FY 10-11					
Administration	\$0				
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 10-11	\$0	\$0	\$0	\$0	\$0

SCHEDULE 8
Common Policy Summary

Salary Survey for Exempt Employees	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$0				
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 11-12	\$0	\$0	\$0	\$0	\$0
Request FY 12-13					
Administration	\$0	\$0	\$0	\$0	\$0
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$0	\$0	\$0	\$0	\$0

SCHEDULE 8
Common Policy Summary

Performance-based Pay Awards for Classified Employees	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$0				
Legal Services to State Agencies	\$0				
Appellate	\$0				
Capital Crimes	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 09-10	\$0	\$0	\$0	\$0	\$0
Actual FY 10-11					
Administration	\$0				
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 10-11	\$0	\$0	\$0	\$0	\$0

SCHEDULE 8
Common Policy Summary

Performance-based Pay Awards for Classified Employees	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$0	\$0	\$0	\$0	\$0
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 11-12	\$0	\$0	\$0	\$0	\$0
Request FY 12-13					
Administration	\$0	\$0	\$0	\$0	\$0
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$0	\$0	\$0	\$0	\$0

SCHEDULE 8
Common Policy Summary

Employees Performance-Pay Awards for Exempt Employees	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$0				
Legal Services to State Agencies	\$0				
Appellate	\$0				
Capital Crimes	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 09-10	\$0	\$0	\$0	\$0	\$0
Actual FY 10-11					
Administration	\$0				
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 10-11	\$0	\$0	\$0	\$0	\$0

SCHEDULE 8
Common Policy Summary

Employees Performance-Pay Awards for Exempt Employees	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$0	\$0	\$0	\$0	\$0
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 11-12	\$0	\$0	\$0	\$0	\$0
Request FY 12-13					
Administration	\$0	\$0	\$0	\$0	\$0
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$0	\$0	\$0	\$0	\$0

SCHEDULE 8
Common Policy Summary

Workers' Compensation	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$5,453	\$5,453			
Legal Services to State Agencies	\$28,285			\$28,285	
Appellate	\$4,016	\$4,016			
Capital Crimes	\$519	\$519			
Medicaid Fraud	\$1,813	\$453			\$1,360
POST Board	\$777		\$777		
Special Prosecution	\$1,652	\$1,334	\$318		
Securities Fraud	\$727	\$259		\$468	
Insurance Fraud	\$984			\$984	
Victims Assistance	\$132	\$132			
Federal & Interstate Water	\$713	\$713			
CERCLA	\$453	\$453			
RMA Litigation	\$0				
Colorado River Litigation	\$518	\$518			
Consumer Protection & Anti-Trust	\$2,583	\$1,422	\$773	\$388	
Collection Agency Board	\$674		\$674		
UCCC	\$1,594		\$1,594		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 09-10	\$50,893	\$15,272	\$4,136	\$30,125	\$1,360
Actual FY 10-11					
Administration	\$5,324	\$5,324			
Legal Services to State Agencies	\$28,206			\$28,206	
Appellate	\$4,092	\$4,092			
Medicaid Fraud	\$1,791	\$448			\$1,343
POST Board	\$895		\$895		
Special Prosecution	\$2,456	\$2,136	\$320		
Securities Fraud	\$499			\$499	
Insurance Fraud	\$1,010		\$1,010		
Safe2Tell	\$128	\$128			
Federal & Interstate Water	\$703	\$703			
CERCLA	\$517			\$517	
RMA Litigation	\$0				
Colorado River Litigation	\$384	\$384			
Consumer Protection & Anti-Trust	\$2,557	\$1,662	\$512	\$383	
Collection Agency Board	\$703		\$703		
UCCC	\$1,598		\$1,598		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 10-11	\$50,863	\$14,877	\$5,038	\$29,605	\$1,343

SCHEDULE 8
Common Policy Summary

Workers' Compensation	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$6,721	\$6,721	\$0	\$0	\$0
Legal Services to State Agencies	\$37,418			\$37,418	
Appellate	\$5,284	\$5,284			
Medicaid Fraud	\$2,807	\$710			\$2,097
POST Board	\$1,156		\$1,156		
Special Prosecution	\$2,791	\$2,279	\$512		
Securities Fraud	\$958			\$958	
Insurance Fraud	\$1,288		\$1,288		
Safe2Tell	\$0				
Federal & Interstate Water	\$907	\$907			
CERCLA	\$578			\$578	
RMA Litigation	\$0				
Colorado River Litigation	\$495	\$495			
Consumer Protection & Anti-Trust	\$3,468	\$1,982	\$991	\$495	
Collection Agency Board	\$908		\$908		
UCCC	\$2,064		\$2,064		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 11-12	\$66,843	\$18,378	\$6,919	\$39,449	\$2,097
Request FY 11-12					
Administration	\$79,763	\$21,109	\$8,348	\$47,854	\$2,452
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$79,763	\$21,109	\$8,348	\$47,854	\$2,452

SCHEDULE 8
Common Policy Summary

Vehicle Lease Payments	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$2,509	\$2,509			
Legal Services to State Agencies	\$19,681			\$19,681	
Appellate	\$0				
Capital Crimes	\$2,106	\$2,106			
Medicaid Fraud	\$6,245	\$1,561			\$4,684
POST Board	\$0				
Special Prosecution	\$19,817	\$15,618	\$4,199		
Securities Fraud	\$2,509			\$2,509	
Insurance Fraud	\$5,650			\$5,650	
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$4,878	\$2,097		\$2,781	
Collection Agency Board	\$0				
UCCC	\$10,574		\$10,574		
Reversions/Lapsed Appropriation	\$0				
Department Total FY09-10	\$73,969	\$23,891	\$14,773	\$30,621	\$4,684
Actual FY 10-11					
Administration	\$2,659	\$2,659			
Legal Services to State Agencies	\$20,389			\$20,389	
Appellate	\$0	\$0			
Medicaid Fraud	\$6,419	\$1,605			\$4,814
POST Board	\$1,676		\$1,676		
Special Prosecution	\$18,952	\$15,673	\$3,279		
Securities Fraud	\$2,551			\$2,551	
Insurance Fraud	\$5,734		\$5,734		
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$4,791	\$2,247		\$2,544	
Collection Agency Board	\$0				
UCCC	\$11,159		\$11,159		
Reversions/Lapsed Appropriation	\$0				
Department Total FY10-11	\$74,330	\$22,184	\$21,848	\$25,484	\$4,814

SCHEDULE 8
Common Policy Summary

Vehicle Lease Payments	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$2,549	\$2,549			
Legal Services to State Agencies	\$20,024			\$20,024	
Appellate	\$0				
Medicaid Fraud	\$3,747	\$937			\$2,810
POST Board	\$2,375		\$2,375		
Special Prosecution	\$14,127	\$12,197	\$1,930		
Securities Fraud	\$4,411			\$4,411	
Insurance Fraud	\$6,100		\$6,100		
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$3,305	\$3,305			
Collection Agency Board	\$0				
UCCC	\$13,538		\$13,538		
Reversions/Lapsed Appropriation	\$0		\$0		
Department Total FY 11-12	\$70,176	\$18,988	\$23,943	\$24,435	\$2,810
Request FY 12-13					
Administration	\$70,285	\$19,980	\$21,501	\$26,189	\$2,615
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$70,285	\$19,980	\$21,501	\$26,189	\$2,615

SCHEDULE 8
Common Policy Summary

Capitol Complex Leased Space	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$126,750	\$126,750			
Legal Services to State Agencies	\$709,085			\$709,085	
Appellate	\$100,690	\$100,690			
Capital Crimes	\$12,992	\$12,992			
Medicaid Fraud	\$45,473	\$11,368			\$34,105
POST Board	\$19,488		\$19,488		
Special Prosecution	\$41,531	\$33,455	\$8,076		
Securities Fraud	\$18,199	\$6,496		\$11,703	
Insurance Fraud	\$24,697			\$24,697	
Victims Assistance	\$3,248	\$3,248			
Federal & Interstate Water	\$7,866	\$7,866			
CERCLA	\$11,368	\$11,368			
RMA Litigation	\$0				
Colorado River Litigation	\$12,991	\$12,991			
Consumer Protection & Anti-Trust	\$84,919	\$55,707	\$19,468	\$9,744	
Collection Agency Board	\$16,891		\$16,891		
UCCC	\$39,951		\$39,951		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 09-10	\$1,276,139	\$382,931	\$103,874	\$755,229	\$34,105
Actual FY 10-11					
Administration	\$132,897	\$132,897			
Legal Services to State Agencies	\$694,715			\$694,715	
Appellate	\$100,775	\$100,775			
Medicaid Fraud	\$44,089	\$11,022			\$33,067
POST Board	\$22,044		\$22,044		
Special Prosecution	\$60,465	\$52,591	\$7,874		
Securities Fraud	\$12,282			\$12,282	
Insurance Fraud	\$24,880		\$24,880		
Safe2Tell	\$3,149	\$3,149			
Federal & Interstate Water	\$8,321	\$8,321			
CERCLA	\$11,092			\$11,092	
RMA Litigation	\$0				
Colorado River Litigation	\$9,378	\$9,378			
Consumer Protection & Anti-Trust	\$71,984	\$49,940	\$12,596	\$9,448	
Collection Agency Board	\$17,321		\$17,321		
UCCC	\$39,365		\$39,365		
Reversions/Lapsed Appropriation	\$0				
Department Total FY10-11	\$1,252,757	\$368,073	\$124,080	\$727,537	\$33,067

SCHEDULE 8
Common Policy Summary

Capitol Complex Leased Space	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$129,104	\$129,104			
Legal Services to State Agencies	\$718,796			\$718,796	
Appellate	\$101,507	\$101,507			
Medicaid Fraud	\$53,925	\$13,481			\$40,444
POST Board	\$22,205		\$22,205		
Special Prosecution	\$53,609	\$43,776	\$9,833		
Securities Fraud	\$18,398			\$18,398	
Insurance Fraud	\$24,742		\$24,742		
Safe2Tell	\$0				
Federal & Interstate Water	\$17,446	\$17,446			
CERCLA	\$11,102			\$11,102	
RMA Litigation	\$0				
Colorado River Litigation	\$9,516	\$9,516			
Consumer Protection & Anti-Trust	\$66,614	\$38,065	\$19,033	\$9,516	
Collection Agency Board	\$17,446		\$17,446		
UCCC	\$39,651		\$39,651		
Reversions/Lapsed Appropriation	\$0		\$0		
Department Total FY 11-12	\$1,284,061	\$352,895	\$132,910	\$757,812	\$40,444
Request FY 12-13					
Administration	\$1,429,495	\$378,315	\$149,602	\$857,628	\$43,950
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$1,429,495	\$378,315	\$149,602	\$857,628	\$43,950

SCHEDULE 8
Common Policy Summary

Communication Service Payments	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$0				
Legal Services to State Agencies	\$0				
Appellate	\$0				
Capital Crimes	\$296	\$296			
Medicaid Fraud	\$2,069	\$517			\$1,552
POST Board	\$0				
Special Prosecution	\$1,478	\$1,182	\$296		
Securities Fraud	\$591			\$591	
Insurance Fraud	\$1,182			\$1,182	
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$592	\$313	\$279		
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY09-10	\$6,208	\$2,308	\$575	\$1,773	\$1,552
Actual FY 10-11					
Administration	\$0				
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$2,464	\$616			\$1,848
POST Board	\$0				
Special Prosecution	\$2,112	\$1,760	\$352		
Securities Fraud	\$704			\$704	
Insurance Fraud	\$1,408		\$1,408		
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$1,056	\$372	\$332	\$352	
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY10-11	\$7,744	\$2,748	\$2,092	\$1,056	\$1,848

SCHEDULE 8
Common Policy Summary

Communication Service Payments	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$0				
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$2,672	\$668			\$2,004
POST Board	\$0				
Special Prosecution	\$2,262	\$1,880	\$382		
Securities Fraud	\$764			\$764	
Insurance Fraud	\$1,527		\$1,527		
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$1,140	\$398	\$360	\$382	
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 11-12	\$8,365	\$2,946	\$2,269	\$1,146	\$2,004
Request FY 12-13					
Administration	\$11,726	\$4,160	\$3,168	\$1,600	\$2,798
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$11,726	\$4,160	\$3,168	\$1,600	\$2,798

SCHEDULE 8
Common Policy Summary

ADP	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$6,882	\$6,882			\$0
Legal Services to State Agencies	\$0				
Appellate	\$0	\$0			
Medicaid Fraud	\$0	\$0			
POST Board	\$0				
Special Prosecution	\$6,882	\$2,294		\$4,588	
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 09-10	\$13,764	\$9,176	\$0	\$4,588	\$0
Actual FY 10-11					
Administration	\$0	\$0			\$0
Legal Services to State Agencies	\$0				
Appellate	\$0	\$0			
Medicaid Fraud	\$0	\$0			
POST Board	\$0				
Special Prosecution	\$0	\$0		\$0	
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 10-11	\$0	\$0	\$0	\$0	\$0

SCHEDULE 8
Common Policy Summary

ADP	Total Funds	GF	CF	RA	FF
Capital Crimes	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 11-12	\$0	\$0	\$0	\$0	\$0
Request FY 12-13					
Administration	\$154,370	\$0	\$154,370	\$0	\$0
Legal Services to State Agencies	\$0				
Appellate	\$0				
Capital Crimes	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$154,370	\$0	\$154,370	\$0	\$0

SCHEDULE 8
Common Policy Summary

Information Technology	Total Funds	GF	CF	CFE	FF
Actual FY 09-10					
Administration	\$14,946	\$14,946			
Legal Services to State Agencies	\$321,177			\$321,177	
Appellate	\$0				
Capital Crimes	\$0				
Medicaid Fraud	\$1,726	\$345			\$1,381
POST Board	\$8,550		\$8,550		
Special Prosecution	\$3,875		\$3,875		
Securities Fraud	\$5,580			\$5,580	
Insurance Fraud	\$12,290			\$12,290	
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$12,400		\$7,750	\$4,650	
Collection Agency Board	\$8,059		\$8,059		
UCCC	\$19,064		\$19,064		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 09-10	\$407,667	\$15,291	\$47,298	\$343,697	\$1,381
Actual FY 10-11					
Administration	\$15,291	\$15,291			
Legal Services to State Agencies	\$321,177			\$321,177	
Appellate	\$0				
Medicaid Fraud	\$1,381	\$0			\$1,381
POST Board	\$8,550		\$8,550		
Special Prosecution	\$3,875		\$3,875		
Securities Fraud	\$5,580			\$5,580	
Insurance Fraud	\$12,290		\$12,290		
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$12,400		\$7,750	\$4,650	
Collection Agency Board	\$8,059		\$8,059		
UCCC	\$19,064		\$19,064		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 10-11	\$407,667	\$15,291	\$59,588	\$331,407	\$1,381

**SCHEDULE 8
Comon Policy Summary**

Information Technology	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$15,291	\$15,291			
Legal Services to State Agencies	\$321,177			\$321,177	
Appellate	\$0				
Medicaid Fraud	\$1,381				\$1,381
POST Board	\$8,550		\$8,550		
Special Prosecution	\$3,875		\$3,875		
Securities Fraud	\$5,580			\$5,580	
Insurance Fraud	\$12,290		\$12,290		
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$12,400		\$7,750	\$4,650	
Collection Agency Board	\$8,059		\$8,059		
UCCC	\$19,064		\$19,064		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 11-12	\$407,667	\$15,291	\$69,588	\$331,407	\$1,381
Request FY 12-13					
Administration	\$445,807	\$21,754	\$63,299	\$359,373	\$1,381
Legal Services to State Agencies	\$0				
Appellate	\$0				
Capital Crimes	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$445,807	\$21,754	\$63,299	\$359,373	\$1,381

SCHEDULE 8
Common Policy Summary

CLE Registration Fees	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$1,874	\$1,874			
Legal Services to State Agencies	\$64,125			\$64,124	
Appellate	\$11,625	\$11,625			
Capital Crimes	\$750	\$750			
Medicaid Fraud	\$751	\$188			\$563
POST Board	\$0				
Special Prosecution	\$2,175	\$1,800	\$375		
Securities Fraud	\$788			\$788	
Insurance Fraud	\$788			\$788	
Victims Assistance	\$0				
Federal & Interstate Water	\$1,688	\$1,688			
CERCLA	\$938	\$938			
RMA Litigation	\$750		\$750		
Colorado River Litigation	\$1,125	\$1,125			
Consumer Protection & Anti-Trust	\$4,125	\$2,250	\$1,500	\$375	
Collection Agency Board	\$375		\$375		
UCCC	\$750		\$750		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 09-10	\$92,626	\$22,238	\$3,750	\$66,075	\$563
Actual FY 10-11					
Administration	\$2,250	\$2,250			
Legal Services to State Agencies	\$64,125			\$64,125	
Appellate	\$11,625	\$11,625			
Medicaid Fraud	\$751	\$188			\$563
POST Board	\$0				
Special Prosecution	\$2,175	\$1,800	\$375		
Securities Fraud	\$787			\$787	
Insurance Fraud	\$788		\$788		
Federal & Interstate Water	\$1,688	\$1,688			
CERCLA	\$938	\$938			
RMA Litigation	\$0				
Colorado River Litigation	\$1,125	\$1,125			
Consumer Protection & Anti-Trust	\$4,499	\$2,624	\$1,500	\$375	
Collection Agency Board	\$750		\$750		
UCCC	\$1,125		\$1,125		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 10-11	\$92,626	\$22,238	\$4,538	\$65,287	\$563

SCHEDULE 8
Common Policy Summary

CLE Registration Fees	Total Funds	GF	CF	CFE	FF
Estimate FY 11-12					
Administration	\$2,250	\$2,250			
Legal Services to State Agencies	\$64,125			\$64,125	
Appellate	\$11,625	\$11,625			
Medicaid Fraud	\$751	\$188		\$0	\$563
POST Board	\$0				
Special Prosecution	\$2,175	\$1,800	\$375		
Securities Fraud	\$787			\$787	
Insurance Fraud	\$788		\$788		
Federal & Interstate Water	\$1,688	\$1,688			
CERCLA	\$938	\$938		\$0	
RMA Litigation	\$0				
Colorado River Litigation	\$1,125	\$1,125			
Consumer Protection & Anti-Trust	\$4,499	\$2,624	\$1,500	\$375	
Collection Agency Board	\$750		\$750		
UCCC	\$1,125		\$1,125		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 11-12	\$92,626	\$22,238	\$4,538	\$65,287	\$563
Request FY 12-13					
Administration	\$92,626	\$22,238	\$4,538	\$65,287	\$563
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$92,626	\$22,238	\$4,538	\$65,287	\$563

SCHEDULE 8
Common Policy Summary

Lease Space	Total Funds	GF	CF	CFE	FF
Actual FY 09-10					
Administration	\$783	\$783			
Legal Services to State Agencies	\$23,374			\$23,374	
Appellate	\$1,108	\$1,108			
Capital Crimes	\$0				
Medicaid Fraud	\$268	\$67			\$201
POST Board	\$0				
Special Prosecution	\$3,399	\$3,399			
Securities Fraud	\$0				
Insurance Fraud	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$1,183		\$1,183		
Reversions/Lapsed Appropriation	\$2,387		\$2,387		
Department Total FY 09-10	\$32,502	\$5,357	\$3,570	\$23,374	\$201
Actual FY 10-11					
Administration	\$631	\$631			
Legal Services to State Agencies	\$18,857			\$18,857	
Appellate	\$894	\$894			
Medicaid Fraud	\$216	\$54			\$162
POST Board	\$0				
Special Prosecution	\$2,742	\$2,742			
Securities Fraud	\$0				
Insurance Fraud	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$954		\$954		
UCCC	\$1,926		\$1,926		
Reversions/Lapsed Appropriation	\$0		\$0		
Department Total FY 10-11	\$26,220	\$4,321	\$2,880	\$18,857	\$162

Common Policy Summary

###	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$631	\$631			
Legal Services to State Agencies	\$18,857			\$18,857	
Appellate	\$894	\$894			
Medicaid Fraud	\$216	\$54			\$162
POST Board	\$0				
Special Prosecution	\$2,742	\$2,742			
Securities Fraud	\$0				
Insurance Fraud	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$954		\$954		
UCCC	\$1,926		\$1,926		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 11-12	\$26,220	\$4,321	\$2,880	\$18,857	\$162
Request FY 12-13					
Administration	\$27,789	\$4,580	\$3,052	\$19,985	\$172
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$27,789	\$4,580	\$3,052	\$19,985	\$172

SCHEDULE 8
Common Policy Summary

Security for State Services Building	Total Funds	GF	CF	RA	FF
Actual FY 09-10					
Administration	\$21,066	\$21,066			
Legal Services to State Agencies	\$94,503			\$94,503	
Appellate	\$15,512	\$15,512			
Capital Crimes	\$2,002	\$2,002			
Medicaid Fraud	\$7,005	\$1,751			\$5,254
POST Board	\$3,002			\$3,002	
Special Prosecution	\$6,570	\$5,319		\$1,251	
Securities Fraud	\$2,966	\$1,000		\$1,966	
Insurance Fraud	\$3,968			\$3,968	
Victims Assistance	\$4,500	\$4,500			
Federal & Interstate Water	\$2,754	\$2,754			
CERCLA	\$1,751	\$1,751			
RMA Litigation	\$0				
Colorado River Litigation	\$2,000	\$2,000			
Consumer Protection & Anti-Trust	\$20,337	\$16,334		\$2,502	\$1,501
Collection Agency Board	\$2,602			\$2,602	
UCC	\$6,155			\$6,155	
Reversions/Lapsed Appropriation	\$0				
Department Total FY 09-10	\$196,693	\$73,989	\$15,512	\$101,938	\$5,254
Actual FY 10-11					
Administration	\$11,880	\$11,880			
Legal Services to State Agencies	\$67,055			\$67,055	
Appellate	\$9,727	\$9,727			
Medicaid Fraud	\$4,256	\$1,064			\$3,192
POST Board	\$2,128			\$2,128	
Special Prosecution	\$5,835	\$5,076		\$759	
Securities Fraud	\$1,186			\$1,186	
Insurance Fraud	\$2,401			\$2,401	
Safe2TEll	\$304	\$304			
Federal & Interstate Water	\$1,672	\$1,672			
CERCLA	\$2,011			\$2,011	
RMA Litigation	\$0				
Colorado River Litigation	\$912	\$912			
Consumer Protection & Anti-Trust	\$6,080	\$3,952		\$1,216	\$912
Collection Agency Board	\$1,672			\$1,672	
UCC	\$3,800			\$3,800	
Reversions/Lapsed Appropriation	\$0				
Department Total FY 10-11	\$120,919	\$34,587	\$11,976	\$71,164	\$3,192

Common Policy Summary

Security for State Services Building	Total Funds	GF	CF	RA	FF
Estimate FY 11-12					
Administration	\$12,611	\$12,611	\$0	\$0	\$0
Legal Services to State Agencies	\$70,213			\$70,213	
Appellate	\$9,916	\$9,916			
Medicaid Fraud	\$5,268	\$1,317			\$3,951
POST Board	\$2,169		\$2,169		
Special Prosecution	\$5,237	\$4,276	\$961		
Securities Fraud	\$1,797			\$1,797	
Insurance Fraud	\$2,417		\$2,417		
Safe2Tell	\$0	\$0			
Federal & Interstate Water	\$1,704	\$1,704			
CERCLA	\$1,084			\$1,084	
RMA Litigation	\$0				
Colorado River Litigation	\$930	\$930			
Consumer Protection & Anti-Trust	\$6,507	\$3,718	\$1,859	\$930	
Collection Agency Board	\$1,704		\$1,704		
UCCC	\$3,873		\$3,873		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 11-12	\$125,430	\$34,472	\$12,983	\$74,024	\$3,951
Request FY 12-13					
Administration	\$140,489	\$37,180	\$14,704	\$84,287	\$4,318
Legal Services to State Agencies	\$0				
Appellate	\$0				
Capital Crimes	\$0				
Medicaid Fraud	\$0				
POST Board	\$0				
Special Prosecution	\$0				
Securities Fraud	\$0				
Insurance Fraud	\$0				
Victims Assistance	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$0				
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$140,489	\$37,180	\$14,704	\$84,287	\$4,318

FY 12-13 Schedule 9 Cash Fund Reports



Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 12W- Non-Profit Health Care Review
 6-19-406(1)(b), G.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Cash in Beginning Fund Balance¹	\$2,801	\$2,801	\$2,801	\$2,801	\$2,801
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$0	\$0	\$0	\$0	\$0
Actual Expenditure	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash used to pay short-term liabilities	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated debit service payments	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated loan issuances	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other uses of cash ³	\$0	\$0	\$0	\$0	\$0
Actual / Appropriated Cash Outflow During Fiscal Year	\$0	\$0	\$0	\$0	\$0
Available Liquid Fund Balance Prior to New Requests	\$2,801	\$2,801	\$2,801	\$2,801	\$2,801
Decision Item #1 - "Sample A"	N/A	N/A	N/A	\$0	\$0
Decision Item #2 - "Sample B"	N/A	N/A	N/A	\$0	\$0
Change Requests Using Liquid Assets	N/A	N/A	N/A	\$0	\$0
Actual / Anticipated Liquid Fund Balance	\$2,801	\$2,801	\$2,801	\$2,801	\$2,801

1 - Include only cash - exclude all other assets such as, receivables, investments, prepaids, capital assets, accumulated depreciation, and all short-term and long-term liabilities

2 - Includes sales of capital assets, sales of investments, collections of loans, etc.

3 - Includes nonappropriated purchases of capital assets and investments, new prepaid expense recorded, etc.

Fee Levels (if applicable)	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
1 Fee Name	N/A	N/A	N/A	N/A	N/A
2 Fee Name	N/A	N/A	N/A	N/A	N/A
3 Fee Name	N/A	N/A	N/A	N/A	N/A

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 12W- Non-Profit Health Care Review
 6-19-406(1)(b), C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds; calculated based on % of revenue from fees)	\$0	\$0	\$0	\$0	\$0
Target/Alternative Fee Reserve Balance (amount set in statute or 16.5% of total expenses)	N/A	N/A	N/A	N/A	N/A
Excess Uncommitted Fee Reserve Balance	\$0	\$0	\$0	\$0	\$0
Assessment of Potential for Compliance (check all that apply)	<input type="checkbox"/> Already in Compliance <input type="checkbox"/> Statute Change ² <input type="checkbox"/> Planned Fee Reduction ³ <input type="checkbox"/> Planned One-time Expenditure(s) ¹ <input type="checkbox"/> Planned Ongoing Expenditure(s) ² <input type="checkbox"/> Waiver ³				

1. This section is not required for funds outlined in 24-75-402 (5), C.R.S. (2007)

2. If plan is needed to meet compliance deadline, attach Form 9.B.

3. If pursuing a waiver, attach Form 9.C.

Cash Fund Narrative Information	
Purpose/Background of Fund	Accepting grants for the implementation of article 6-19 C.R.S.
Fee Sources	N/A
Non-Fee Sources	Reimburse State legal costs associated with a change from non-profit to for-profit operation.
Long Bill Groups Supported by Fund	None
Non-appropriated Fund Obligations	None
Statutory or Other Restriction on Use of Fund	Reviewing the transfer of non-profit hospital assets.
Revenue Drivers	None
Expenditure Drivers	None

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 12W- Non-Profit Health Care Review
 6-19-406(1)(b), C.R.S.

Explanation of any Long-term Liability Funding Requirements	N/A
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Fund Expenditures Line Item Detail	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Division Name: N/A					
Line Item Name	\$0	\$0	\$0	\$0	\$0
Line Item Name	\$0	\$0	\$0	\$0	\$0
Division Subtotal	\$0	\$0	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0	\$0	\$0

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2010-11 Budget Request
 Fund 13H - Attorney Fees & Cost
 24-31-108, C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Cash in Beginning Fund Balance ¹	440,623	588,787	690,231	665,231	640,231
Actual / anticipated revenue from court awards	\$202,185	\$123,861	\$25,000	\$25,000	\$25,000
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$202,185	\$123,861	\$25,000	\$25,000	\$25,000
Actual Expenditure	\$54,021	\$22,417	\$50,000	\$50,000	\$50,000
Actual / anticipated cash used to pay short-term liabilities	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated debit service payments	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated loan issuances	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other uses of cash ³	\$0	\$0	\$0	\$0	\$0
Actual / Appropriated Cash Outflow During Fiscal Year	\$54,021	\$22,417	\$50,000	\$50,000	\$50,000
Available Liquid Fund Balance Prior to New Requests	\$588,787	\$690,231	\$665,231	\$640,231	\$615,231
Actual / Anticipated Liquid Fund Balance	\$588,787	\$690,231	\$665,231	\$640,231	\$615,231

- 1 - Include only cash - exclude all other assets such as: receivables, investments, prepaids, capital assets, accumulated depreciation, and all short-term and long-term liabilities
- 2 - Includes sales of capital assets, sales of investments, collections of loans, etc.
- 3 - Includes nonappropriated purchases of capital assets and investments, new prepaid expense recorded, etc.

Fee Levels (if applicable)	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
1. Fee Name	N/A	N/A	N/A	N/A	N/A
2. Fee Name	N/A	N/A	N/A	N/A	N/A
3. Fee Name	N/A	N/A	N/A	N/A	N/A

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2010-11 Budget Request
 Fund 13H - Attorney Fees & Cost
 24-31-108, C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds, calculated based on % of revenue from fees)	\$0	\$0	\$0	\$0	\$0
Target/Alternative Fee Reserve Balance (amount set in statute or .16.5% of total expenses)	N/A	N/A	N/A	N/A	N/A
Excess Uncommitted Fee Reserve Balance	\$0	\$0	\$0	\$0	\$0
Assessment of Potential for Compliance (check all that apply)	Already in Compliance		Statute Change ²		Planned Fee Reduction ²
	Planned One-time Expenditure(s) ¹		Planned Ongoing Expenditure(s) ²		Waiver ³

1. This section is not required for funds outlined in 24-75-402 (5), C.R.S. (2007)

2. If plan is needed to meet compliance deadline, attach Form 9.B.

3. If pursuing a waiver, attach Form 9.C.

Cash Fund Narrative Information

Purpose/Background of Fund	The 2000 session of the General Assembly established this account. Any award of attorneys fees and costs received by the Attorney General are to be deposited into this fund subject to appropriation.
Fee Sources	N/A
Non-Fee Sources	None
Long Bill Groups Supported by Fund	Litigation Management Fund; Consultant Expense Line.
Non-appropriated Fund Obligations	None
Statutory or Other Restriction on Use of Fund	These funds are to be used for legal services provided by the Attorney General's Office.
Revenue Drivers	Court awards of attorney fees and costs.
Expenditure Drivers	None

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2010-11 Budget Request
 Fund 13H - Attorney Fees & Cost
 24-31-108, C.R.S.

Explanation of any Long-term Liability Funding Requirements	None
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Fund Expenditures Line Item Detail	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Division Name: Water & Natural Resources					
Federal and Interstate Water	\$12,469	\$0	\$0	\$0	\$0
Consultant Expense	\$41,553	\$9,379	\$50,000	\$50,000	\$50,000
Roll Forward #180 Hill and Robbins		\$12,935			
Roll Forward #181 Deere and Ault		\$103			
Division Subtotal	\$54,021	\$22,417	\$50,000	\$50,000	\$50,000
Division Name: Special Purpose					
Litigation Management Fund	\$105,518	\$0	\$0	\$0	\$0
Division Subtotal	\$105,518	\$0	\$0	\$0	\$50,000
TOTAL	\$159,539	\$22,417	\$50,000	\$50,000	\$50,000

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 14P - POST Custodial
 24-31-108(3) C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Cash in Beginning Fund Balance ¹	\$4,298	\$4,364	\$4,434	\$4,434	\$4,434
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$66	\$66	\$0	\$0	\$0
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$66	\$69	\$0	\$0	\$0
Actual / appropriated / projected cash expenditures	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash used to pay short-term liabilities	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated debt service payments	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated loan issuances	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other uses of cash ³	\$0	\$0	\$0	\$0	\$0
Actual / Appropriated Cash Outflow During Fiscal Year	\$0	\$0	\$0	\$0	\$0
Available Liquid Fund Balance Prior to New Requests	\$4,364	\$4,434	\$4,434	\$4,434	\$4,434
Decision Item #1 - "Sample A"	N/A	N/A	N/A	\$0	\$0
Decision Item #2 - "Sample B"	N/A	N/A	N/A	\$0	\$0
Change Requests Using Liquid Assets	N/A	N/A	N/A	\$0	\$0
Actual / Anticipated Liquid Fund Balance	\$4,364	\$4,434	\$4,434	\$4,434	\$4,434

1 - Include only cash - exclude all other assets such as, receivables, investments, prepaids, capital assets, accumulated depreciation, and all short-term and long-term liabilities

2 - Includes sales of capital assets, sales of investments, collections of loans, etc

3 - Includes nonappropriated purchases of capital assets and investments, new prepaid expense recorded, etc

Fee Levels (if applicable)	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
1. Fee Name	N/A	N/A	N/A	N/A	N/A
2. Fee Name	N/A	N/A	N/A	N/A	N/A
3. Fee Name	N/A	N/A	N/A	N/A	N/A

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 14P - POST Custodial
 24-31-108(3), C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds calculated based on % of revenue from fees)	\$0	\$0	\$0	\$0	\$0
Target/Alternative Fee Reserve Balance (amount set in statute or 16.5% of total expenses)	N/A	N/A	N/A	N/A	N/A
Excess Uncommitted Fee Reserve Balance	\$0	\$0	\$0	\$0	\$0
Assessment of Potential for Compliance (check all that apply)	<input type="checkbox"/> Already in Compliance		<input type="checkbox"/> Statute Change ²		<input type="checkbox"/> Planned Fee Reduction ²
	<input type="checkbox"/> Planned One-time Expenditure(s) ¹		<input type="checkbox"/> Planned Ongoing Expenditure(s) ²		<input type="checkbox"/> Waiver ³

1. This section is not required for funds outlined in 24-75-402 (5), C.R.S. (2007)

2. If plan is needed to meet compliance deadline, attach Form 9.B.

3. If pursuing a waiver, attach Form 9.C.

Cash Fund Narrative Information

Purpose/Background of Fund	Support regionalized training of Peace Officers
Fee Sources	N/A
Non-Fee Sources	Court award from US District Court
Long Bill Groups Supported by Fund	None
Non-appropriated Fund Obligations	N/A
Statutory or Other Restriction on Use of Fund	N/A
Revenue Drivers	N/A
Expenditure Drivers	N/A

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 14P - POST Custodial
 24-31-108(3), C.R.S.

Explanation of any Long-term Liability Funding Requirements	N/A
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Fund Expenditures Line Item Detail	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Division Name: None					
Post Custodial Funds	\$0	\$0	\$0	\$0	\$0
Line Item Name	\$0	\$0	\$0	\$0	\$0
Division Subtotal	\$0	\$0	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0	\$0	\$0

DATE	DESCRIPTION	AMOUNT
10/10/2010
10/11/2010
10/12/2010
10/13/2010
10/14/2010
10/15/2010
10/16/2010
10/17/2010
10/18/2010
10/19/2010
10/20/2010
10/21/2010
10/22/2010
10/23/2010
10/24/2010
10/25/2010
10/26/2010
10/27/2010
10/28/2010
10/29/2010
10/30/2010
10/31/2010

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Schedule 9A Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 15B - UCCC Custodial
 24-31-108(3), C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Cash in Beginning Fund Balance¹	\$1,088,262	\$788,403	\$705,653	\$659,602	\$612,154
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$103,022	\$223,495	\$50,000	\$50,000	\$35,000
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$103,022	\$223,495	\$50,000	\$50,000	\$35,000
Actual / appropriated / projected cash expenditures	\$402,881	\$306,245.40	\$96,051	\$97,448	\$97,448
Actual / anticipated cash used to pay short-term liabilities	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated debit service payments	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated loan issuances	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other uses of cash ³	\$0	\$0	\$0	\$0	\$0
Actual / Appropriated Cash Outflow During Fiscal Year	\$402,881	\$306,245	\$96,051	\$97,448	\$97,448
Available Liquid Fund Balance Prior to New Requests	\$788,403	\$705,653	\$659,602	\$612,154	\$549,706
Decision Item #1 - "Sample A"	N/A	N/A	N/A	\$0	\$0
Decision Item #2 - "Sample B"	N/A	N/A	N/A	\$0	\$0
Change Requests Using Liquid Assets	N/A	N/A	N/A	\$0	\$0
Actual / Anticipated Liquid Fund Balance	\$788,403	\$705,653	\$659,602	\$612,154	\$549,706

1 - Include only cash - exclude all other assets such as, receivables, investments, prepaids, capital assets, accumulated depreciation, and all short-term and long-term liabilities.

2 - Includes sales of capital assets, sales of investments, collections of loans, etc.

3 - Includes nonappropriated purchases of capital assets and investments, new prepaid expense recorded, etc.

Fee Levels (if applicable)	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
1. Fee Name	N/A	N/A	N/A	N/A	N/A
2. Fee Name	N/A	N/A	N/A	N/A	N/A
3. Fee Name	N/A	N/A	N/A	N/A	N/A

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 16B - UCCC Custodial
 24-31-108(3) C.R.S.

4-88

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds; calculated based on % of revenue from fees)	\$0	\$0	\$0	\$0	\$0
Target/Alternative Fee Reserve Balance (amount set in statute or 16.5% of total expenses)	N/A	N/A	N/A	N/A	N/A
Excess Uncommitted Fee Reserve Balance	\$0	\$0	\$0	\$0	\$0
Assessment of Potential for Compliance (check all that apply)	<input type="checkbox"/> Already in Compliance <input type="checkbox"/> Statute Change ² <input type="checkbox"/> Planned Fee Reduction ²				
	<input type="checkbox"/> Planned One-time Expenditure(s) ¹ <input type="checkbox"/> Planned Ongoing Expenditure(s) ² <input type="checkbox"/> Waiver ³				

1. This section is not required for funds outlined in 24-75-402 (5), C.R.S. (2007)
2. If plan is needed to meet compliance deadline, attach Form 9.B
3. If pursuing a waiver, attach Form 9.C

Cash Fund Narrative Information

Purpose/Background of Fund	Providing moneys for educational purposes in the areas of consumer credit and lending and consumer protection enforcement efforts involving credit and lending.
Fee Sources	N/A
Non-Fee Sources	Custodial Awards
Long Bill Groups Supported by Fund	Consumer Protection & Anti-Trust
Non-appropriated Fund Obligations	None
Statutory or Other Restriction on Use of Fund	None
Revenue Drivers	Disciplinary and legal actions to correct UCCC violations discovered in compliance examinations or through consumer complaints.
Expenditure Drivers	None

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 16B - UCCC Custodial
 24-31-108(3), C.R.S.

Explanation of any Long-term Liability Funding Requirements	N/A
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Fund Expenditures Line Item Detail	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Division Name: Consumer Protection					
Consumer Protection & Anti-Trust	\$135,096	\$80,000	\$83,647	\$85,131	\$85,131
CP Indirect Costs	\$12,407	\$13,940	\$12,404	\$12,317	\$12,317
Division Subtotal	\$147,503	\$93,940	\$96,051	\$97,448	\$97,448
Division Name: Custodial Fund					
Custodial Fund	\$255,378	\$212,305	\$0	\$0	\$0
Division Subtotal	\$255,378	\$212,305	\$0	\$0	\$0
TOTAL	\$402,881	\$306,245	\$96,051	\$97,448	\$97,448

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 16Z- Insurance Fraud
 10-3-207.5(2), C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Cash in Beginning Fund Balance ¹	\$0	\$0	\$79,612	\$85,437	\$57,098
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$0	\$861,831	\$865,185	\$865,185	\$865,185
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$0	\$861,831	\$865,185	\$865,185	\$865,185
Actual / appropriated / projected cash expenditures	\$0	\$782,219	\$859,360	\$893,524	\$893,524
Actual / anticipated cash used to pay short-term liabilities	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated debit service payments	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated loan issuances	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other uses of cash ³	\$0	\$0	\$0	\$0	\$0
Actual / Appropriated Cash Outflow During Fiscal Year	\$0	\$782,219	\$859,360	\$893,524	\$893,524
Available Liquid Fund Balance Prior to New Requests	\$0	\$79,612	\$85,437	\$57,098	\$28,759
	N/A	N/A	N/A	\$0	
	N/A	N/A	N/A	\$0	\$0
Change Requests Using Liquid Assets	N/A	N/A	N/A	\$0	\$0
Actual / Anticipated Liquid Fund Balance	\$0	\$79,612	\$85,437	\$57,098	\$28,759

1 - include only cash - exclude all other assets such as, receivables, investments, prepaids, capital assets, accumulated depreciation, and all short-term and long-term liabilities.

2 - includes sales of capital assets, sales of investments, collections of loans, etc.

3 - includes nonappropriated purchases of capital assets and investments, new prepaid expense recorded, etc.

Fee Levels (if applicable)	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Insurance Fraud Annual Fee	N/A	\$860,185	\$860,185	\$860,185	\$860,185
Interest	N/A	\$1,846	\$5,000	\$5,000	\$5,000
3. Fee Name	N/A	N/A	N/A	N/A	N/A

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds; calculated based on % of revenue from fees)	\$0	\$79,612	\$0	\$0	\$0
Target/Alternative Fee Reserve Balance (amount set in statute or 16.5% of total expenses)	N/A	\$129,066	\$141,794	\$147,431	N/A
Excess Uncommitted Fee Reserve Balance	\$0	(\$49,454)	(\$141,794)	(\$147,431)	\$0
Assessment of Potential for Compliance (check all that apply)	<input checked="" type="checkbox"/> Already in Compliance		<input type="checkbox"/> Statute Change ²	<input type="checkbox"/> Planned Fee Reduction ²	
	<input type="checkbox"/> Planned One-time Expenditure(s) ¹		<input type="checkbox"/> Planned Ongoing Expenditure(s) ²	<input type="checkbox"/> Waiver ³	

1. This section is not required for funds outlined in 24-75-402 (5), C.R.S. (2007)

2. If plan is needed to meet compliance deadline, attach Form 9.B

3. If pursuing a waiver, attach Form 9.C

Cash Fund Narrative Information

Purpose/Background of Fund	Providing moneys for educational purposes in the areas of consumer credit and lending and
Fee Sources	\$561 set in statute
Non-Fee Sources	Custodial Awards
Long Bill Groups Supported by Fund	Consumer Protection & Anti-Trust
Non-appropriated Fund Obligations	None
Statutory or Other Restriction on Use of Fund	None
Revenue Drivers	Disciplinary and legal actions to correct UCCC violations discovered in compliance examinations
Expenditure Drivers	None
Explanation of any Long-term Liability Funding Requirements	N/A

Fund Expenditures Line Item Detail	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Division Name: Criminal Justice and Appellate					
Special Prosecutors Unit		\$688,812	\$762,600	\$796,222	\$796,222
Indirect Cost Assessment		\$93,407	\$96,751	\$97,302	\$97,302
Division Subtotal		\$782,219	\$859,360	\$893,524	\$893,524
Division Name:					
	\$0		\$0	\$0	\$0
	\$0		\$0	\$0	\$0
TOTAL	\$0	\$782,219	\$859,360	\$893,524	\$893,524

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 19A - CAB Custodial
 24-31-108(J), G.R.S

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Cash in Beginning Fund Balance ¹	\$134,604	\$139,735	\$175,216	\$179,216	\$176,216
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$8,084	\$40,513	\$9,000	\$2,000	\$2,000
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$8,084	\$40,513	\$9,000	\$2,000	\$2,000
Actual / appropriated / projected cash expenditures	\$2,953	\$5,032	\$5,000	\$5,000	\$5,000
Actual / anticipated cash used to pay short-term liabilities	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated debit service payments	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated loan issuances	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other uses of cash ³	\$0	\$0	\$0	\$0	\$0
Actual / Appropriated Cash Outflow During Fiscal Year	\$2,953	\$5,032	\$5,000	\$5,000	\$5,000
Available Liquid Fund Balance Prior to New Requests	\$139,735	\$175,216	\$179,216	\$176,216	\$173,216
Decision Item #1 - "Sample A"	N/A	N/A	N/A	\$0	\$0
Decision Item #2 - "Sample B"	N/A	N/A	N/A	\$0	\$0
Change Requests Using Liquid Assets	N/A	N/A	N/A	\$0	\$0
Actual / Anticipated Liquid Fund Balance	\$139,735	\$175,216	\$179,216	\$176,216	\$173,216

1 - Include only cash - exclude all other assets such as, receivables, investments, prepaids, capital assets, accumulated depreciation, and all short-term and long-term liabilities

2 - Includes sales of capital assets, sales of investments, collections of loans, etc.

3 - Includes nonappropriated purchases of capital assets and investments, new prepaid expense recorded, etc.

Fee Levels (if applicable)	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
1. Fee Name	N/A	N/A	N/A	N/A	N/A
2. Fee Name	N/A	N/A	N/A	N/A	N/A
3. Fee Name	N/A	N/A	N/A	N/A	N/A

Schedule 9A Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 19A - CAB Custodial
 24-31-108(3), C.R.S.

4-96

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds, calculated based on % of revenue from fees)	\$0	\$0	\$0	\$0	\$0
Target/Alternative Fee Reserve Balance (amount set in statute or 16.5% of total expenses)	N/A	N/A	N/A	N/A	N/A
Excess Uncommitted Fee Reserve Balance	\$0	\$0	\$0	\$0	\$0
Assessment of Potential for Compliance (check all that apply)	<input type="checkbox"/> Already in Compliance <input type="checkbox"/> Statute Change ² <input type="checkbox"/> Planned Fee Reduction ²				
	<input type="checkbox"/> Planned One-time Expenditure(s) ³ <input type="checkbox"/> Planned Ongoing Expenditure(s) ² <input type="checkbox"/> Waiver ³				

1. This section is not required for funds outlined in 24-75-402 (5), C.R.S. (2007)

2. If plan is needed to meet compliance deadline, attach Form 9.B.

3. If pursuing a waiver, attach Form 9.C.

Cash Fund Narrative Information

Purpose/Background of Fund	Providing moneys for education purposes in the area of fair debt collection and consumer protection enforcement efforts involving the Colorado Fair Debt Collection Practices Act.
Fee Sources	N/A
Non-Fee Sources	Custodial Awards.
Long Bill Groups Supported by Fund	None
Non-appropriated Fund Obligations	None
Statutory or Other Restriction on Use of Fund	None
Revenue Drivers	Disciplinary and legal actions to remedy violations of the Colorado Fair Debt Collection Practices Act discovered in investigation consumer complaints.
Expenditure Drivers	None

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 19A - CAB Custodial
 24-31-108(3), C.R.S.

Explanation of any Long-term Liability Funding Requirements	N/A
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Fund Expenditures Line Item Detail	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Division Name: N/A					
Line Item Name	\$0	\$0	\$0	\$0	\$0
Line Item Name	\$0	\$0	\$0	\$0	\$0
Line Item Name	\$0	\$0	\$0	\$0	\$0
Custodial Fund	\$2,953	\$5,032	\$5,000	\$5,000	\$5,000
Division Subtotal	\$2,953	\$5,032	\$5,000	\$5,000	\$5,000
TOTAL	\$2,953	\$5,032	\$5,000	\$5,000	\$5,000

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 146 - Consumer Protection Custodial
 24-31-106(3), C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-134
Cash in Beginning Fund Balance	\$5,107,093	\$5,351,471	\$7,464,555	\$7,901,065	\$7,494,094
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$1,209,287	\$2,952,912	\$1,200,000	\$900,000	\$900,000
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$1,209,287	\$2,952,912	\$1,200,000	\$900,000	\$900,000
Actual / appropriated / projected cash expenditures	\$964,908	\$839,829	\$763,490	\$1,306,971	\$1,306,971
Actual / anticipated cash used to pay short-term liabilities	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated debit service payments	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated loan issuances	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other uses of cash ³	\$0	\$0	\$0	\$0	\$0
Actual / Appropriated Cash Outflow During Fiscal Year	\$964,908	\$839,829	\$763,490	\$1,306,971	\$1,306,971
Available Liquid Fund Balance Prior to New Requests	\$5,351,472	\$7,464,555	\$7,901,065	\$7,494,094	\$7,087,123
Actual / Anticipated Liquid Fund Balance	\$5,351,471	\$7,464,555	\$7,901,065	\$7,494,094	\$7,087,123

1 - Include only cash - exclude all other assets such as, receivables, investments, prepaids, capital assets, accumulated depreciation, and all short-term and long-term liabilities

2 - Includes sales of capital assets, sales of investments, collections of loans, etc.

3 - Includes nonappropriated purchases of capital assets and investments, new prepaid expense recorded, etc.

Fee Levels (if applicable)	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-134
1. Fee Name	N/A	N/A	N/A	N/A	N/A
2. Fee Name	N/A	N/A	N/A	N/A	N/A
3. Fee Name	N/A	N/A	N/A	N/A	N/A

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 146 - Consumer Protection Custodial
 24-31-108(3), C.R.S.

4-100

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-134
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds; calculated based on % of revenue from fees)	\$0	\$0	\$0	\$0	\$0
Target/Alternative Fee Reserve Balance (amount set in statute or 16.5% of total expenses)	N/A	N/A	N/A	N/A	N/A
Excess Uncommitted Fee Reserve Balance	\$0	\$0	\$0	\$0	\$0
Assessment of Potential for Compliance (check all that apply)	Already in Compliance		Statute Change ²		Planned Fee Reduction ³
	Planned One-time Expenditure(s) ¹		Planned Ongoing Expenditure(s) ²		Waiver ³

- ¹ This section is not required for funds outlined in 24-75-402 (5), C.R.S. (2007)
² If plan is needed to meet compliance deadline, attach Form 9.B
³ If pursuing a waiver, attach Form 9.C

Cash Fund Narrative Information	
Purpose/Background of Fund	Consumer protection and Education Enforcement
Fee Sources	N/A
Non-Fee Sources	Consumer protection litigation court awards
Long Bill Groups Supported by Fund	Consumer Protection and Anti-Trust Appropriation
Non-appropriated Fund Obligations	None
Statutory or Other Restriction on Use of Fund	Only used for consumer protection education and enforcement
Revenue Drivers	Depends on Consumer Protection Litigation
Expenditure Drivers	Depends on Consumer Protection Expenses

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 146 - Consumer Protection Custodial
 24-31-108(3), C.R.S.

Explanation of any Long-term Liability Funding Requirements	N/A
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Fund Expenditures Line Item Detail	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-134
Division Name: Consumer Protection					
Consumer Protection & Anti-Trust	\$370,233	\$438,475	\$413,875	\$846,854	\$846,854
CP Indirect Costs	\$40,313	\$41,819	\$49,615	\$160,117	\$160,117
Division Subtotal	\$410,546	\$478,294	\$463,490	\$1,006,971	\$1,006,971
Custodial Fund	\$0	\$0	\$0	\$0	\$0
Custodial Fund	\$584,362	\$361,535	\$300,000	\$300,000	\$300,000
Division Subtotal	\$0	\$361,535	\$300,000	\$300,000	\$300,000
TOTAL	\$964,908	\$839,829	\$763,490	\$1,306,971	\$1,306,971



Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 147 - Special Prosecution Custodial
 18-17-106, C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Cash in Beginning Fund Balance	\$24,703	\$33,499	\$14,284	\$14,684	\$15,084
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$11,589	\$383	\$400	\$400	\$400
Actual / anticipated other noncash assets converted to cash ¹	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$11,589	\$383	\$400	\$400	\$400
Actual / appropriated / projected cash expenditures	\$2,793	\$19,597	\$0	\$0	\$0
Actual / anticipated cash used to pay short-term liabilities	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated debit service payments	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated loan issuances	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other uses of cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Appropriated Cash Outflow During Fiscal Year	\$2,793	\$19,597	\$0	\$0	\$0
Available Liquid Fund Balance Prior to New Requests	\$33,499	\$14,284	\$14,684	\$15,084	\$15,484
Decision Item #1 - "Sample A"	N/A	N/A	0	\$0	\$0
Decision Item #2 - "Sample B"	N/A	N/A	0	\$0	\$0
Change Requests Using Liquid Assets	N/A	N/A	0	\$0	\$0
Actual / Anticipated Liquid Fund Balance	\$33,499	\$14,284	\$14,684	\$15,084	\$15,484

¹ - include only cash - exclude all other assets such as, receivables, investments, prepaids, capital assets, accumulated depreciation, and all short-term and long-term liabilities

² - includes sales of capital assets, sales of investments, collections of loans, etc.

³ - includes nonappropriated purchases of capital assets and investments, new prepaid expense recorded, etc.

Fee Levels (if applicable)	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
1. Fee Name	N/A	N/A	N/A	N/A	N/A
2. Fee Name	N/A	N/A	N/A	N/A	N/A
3. Fee Name	N/A	N/A	N/A	N/A	N/A

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 147 - Special Prosecution Custodial
 18-17-106, C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Uncommitted Fee Reserve Balance: (total reserve balance minus exempt assets and previously appropriated funds; calculated based on % of revenue from fees)	\$0	\$0	\$0	\$0	\$0
Target/Alternative Fee Reserve Balance (amount set in statute or 16.5% of total expenses)	N/A	N/A	N/A	N/A	N/A
Excess Uncommitted Fee Reserve Balance	\$0	\$0	\$0	\$0	\$0
Assessment of Potential for Compliance (check all that apply)	<input type="checkbox"/> Already in Compliance		<input type="checkbox"/> Statute Change ²		<input type="checkbox"/> Planned Fee Reduction ³
	<input type="checkbox"/> Planned One-time Expenditure(s) ³		<input type="checkbox"/> Planned Ongoing Expenditure(s) ³		<input type="checkbox"/> Waiver ³

¹ This section is not required for funds outlined in 24-75-402 (5), C.R.S. (2007)

² If plan is needed to meet compliance deadline, attach Form 9 B

³ If pursuing a waiver, attach Form 9 C

Cash Fund Narrative Information	
Purpose/Background of Fund	Forfeitures under the Colorado Organized Crime Act
Fee Sources	N/A
Non-Fee Sources	Interest on Fund Balance
Long Bill Groups Supported by Fund	None
Non-appropriated Fund Obligations	None
Statutory or Other Restriction on Use of Fund	Reviewing the transfer of non-profit hospital assets
Revenue Drivers	Court awards and interest
Expenditure Drivers	None

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 147 - Special Prosecution Custodial
 18-17-106, C.R.S.

Explanation of any Long-term Liability Funding Requirements	N/A
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Fund Expenditures Line Item Detail	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Division Name: Water & Natural Resources					
Line Item Name	\$0	\$0	\$0	\$0	\$0
Custodial Fund	\$2,793	\$19,597	\$0	\$0	\$0
Division Subtotal	\$2,793	\$19,597	\$0	\$0	\$0
TOTAL	\$2,793	\$19,597	\$0	\$0	\$0

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 148 - Natural Resources Custodial
 24-31-108(3), C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Cash in Beginning Fund Balance ¹	\$135,284	\$136,422	\$138,308	\$140,808	\$143,308
Actual / Revenue	\$3,100	\$2,668	\$2,500	\$2,500	\$2,500
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$3,100	\$2,668	\$2,500	\$2,500	\$2,500
Actual Expenditure	\$1,962	\$782	\$0	\$0	\$0
Actual / anticipated cash used to pay short-term liabilities	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated debit service payments	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated loan issuances	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other uses of cash ³	\$0	\$0	\$0	\$0	\$0
Actual / Appropriated Cash Outflow During Fiscal Year	\$1,962	\$782	\$0	\$0	\$0
Available Liquid Fund Balance Prior to New Requests	\$136,422	\$138,308	\$140,808	\$143,308	\$145,808
Actual / Anticipated Liquid Fund Balance	\$136,422	\$138,308	\$140,808	\$143,308	\$145,808

1 - Include only cash - exclude all other assets such as, receivables, investments, prepaids, capital assets, accumulated depreciation, and all short-term and long-term liabilities

2 - Includes sales of capital assets, sales of investments, collections of loans, etc.

3 - Includes nonappropriated purchases of capital assets and investments, new prepaid expense recorded, etc.

Fee Levels (if applicable)	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
1 Fee Name	N/A	N/A	N/A	N/A	N/A
2 Fee Name	N/A	N/A	N/A	N/A	N/A
3 Fee Name	N/A	N/A	N/A	N/A	N/A

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 148 - Natural Resources Custodial
 24-31-108(3), C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds; calculated based on % of revenue from fees)	\$0	\$0	\$0	\$0	\$0
Target/Alternative Fee Reserve Balance (amount set in statute or 15.5% of total expenses)	N/A	N/A	N/A	N/A	N/A
Excess Uncommitted Fee Reserve Balance	\$0	\$0	\$0	\$0	\$0
Assessment of Potential for Compliance (check all that apply)	<input type="checkbox"/> Already in Compliance <input type="checkbox"/> Statute Change ² <input type="checkbox"/> Planned Fee Reduction ²				
	<input type="checkbox"/> Planned One-time Expenditure(s) ¹ <input type="checkbox"/> Planned Ongoing Expenditure(s) ² <input type="checkbox"/> Waiver ²				

1. This section is not required for funds outlined in 24-75-402 (5), C.R.S. (2007)
2. If plan is needed to meet compliance deadline, attach Form 9.B.
3. If pursuing a waiver, attach Form 9.C.

Cash Fund Narrative Information	
Purpose/Background of Fund	This fund was established approximately 12 years ago as a result of a court award. The award stipulated that these funds be used for legal services to the State Engineers office. Further additional dollars were deposited to pay for RMA NRDs assessment costs.
Fee Sources	None
Non-Fee Sources	None
Long Bill Groups Supported by Fund	None
Non-appropriated Fund Obligations	None
Statutory or Other Restriction on Use of Fund	NRDs assessment costs and other NR related work
Revenue Drivers	None
Expenditure Drivers	CERCLA litigation or legal work by the State Engineer

Schedule 9A: Case Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 148 - Natural Resources Custodial
 24-31-108(3), C.R.S.

Explanation of any Long-term Liability Funding Requirements	N/A
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Fund Expenditures Line Item Detail	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Division Name: N/A					
Line Item Name	\$0	\$0	\$0	\$0	\$0
Line Item Name	\$0	\$0	\$0	\$0	\$0
Line Item Name	\$0	\$0	\$0	\$0	\$0
Custodial Fund	\$1,962	\$782	\$0	\$0	\$0
Division Subtotal	\$1,962	\$782	\$0	\$0	\$0
TOTAL	\$1,962	\$782	\$0	\$0	\$0

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 150 - Collection Agency Board
 12-14-101 to 12-14-137, C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Cash in Beginning Fund Balance¹	\$154,949	\$181,571	\$156,956	\$68,318	\$32,359
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$477,215	\$449,151	\$392,746	\$493,500	\$540,000
Actual / anticipated cash transferred in	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$477,215	\$449,151	\$392,746	\$493,500	\$540,000
Actual Expenditure	\$450,593	\$473,766	\$481,384	\$529,459	\$529,459
Actual / anticipated cash used to pay short-term liabilities	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated debit service payments	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated loan issuances	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other uses of cash ³	\$0	\$0	\$0	\$0	\$0
Actual / Appropriated Cash Outflow During Fiscal Year	\$450,593	\$473,766	\$481,384	\$529,459	\$529,459
Available Liquid Fund Balance Prior to New Requests	\$181,571	\$156,956	\$68,318	\$32,359	\$42,900
Change Requests Using Liquid Assets	N/A	N/A	N/A	\$0	\$0
Actual / Anticipated Liquid Fund Balance	\$181,571	\$156,956	\$68,318	\$32,359	\$42,900

¹ - Include only cash - exclude all other assets such as, receivables, investments, prepaids, capital assets, accumulated depreciation, and all short-term and long-term liabilities.

² - Includes sales of capital assets, sales of investments, collections of loans, etc.

³ - Includes nonappropriated purchases of capital assets and investments, new prepaid expense recorded, etc.

Fee Levels (if applicable)	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
1 Business Registration	\$470,275	\$442,725	\$386,546	\$487,500	\$535,000
2 Other Fines	N/A	N/A	N/A	N/A	N/A
3 Interest Income	\$6,940	\$6,426	\$6,200	\$6,000	\$5,000

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 150 - Collection Agency Board
 12-14-101 to 12-14-137, C.R.S.

4114

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds; calculated based on % of revenue from fees)	\$174,631	\$150,530	\$62,118	\$26,359	\$37,900
Target/Alternative Fee Reserve Balance (amount set in statute or 16.5% of total expenses)	\$74,348	\$76,171	\$79,428	\$87,361	\$87,361
Excess Uncommitted Fee Reserve Balance	\$100,283	\$72,359	(\$11,110)	(\$55,001)	(\$44,460)
Assessment of Potential for Compliance (check all that apply)	Already in Compliance Statute Change ² <input type="checkbox"/> Planned Fee Reduction ²				
	Planned One-time Expenditure(s) ¹ <input checked="" type="checkbox"/> Planned Ongoing Expenditure(s) ² Waiver ³				

¹ This section is not required for funds outlined in 24-75-402(5), C.R.S. (2007)

² If plan is needed to meet compliance deadline, attach Form 9 B.

³ If pursuing a waiver, attach Form 9 C.

Cash Fund Narrative Information	
Purpose/Background of Fund	Fund regulation and the licensing of collection agencies to protect the public from illegal and oppressive collection practices.
Fee Sources	Investigation Fee \$300, Licensing Fee \$900, Renewal Fee \$425 (FY 10 and FY 11), Investigation Fee \$300, Renewal Fee \$375, and License Fee \$750 in FY 12
Non-Fee Sources	Penalties, Interest
Long Bill Groups Supported by Fund	Collection Agency Board
Non-appropriated Fund Obligations	None
Statutory or Other Restriction on Use of Fund	Only fund activities of the Collection Agency Board
Revenue Drivers	Economy - With a weak economy and relatively minimal entrance requirements, more individuals enter the collection business.
Expenditure Drivers	As the number of licensees grow, the number of complaints, investigation and disciplinary action grow. Expenditure should keep pace with this growth.

Schedule 9A: Court Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 150 - Collection Agency Board
 12-14-101 to 12-14-137, C.R.S.

Explanation of any Long-term Liability Funding Requirements	N/A
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Fund Expenditures Line Item Detail	Actual	Actual	Estimated	Request	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Division Name: ADMINISTRATION					
Administration ITA	\$0	\$0	\$0	\$0	\$0
Division Subtotal	\$0	\$0	\$0	\$0	\$0
Division Name: CONSUMER PROTECTION & ANTI-TRUST					
Collection Agency Board	\$386,095	\$408,735	\$413,162	\$481,717	\$481,717
Indirect Costs	\$64,498	\$65,031	\$68,222	\$87,742	\$87,742
Division Subtotal	\$450,593	\$473,766	\$481,384	\$529,459	\$529,459
Division Name: SPECIAL PURPOSE					
	\$0	\$0	\$0	\$0	\$0
Division Subtotal	\$0	\$0	\$0	\$0	\$0
TOTAL	\$450,593	\$473,766	\$481,384	\$529,459	\$529,459

Schedule 9B: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 150 - Collection Agency Board
 12-14-101 to 12-14-137, C.R.S.

Schedule 9.B Compliance Plan	
Action	
Plan Description	Fee decrease in FY 12 to address compliance
Assumptions and Calculations	<p>This fund has fees set on the fiscal year, typically established in May. The department was not in a position to modify fees for FY 11, as such the department is initiated a fee reduction for FY 12 to bring this fee into compliance.</p> <p>Additionally, the department is submitting a decision item for additional staffing which will increase expenses and allowable fund balance.</p>

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 151 - Uniform Consumer Credit Code
 5-1-101 to 5-9-102.5, C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Cash in Beginning Fund Balance¹	\$159,774	\$364,809	\$499,262	\$494,292	\$283,991
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$1,475,486	\$1,461,282	\$1,338,492	\$1,338,492	\$1,488,492
Actual / anticipated cash transferred in	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$1,475,486	\$1,461,282	\$1,338,492	\$1,338,492	\$1,488,492
Actual / appropriated / projected cash expenditures	\$1,270,451	\$1,326,829	\$1,343,462	\$1,548,793	\$1,548,793
Actual / anticipated cash used to pay short-term liabilities	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated debit service payments	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated loan issuances	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other uses of cash ³	\$0	\$0	\$0	\$0	\$0
Actual / Appropriated Cash Outflow During Fiscal Year	\$1,270,451	\$1,326,829	\$1,343,462	\$1,548,793	\$1,548,793
Available Liquid Fund Balance Prior to New Requests	\$364,809	\$499,262	\$494,292	\$283,991	\$223,690
Decision Item #1 - "Sample A"	N/A	N/A	N/A	\$0	\$0
Decision Item #2 - "Sample B"	N/A	N/A	N/A	\$0	\$0
Change Requests Using Liquid Assets	N/A	N/A	N/A	\$0	\$0
Actual / Anticipated Liquid Fund Balance	\$364,809	\$499,262	\$494,292	\$283,991	\$223,690

1 - Include only cash - exclude all other assets such as: receivables, investments, prepaids, capital assets, accumulated depreciation, and all short-term and long-term liabilities.

2 - Includes sales of capital assets, sales of investments, collections of loans, etc.

3 - Includes nonappropriated purchases of capital assets and investments, new prepaid expense recorded, etc.

Fee Levels (if applicable)	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
1 Business Registration	\$936,026	\$1,386,677	\$1,350,000	\$1,338,492	\$1,488,492
2 Other Fines/Forfeitures	\$0	\$67,596	N/A	N/A	N/A
3 Interest Income	\$0	\$7,009	N/A	N/A	N/A

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 151 - Uniform Consumer Credit Code
 5-1-101 to 5-9-102.5, C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds, calculated based on % of revenue from fees)	\$364,809	\$492,253	\$494,292	\$283,991	\$223,690
Target/Alternative Fee Reserve Balance (amount set in statute or 16.5% of total expenses) 33% per HB09-1041	\$419,249	\$437,853	\$443,342	\$511,102	\$511,102
Excess Uncommitted Fee Reserve Balance	(\$54,440)	\$54,400	\$50,950	(\$227,110)	(\$287,411)
Assessment of Potential for Compliance (check all that apply)	<input type="checkbox"/> Already in Compliance <input type="checkbox"/> Statute Change ² <input type="checkbox"/> Planned Fee Reduction ² <input type="checkbox"/> Planned One-time Expenditure(s) ¹ <input checked="" type="checkbox"/> Planned Ongoing Expenditure(s) ² <input type="checkbox"/> Waiver ³				

1. This section is not required for funds outlined in 24-75-402 (5), C.R.S. (2007)

2. If plan is needed to meet compliance deadline, attach Form 9.B

3. If pursuing a waiver, attach Form 9.C

Cash Fund Narrative Information

Purpose/Background of Fund	Fund regulating and licensing of lenders and creditors issuing consumer credit and engaging in debt management and credit repair to protect the public from illegal practices and ensure compliance with the law.
Fee Sources	Business Registrations: Supervised Lender License \$700; Supervised lender Branch License \$700; UCCC Notification Fee \$50; UCCC Volume Fee \$30 per \$100,000; Rent to Own
Non-Fee Sources	Fines and Forfeits
Long Bill Groups Supported by Fund	Department of Law - CP & Anti-Trust - Uniform Consumer Credit Code
Non-appropriated Fund Obligations	None
Statutory or Other Restriction on Use of Fund	Only for UCCC
Revenue Drivers	Economy and legislation. The availability of credit on the commercial and investment markets impacts whether lenders offer consumer credit. Reductions in mortgage credit will reduce revenue as will consolidations. In addition, any legislation that limits payday lending can reduce revenue. However, lenders that extend their own funds may continue to grow.
Expenditure Drivers	More licensees and creditors operate online to try to avoid state regulation and the number of complaints, investigations and disciplinary actions grow. Expenditures should keep pace with growth.

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 151 - Uniform Consumer Credit Code
 5-1-101 to 5-9-102.5, C.R.S.

Explanation of any Long-term Liability Funding Requirements	Legislation was passed in 2009 (HB09-1041) that raised the statutory lid on fees and increase fund balance maximum to 33%.
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Fund Expenditures Line Item Detail	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Division Name: Consumer Protection & Anti-Trust					
Consumer Credit Unit line	\$1,126,097	\$1,179,032	\$1,188,412	\$1,370,201	\$1,370,201
Indirect Costs	\$144,354	\$147,797	\$155,050	\$178,582	\$178,592
Division Subtotal	\$1,270,451	\$1,326,829	\$1,343,462	\$1,548,793	\$1,548,793
Division Name: Consumer Protection & Anti-Trust					
State Service Building Security	\$0	\$0	\$0	\$0	\$0
Division Subtotal	\$0	\$0	\$0	\$0	\$0
TOTAL	\$1,270,451	\$1,326,829	\$1,343,462	\$1,548,793	\$1,548,793

Schedule 9B: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 151 - Uniform Consumer Credit Code
 5-1-101 to 5-9-102.5, C.R.S.

Schedule 9.B Compliance Plan	
Action	
Plan Description	On going revenue with increase in request year through decision item
Assumptions and Calculations: The department is assuming a roughly 10% reduction in revenues from Oct through June due to a reduction in one license population	

Date	Description

RECEIVED
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Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 296 - Peace Officer Standard & Training Board
 24-31-301 to 24-31-307, C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Cash in Beginning Fund Balance ¹	\$115,530	\$557,008	\$645,306	\$542,594	\$457,869
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$2,684,506	\$2,736,776	\$2,764,144	\$2,791,785	\$2,819,703
Actual / anticipated cash transferred in	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$2,684,506	\$2,736,776	\$2,764,144	\$2,791,785	\$2,819,703
Actual / appropriated / projected cash expenditures	\$2,243,028	\$2,648,477	\$2,866,856	\$2,876,510	\$2,826,510
Actual / anticipated cash used to pay short-term liabilities	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated debit service payments	\$0	\$0	\$0	\$0	\$0
Actual / anticipated nonappropriated loan issuances	\$0	\$0	\$0	\$0	\$0
Actual / anticipated other uses of cash ³	\$0	\$0	\$0	\$0	\$0
Actual / Appropriated Cash Outflow During Fiscal Year	\$2,243,028	\$2,648,477	\$2,866,856	\$2,876,510	\$2,826,510
Available Liquid Fund Balance Prior to New Requests	\$557,008	\$645,306	\$542,594	\$457,869	\$451,062
Decision Item #1 - "Sample A"	N/A	N/A	N/A	\$0	\$0
Decision Item #2 - "Sample B"	N/A	N/A	N/A	\$0	\$0
Change Requests Using Liquid Assets	N/A	N/A	N/A	\$0	\$0
Actual / Anticipated Liquid Fund Balance	\$557,008	\$645,306	\$542,594	\$457,869	\$451,062

1 - Include only cash - exclude all other assets such as, receivables, investments, prepaids, capital assets, accumulated depreciation, and all short-term and long-term liabilities

2 - Includes sales of capital assets, sales of investments, collections of loans, etc.

3 - Includes nonappropriated purchases of capital assets and investments, new prepaid expense recorded, etc.

Fee Levels (if applicable)	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
1. Additional Motor Vehicle Registration Fee	\$2,566,029	\$2,617,216	\$2,642,144	\$2,669,785	\$2,692,203
2. Professional/Occupational Licenses	\$112,295	\$113,245	\$115,000	\$115,000	\$120,000
3. Certification/Inspections fee	\$1,735	\$1,200	\$2,000	\$2,000	\$2,500
4. Sale of Publications & Maps	\$4,446	\$5,115	\$5,000	\$5,000	\$5,000

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 296 - Peace Officer Standard & Training Board
 24-31-301 to 24-31-307, C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds; calculated based on % of revenue from fees)	\$557,008	\$645,306	\$542,594	\$457,869	\$451,062
Target/Alternative Fee Reserve Balance (amount set in statute or 15.5% of total expenses)	\$370,100	\$436,999	\$473,031	\$474,624	\$466,374
Excess Uncommitted Fee Reserve Balance	\$186,908	\$208,308	\$69,563	(\$16,755)	(\$15,313)
Assessment of Potential for Compliance (check all that apply)	<input type="checkbox"/> Already in Compliance <input type="checkbox"/> Statute Change ² <input type="checkbox"/> Planned Fee Reduction ³				
	<input type="checkbox"/> Planned One-time Expenditure(s) ¹ <input checked="" type="checkbox"/> Planned Ongoing Expenditure(s) ² <input type="checkbox"/> Waiver ³				

1 This section is not required for funds outlined in 24-75-402 (5), C.R.S. (2007)

2 If plan is needed to meet compliance deadline, attach Form 9 B.

3 If pursuing a waiver, attach Form 9 C.

Cash Fund Narrative Information	
Purpose/Background of Fund	Funding the Peace Offices Standards and Training Board (POST Board). This program line must supports certified all Peace Offices in the State of Colorado.
Fee Sources	Certification Exam fees \$125/test, VIN Inspection fees \$25; Publication fees \$20; Motor Vehicle Registration fee (\$50) (FY10).
Non-Fee Sources	Sale of Publication regarding POST Certification including study guides, training manuals, etc.
Long Bill Groups Supported by Fund	(3) Criminal Justice and Appellate / (G) Peace Officers Standards and Training Board
Non-appropriated Fund Obligations	None
Statutory or Other Restriction on Use of Fund	Funds can only be used to fund POST Board
Revenue Drivers	The number of examinations, number of motor vehicles registered.
Expenditure Drivers	Operational of the program line and money to fund the training grants.

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 296 - Peace Officer Standard & Training Board
 24-31-301 to 24-31-307, C.R.S.

Explanation of any Long-term Liability Funding Requirements:	N/A
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Fund Expenditures Line Item Detail	Actual	Actual	Estimated	Requested	Projected
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Division Name: POST Board					
POST line item:	\$2,168,606	\$2,565,711	\$2,780,028	\$2,790,293	\$2,740,293
Indirect Cost	\$74,422	\$82,766	\$86,828	\$86,217	\$86,217
Division Subtotal	\$2,243,028	\$2,648,477	\$2,866,856	\$2,876,510	\$2,826,510
	\$0	\$0	\$0	\$0	\$0
Division Subtotal	\$0	\$0	\$0	\$0	\$0
TOTAL	\$2,243,028	\$2,648,477	\$2,866,856	\$2,876,510	\$2,826,510

Schedule 9B: Cash Funds Reports
Department of Law
FY 2011-12 Budget Request
 Fund 296 - Peace Officer Standard & Training Board
 24-31-301 to 24-31-307, C.R.S.

Schedule 9.B Compliance Plan	
Action	
Plan Description	Expected normal expenses with contracts, resulting in expenses in in line with spending authority.
Assumptions and Calculations	<p>The department is forecasting slight increases in revenue in FY 12 compared to FY 11, resulting in total revenues of \$2,642,144. Additionally, the department is forecasting an increase in expenditures in FY 12 compared to FY 11, to better align contract dollars with spending authority, revenue, and quality proposals from the various regions. The department is estimating total expenses for this fund in FY 11 at \$2,866,856. With anticipated expenses and revenues, the department is forecasting fund balance compliance by June 2013.</p>

STANDARD OPERATING PROCEDURE
FOR THE
USE OF THE
MATERIALS HANDLING SYSTEM
IN THE
LABORATORY

NO.	DESCRIPTION	REMARKS
1	1. Check the weight of the material to be used.	
2	2. Weigh the material in a clean, dry container.	
3	3. Record the weight of the material.	
4	4. Transfer the material to the desired container.	
5	5. Weigh the material in the desired container.	
6	6. Record the weight of the material.	
7	7. Compare the weight of the material in the desired container with the weight of the material in the original container.	
8	8. If the weight of the material in the desired container is less than the weight of the material in the original container, the material has been lost.	
9	9. If the weight of the material in the desired container is more than the weight of the material in the original container, the material has been gained.	
10	10. If the weight of the material in the desired container is the same as the weight of the material in the original container, the material has been handled correctly.	

FY 12-13

LSSA Table 1 & 2



Table I
Legal Services Provided to State Agencies

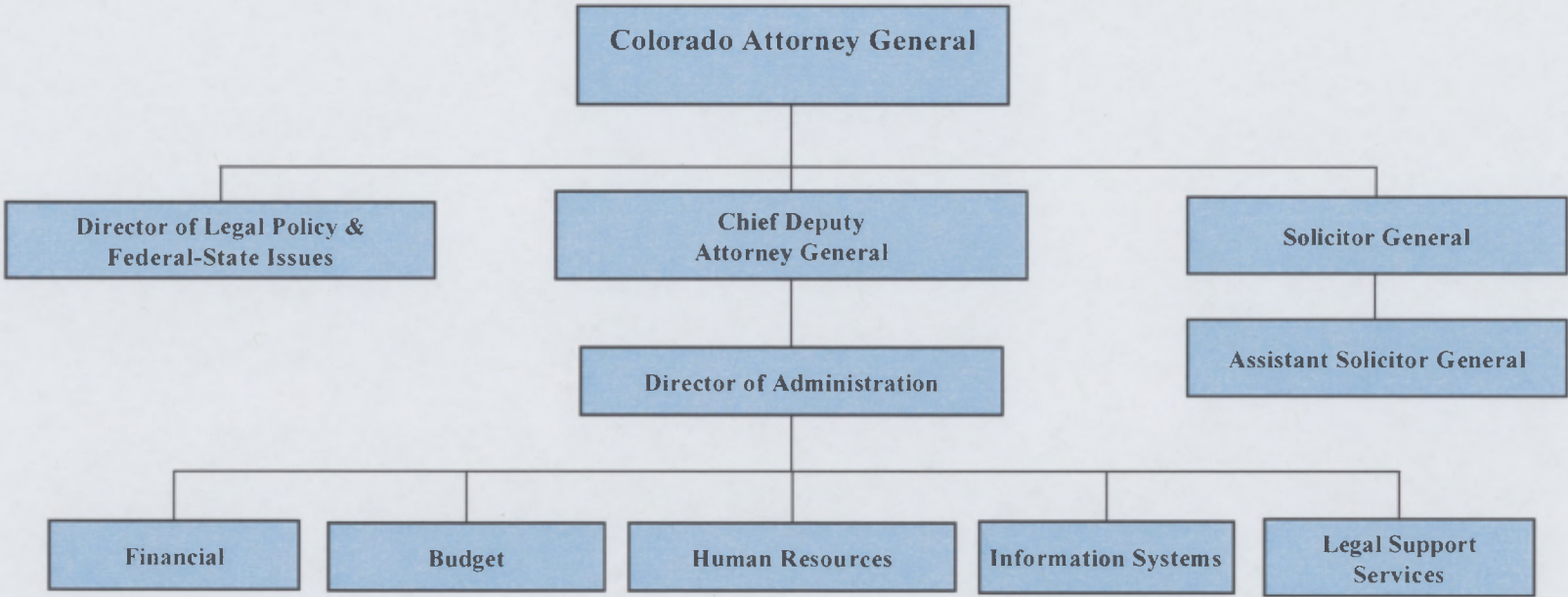
	Actual Year			Actual Year			Estimate Year		Request Year	
	FY 10			FY 11			FY12		FY13	
	Attorney	Legal Asst	Total	Attorney	Legal Asst	Total	@75.71/hr.			
AGRICULTURE, DEPT. OF	3129.6	812	\$295,204.54	2924.7	775.5	\$269,884.48	4653.00	\$352,279.00	4653.00	\$352,279.00
CORRECTIONS, DEPT. OF	15123.5	3523.6	\$1,401,306.74	12144	2475.4	\$1,075,919.07	15298.00	\$1,158,212.00	15298.00	\$1,158,212.00
GOVERNOR'S ENERGY OFFICE	701.8	27.3	\$56,441.56	1204.6	89.7	\$97,369.39	230.00	\$17,413.00	230.00	\$17,413.00
EDUCATION, DEPT. OF	3674.4	935.9	\$345,494.30	3164.9	914.6	\$296,578.26	5600.00	\$423,976.00	5600.00	\$423,976.00
GOVERNOR, OFFICE OF	4763	949.4	\$431,222.68	10531.45	3176.9	\$994,892.77	8651.00	\$654,967.00	8651.00	\$654,967.00
HLTH CARE POLICY & FINANCE	7594.4	2552.7	\$753,052.28	8739.25	2242.45	\$801,945.36	12638.00	\$956,823.00	12638.00	\$956,823.00
HIGHER EDUCATION, DEPT.	12509.62	604.4	\$1,013,479.96	11894.4	984.4	\$967,352.23	13454.00	\$1,018,602.00	13454.00	\$1,018,602.00
HIGHWAYS, DEPT. OF	12627.1	3219.3	\$1,187,488.28	11485.55	3408.55	\$1,081,661.36	16432.00	\$1,244,067.00	16432.00	\$1,244,067.00
PUBLIC HEALTH & ENVIRONMNT	24526.9	3718	\$2,146,754.45	23386.3	3933.6	\$2,021,919.86	35187.00	\$2,664,008.00	35187.00	\$2,664,008.00
HUMAN SERVICES DEPARTMENT	15093.3	5920.3	\$1,550,135.78	14115.5	5523.8	\$1,409,466.98	18439.00	\$1,396,017.00	18439.00	\$1,396,017.00
INNOVATION & TECHNOLOGY	0	405.1	\$0.00	0	0	\$0.00	26.00	\$1,968.00	26.00	\$1,968.00
JUDICIAL DEPARTMENT	2052.6	1683.2	\$185,579.00	1515.6	184.8	\$126,825.12	3900.00	\$295,269.00	3900.00	\$295,269.00
LABOR & EMPLOYMENT DEPT.	6486.1	209	\$611,818.11	7116.4	1764.3	\$649,317.21	8355.00	\$632,557.00	8355.00	\$632,557.00
LEGISLATIVE BRANCH	106.4	40.1	\$8,296.00	77.7	20.5	\$7,163.82	188.00	\$14,233.00	188.00	\$14,233.00
LOCAL AFFAIRS DEPT.	1708.1	7794.6	\$146,355.53	1543.5	113.3	\$124,662.97	1790.00	\$135,521.00	1790.00	\$135,521.00
LAW, DEPARTMENT OF	76.7	5	\$5,980.43	154	0	\$11,759.44	0.00	\$0.00	0.00	\$0.00
MILITARY AFFAIRS, DEPT.	91.1	322.6	\$9,630.96	472.1	37.5	\$38,300.63	110.00	\$8,328.00	110.00	\$8,328.00
NATURAL RESOURCES, DEPT.	35510.5	6944.6	\$3,260,139.38	37060.9	7552.9	\$3,283,382.01	45410.00	\$3,437,991.00	45410.00	\$3,437,991.00
PERA PENSION PLANS	24.2	6.3	\$2,202.06	1.5	0	\$114.54	29.00	\$2,196.00	29.00	\$2,196.00
ADMINISTRATION	3197.2	13815	\$269,622.34	2718.7	266.6	\$223,604.37	2893.00	\$219,029.00	2893.00	\$219,029.00
PERSONNEL - RISK MANAGEMENT	21245.6	1787.2	\$2,094,331.04	24029.9	8280.1	\$2,331,985.82	31860.00	\$2,412,121.00	31860.00	\$2,412,121.00
PUBLIC SAFETY, DEPT OF	1672.6	7.2	\$131,030.62	1980.2	181	\$162,073.49	2213.00	\$167,546.00	2163.00	\$167,546.00
REGULATORY AGENCIES	85609.8	451.9	\$7,546,070.44	87902.15	12879.1	\$7,485,354.36	106919.00	\$8,094,837.00	104490.00	\$8,094,837.00
REVENUE, DEPT. OF	11049	266.6	\$974,157.91	21049.4	2177.8	\$1,738,069.29	36840.00	\$2,789,156.00	37305.00	\$2,789,156.00
COLO ST. FAIR AUTHORITY	180.5	12.10	\$14,527.54	139.9	0.50	\$118,501.32	180.00	\$13,628.00	180.00	\$13,628.00
SECRETARY OF STATE	3735.3	162.10	\$319,729.68	4293.30	764.60	\$373,735.93	7118.00	\$538,904.00	7118.00	\$538,904.00
TREASURY, DEPT. OF	1408.8	371.40	\$126,651.15	1244.80	390.60	\$118,501.32	575.00	\$43,533.00	575.00	\$43,533.00
Totals	273898.12	56546.90	\$24,886,702.76	290890.70	58138.50	\$25,810,341.40	378988.00	\$28,693,181.00	376974.00	\$28,693,181.00

TABLE II

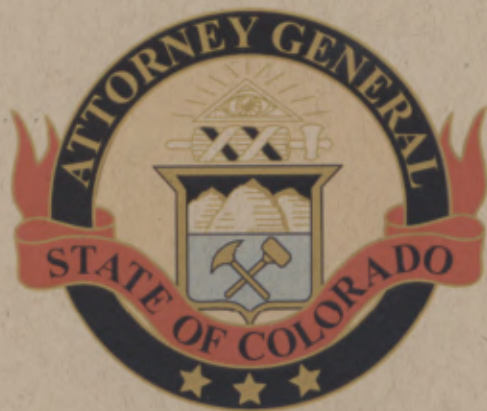
Legal Services to State Agencies Comparison of Attorney Equivalent Hours

Department	Actual Legal Hours	Actual Legal Hours	Actual Legal Hours	Actual Legal Hours	Actual Legal Hours	Average Hours	Approximate Appropriated Hours	Difference Average to Appropriation	Total Requested Hours	Difference Average to Request	Difference Appropriation FY 11-12 To Request	
AG	AGRICULTURE, DEPT. OF	3285.1	3915.6	4277.8	3941.6	3700.2	3,824	4,653	829	4,653	829	0
CO	CORRECTIONS, DEPT. OF	13830	11748.4	14618.9	18647.1	14619.4	14,693	15,298	605	15,298	605	0
EC	GOVERNOR'S ENERGY OFFICE	150.9	507.6	656.8	729.1	1294.3	668	230	(438)	230	(438)	0
ED	EDUCATION, DEPT. OF	4826.9	4786.4	5711.9	4610.3	4079.5	4,803	5,600	797	5,600	797	0
EX	GOVERNOR, OFFICE OF	1567.5	727.6	1996.1	5712.4	13708.35	4,742	8,651	3,909	8,651	3,909	0
HC	HLTH CARE POLICY & FINANCE	11132.3	10249.3	11681.9	10147.1	10981.7	10,838	12,638	1,800	12,638	1,800	0
HE	HIGHER EDUCATION, DEPT.	11475	10141.5	13401.61	13114.02	12878.8	12,202	13,454	1,252	13,454	1,252	0
HI	HIGHWAYS, DEPT. OF	16466.8	16902.3	18242.3	15846.4	14894.1	16,470	16,432	(38)	16,432	(38)	0
HL	PUBLIC HEALTH & ENVIRONMNT	23608.2	26494.7	28815.7	28244.9	27319.9	26,897	35,187	8,290	35,187	8,290	0
HS	HUMAN SERVICES DEPARTMENT	20416	19849.2	21072.1	21015.1	19639.3	20,398	18,439	(1,959)	18,439	(1,959)	0
IT	INNOVATION & TECHNOLOGY	0	33.1	0	0	0	7	26		26		
JD	JUDICIAL DEPARTMENT	2837.9	2697.5	2948.9	2457.7	1700.4	2,528	3,900	1,372	3,900	1,372	0
LA	LABOR & EMPLOYMENT DEPT.	7125	7926	8337.7	8169.3	8880.7	8,088	8,355	267	8,355	267	0
LE	LEGISLATIVE BRANCH	55.3	264	151.7	106.4	98.2	135	188	53	188	53	0
LO	LOCAL AFFAIRS DEPT.	1670.6	2461.5	980.4	1917.1	1656.8	1,737	1,790	53	1,790	53	0
LW	LAW, DEPARTMENT OF	288.6	248.9	226.7	76.7	154	199	0	(199)	0	(199)	0
MA	MILITARY AFFAIRS, DEPT.	23.6	14.5	43.1	131.2	509.6	144	110	(34)	110	(34)	0
NR	NATURAL RESOURCES, DEPT.	37763.1	40010.2	41237.3	43305.1	44613.8	41,386	45,410	4,024	45,410	4,024	0
PA	PERA PENSION PLANS	10.1	5.3	12.5	29.2	1.5	12	29	17	29	17	0
PE	DEPARTMENT OF PERSONNEL & ADMINISTRATION	3578.1	4683	4461.4	3519.8	2985.3	3,846	2,893	(953)	2,893	(953)	0
PERISK	PERSONNEL - RISK MANAGEMENT	34682.9	36488.2	30249.5	28190.5	32310	32,384	31,860	(524)	31,860	(524)	0
PS	PUBLIC SAFETY, DEPT OF	2039.6	1953.1	2146	1682.4	2161.2	1,996	2,213	217	2,213	217	0
RG	REGULATORY AGENCIES	84588.7	90368.8	98007.9	99427.2	100781.25	94,635	106,919	12,284	106,919	12,284	0
RV	REVENUE, DEPT. OF	11132.5	12629.5	12789.2	12836.2	23227.2	14,523	36,840	22,317	36,840	22,317	0
SF	COLO ST. FAIR AUTHORITY	174.4	399.1	223	187.7	140.4	225	180	(45)	180	(45)	0
ST	SECRETARY OF STATE	4963.3	4125.3	3065.6	4187.2	5057.9	4,280	7,118	2,838	7,118	2,838	0
TR	TREASURY, DEPT. OF	598.7	756.4	1219.7	1675.4	1635.4	1,177	575	(602)	575	(602)	0
		298,291	310,387	326,576	329,907	349,029	322,838	378,988	56,150	378,988	56,150	0

Administration Section



Narrative Administration



I) BACKGROUND INFORMATION: ADMINISTRATION UNIT

The Administration Division includes the following sections:

- *Office of the Attorney General*, which includes the Attorney General, Chief Deputy Attorney General, Solicitor General, Director of Legal Policy and Federal-State Issues, and associated administrative staff;
- *Human Resources*, which hires new employees, manages employee benefits, and consults with employees and managers regarding applicable state and federal personnel laws and regulations;
- *Financial Services*, which includes accounting, financial reporting, and payroll.
- *Budgeting*: Prepares the Department's budget, monitors expenditures
- *Information Technology Services*, which handles the Department's computer needs including maintenance, computer training, and operation of the Attorney General's website;
- *Legal Support Services*, which produces a significant number of the Department's documents including legal briefs and other court-related manuscripts, distributes mail, oversees the Department's vehicle fleet, file materials with courts, and manages general office documents.
- *Special Projects & Facilities Manager Services*, which handles the Department's special projects and building facilities needs including building maintenance through the State Capital Complex, and building upgrades.

Administration Division appropriations fall into two categories:

- Appropriations that pay the actual cost of running the Division, such as salaries for the Attorney General and Division personnel, and
- Central appropriations or "Pots", such as Health, Life and Dental, that the Department allocates among its divisions.

The Administration is funded with departmental indirect cost assessments (from revenue funded and federal sources to replace the General Fund) that are collected from the Department's various divisions and transferred as reappropriated funds to the Administration appropriation. The largest source of indirect cost recoveries are assessments within the Department's largest appropriation: Legal Services to State Agencies. Any part of the actual cost of running Administration that cannot be covered by indirect cost assessments must be covered by the General Fund.

The central appropriations are allocated to the line item appropriations that use the "pots". As a consequence, the "potted" appropriations are a mixture of General Fund,

cash funds, reappropriated funds, and federal funds, reflecting the funding sources of the divisions to which the central appropriations will be distributed.

Staffing for the Administration appropriation is broken into the following sections:

Staffing Summary	FY 09-10 Actual	FY 010-11 Actual	FY 11-12 Approp.	FY 12-13 Request
Office of the Attorney General	8.0	8.8	9.0	9.0
Human Resources	2.6	3.5	3.5	3.5
Fiscal and Accounting	7.3	7.5	7.5	7.5
Information Technology Services	13.6	13.7	15.2	15.2
Legal Support Services	4.9	5.0	5.5	5.5
Total	36.3	38.5	40.7	40.7

The comparison of the Administrative staff (not including the Office of the Attorney General) to total Departmental FTE and annual appropriation is listed below.

Human Resources

The Human Resources Unit consists of 3.5 FTE and is responsible for recruiting and hiring new employees; delivering new employee orientation; processing all employment related actions (e.g., new hires, transfers, promotions, salary changes; terminations, etc.); maintaining official personnel, position and exam files; managing employee leave, Family Medical Leave cases, Short-Term Disability claims and worker's compensation claims; risk management and ergonomics; managing employee benefits; developing and implementing personnel related policies and procedures, to include delivering training on related topics; employee relations and communication; and consulting with employees and managers regarding job classification, compensation, performance management, dispute resolution, ADA, State Personnel Rules and Procedures and state and federal personnel laws and regulations.

The Human Resources function at the Department of Law is unique in that we operate under dual personnel systems, the state personnel system is applied to all classified staff and non-classified staff is covered by more of a private sector type of personnel system. For classified staff, most departmental policies and practices are dictated by statute and State Personnel Rules, where departmental policies and practices for non-classified staff are developed within the office and based primarily on prevailing business practices and state and federal law.

<u>FY</u>	<u>Administration</u> <u>Section Staff</u>	<u>Department</u> <u>Staff</u>	<u>Appropriation</u>
89-90	29.0	259.1	\$17,846,627
90-91	29.0	269.5	\$20,172,939
91-92	29.0	284.0	\$22,681,389
92-93	29.0	284.4	\$20,694,260
93-94	29.0	284.4	\$20,645,836
94-95	29.7	290.3	\$23,442,187
95-96	29.7	313.7	\$24,769,094
96-97	29.7	313.7	\$25,542,993
97-98	29.7	320.3	\$26,817,570
98-99	29.7	337.4	\$29,807,946
99-00	29.7	340.8	\$31,317,974
00-01	30.7	344.6	\$32,667,757
01-02	30.7	352.0	\$33,748,107
02-03	30.7	345.9	\$33,672,032
03-04	29.7	335.7	\$33,410,398
04-05	30.7	337.3	\$34,623,907
05-06	30.7	338.7	\$35,465,384
06-07	30.7	359.4	\$39,524,819
07-08	31.7	384.9	\$46,891,223
08-09	33.2	391.2	\$47,996,493
09-10	33.2	395.2	\$47,688,779
10-11	33.2	409.8	\$57,797,347
11-12	31.7	419.0	\$54,346,573

These increases in staff and appropriation translate to increases in:

- a. additional personnel/payroll activities, transactions, and requirements;
- b. increase in the volume of accounts payable and accounts receivable transactions processed by the fiscal staff;

- c. increases in the demand for general administrative support services, such as word processing, copying, procurement, archive maintenance, travel management, etc.; and
- d. increases in the need for technical support services such as programming, hardware/software maintenance, LAN administration, training, document scanning, e-law and litigation support.

II) PRIOR YEAR LEGISLATION

HB 11-1212 Lean Government Principles

The deliverables of lean government principles are to be accommodated through the implementation of templates by the Department of Personnel and Administration and the Governor's Office of Information Technology. This bill does not require that state agencies utilize these techniques, but, if this bill passes, these deliverables may be asked, by Committees of Reference, to be included in the performance based budgeting deliverables.

Lean Government principles, if implemented by an agency

III) HOT ISSUES:

- Implementation of a document management system to reduce paper and increase document handling efficiency.
- Funding for performance awards/achievement pay. For the most part, employees understand the need to make sacrifices when there are budgetary constraints. However, when performance pay funding continues to be treated as an unnecessary expenditure, the message sent is that employee performance (or at least the recognition of) is not a priority. This lack of commitment and funding continues to make it very difficult to get supervisors and employees to take the state's mandated performance management requirements seriously. Performance management activities take a great deal of time. While some level of performance management is necessary and important, the level at which we're required to function in the state personnel system is questionable when there is no money/reward attached.
- Electronic payments are becoming a critical issue within our electronic age. The Department must find opportunities to procure resources and capabilities to meet the needs of customers, clients and staff within this evolving technological era.
- Identify, procure and implement an automated leave-keeping system.
- Continue Cyber Security efforts toward compliance with state rules and policies.

- Continue implementation of a Case Management System department wide.

IV) WORKLOAD MEASURE:

WORKLOAD INDICATORS: N/A

V): PERFORMANCE MEASURES FOR DEPARTMENT OF LAW – ADMINISTRATION SECTION.

1. The goal of the Administration and Planning Section is to provide a high quality of service to the staff of the Department of Law, and to client agencies. This section will continue to analyze and adjust processes and services to meet the changing needs of the Department with existing staff levels for as long as it is feasible to do so.

Performance Measure	Outcome	FY10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Continue upgrades and improvement to the Attorney General Information System (AGIS), the billing, calendaring, docketing and case management system.		Work is, and will continue to be, on going on the case management system as this will be an ever changing system due to the innovations in technology in the practice of law.			

2. Work with Judicial and other planned tenants at the new building at 13th and Lincoln.

Performance Measure	Outcome	FY10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
New building planning and cooperation		The Department will begin occupancy of the new building in 2013. The department is working and cooperating with all tenants for space planning, security, data management, security, and other shared services within the building.			

3. Upgrade Building State Services Building Security

Performance Measure	FY10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Obtain funding to implement the recommendations of the CDPS Rubicon critical infrastructure Protection Team including the Management of automated security entry system for DOL floors in the State Services Building				

The Department has a full time State Patrol person assigned to the State Services Building, along with continuing security measures within the current building, including secure floors, security badges, and visitors checking in, receiving a visitor badge and being escorted by appropriate department personnel.

Strategy:

Administrative will strive to provide excellent customer service to the Department. This includes leading the Department into the electronic age with document management, e-filing and other e-commerce activities.

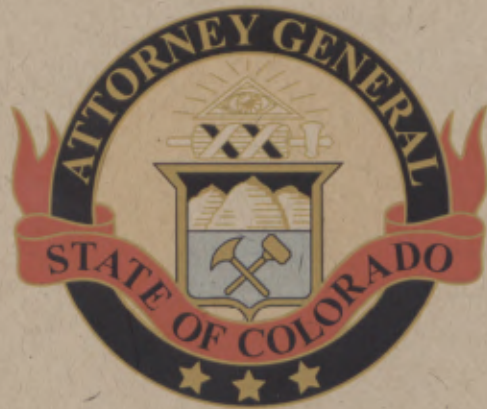
Evaluation of Prior Year Performance:

N/A

Key Workload Indicators:

N/A

FY 12-13 Reconciliation of Request Administration



DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

(1) Administration

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
(A) Administration						
Personal Services						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$2,973,997	40.7	\$0	\$0	\$2,973,997	\$0
SB 11-76 PERA Bill	(\$31,901)	0.0	\$0	\$0	(\$31,901)	\$0
FY 2011-12 Total Appropriation	\$2,942,096	40.7	\$0	\$0	\$2,942,096	\$0
Prior Year Salary Survey	\$0	0.0	\$0	\$0	\$0	\$0
Prior Year Performance-based Pay	\$0	0.0	\$0	\$0	\$0	\$0
PERA Bill Add back in	\$31,901	0.0	\$0	\$0	\$31,901	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$2,973,997	40.7	\$0	\$0	\$2,973,997	\$0
DI #3 Case Mgt System	\$91,065	1.0	\$0	\$0	\$91,065	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 November 1st Request	\$3,065,062	41.7	\$0	\$0	\$3,065,062	\$0
(B) Health, Life and Dental						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$2,281,572	0.0	\$577,900	\$237,546	\$1,385,970	\$80,156
	\$0		\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$2,281,572		\$577,900	\$237,546	\$1,385,970	\$80,156
Common Policy Adjustment	\$94,509		64,416	40,201	(23,491)	13,383
FY 12-13 Base Request	\$2,376,081	0.0	\$642,316	\$277,747	\$1,362,479	\$93,539
DI 1 Consumer Protection Enhancement	\$28,400		-	28,400	-	-
DI 2 Consumer Credit Unit	\$11,360		\$0	\$11,360	\$0	\$0
FY 2012-13 November 1st Request	\$2,415,841	0.0	\$642,316	\$317,507	\$1,362,479	\$93,539
(C) Short-term Disability						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$49,196	0.0	\$13,008	\$4,457	\$30,127	\$1,604
FY 2011-12 Total Appropriation	\$49,196		\$13,008	\$4,457	\$30,127	\$1,604
Common Policy Adjustment	\$4,367	0.0	\$2,180	720	830	637
FY 12-13 Base Request	\$53,563	0.0	\$15,188	\$5,177	\$30,957	\$2,241
DI 1 Consumer Protection Enhancement	\$481	0.0	-	481	-	-
DI 2 Consumer Credit Unit	\$231	0.0	\$0	\$231	\$0	\$0
FY 2012-13 November 1st Request	\$54,275	0.0	\$15,188	\$5,889	\$30,957	\$2,241
(D) SB 04-257 Amortization Equalization Distribution						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$775,756	0.0	\$203,279	\$70,505	\$476,591	\$25,381

DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

5-10

(I) Administration

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
FY 2011-12 Total Appropriation	\$775,756		\$203,279	\$70,505	\$476,591	\$25,381
Common Policy Adjustment	\$192,615	0.0	71,312	23,092	83,077	15,134
FY 12-13 Base Request	\$968,371	0.0	\$274,591	\$93,597	\$559,668	\$40,515
DI 1 Consumer Protection Enhancement	\$8,688	0.0	-	8,688	-	-
DI 2 Consumer Credit Unit	4,173	0.0	-	4,173	-	-
FY 2012-13 November 1st Request	\$981,232	0.0	\$274,591	\$106,458	\$559,668	\$40,515
(E) SB 06-235 Supplemental Amortization Equalization Distribution						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$622,261	0.0	\$162,234	\$56,656	\$382,975	\$20,396
FY 2011-12 Total Appropriation	\$622,261		\$162,234	\$56,656	\$382,975	\$20,396
Common Policy Adjustment	\$209,932	0.0	73,743	23,779	97,989	14,421
FY 12-13 Base Request	\$832,193	0.0	\$235,977	\$80,435	\$480,964	\$34,817
DI 1 Consumer Protection Enhancement	\$7,466	0.0	-	7,466	-	-
DI 2 Consumer Credit Unit	3,586	0.0	-	3,586	-	-
FY 2012-13 November 1st Request	\$843,245	0.0	\$235,977	\$91,487	\$480,964	\$34,817
(F) Salary Survey for Classified Employees						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$0	0.0	\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$0		\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$0	0.0	\$0	\$0	\$0	\$0
Common Policy Adjustment	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 November 1st Request	\$0	0.0	\$0	\$0	\$0	\$0
(G) Salary Survey for Exempt Employees						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$0	0.0	\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$0		\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$0	0.0	\$0	\$0	\$0	\$0
Common Policy Adjustment	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 November 1st Request	\$0	0.0	\$0	\$0	\$0	\$0
(H) Performance-based Pay Awards for Classified Employees						

DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

(I) Administration

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$0	0.0	\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$0		\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$0	0.0	\$0	\$0	\$0	\$0
Common Policy Adjustment	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 November 1st Request	\$0	0.0	\$0	\$0	\$0	\$0
(I) Performance-based Pay Awards for Exempt Employees						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$0	0.0	\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$0		\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$0	0.0	\$0	\$0	\$0	\$0
Common Policy Adjustment	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 November 1st Request	\$0	0.0	\$0	\$0	\$0	\$0
(J) Continuing Legal Education						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$92,626	0.0	\$22,238	\$4,538	\$65,287	\$563
FY 2011-12 Total Appropriation	\$92,626		\$22,238	\$4,538	\$65,287	\$563
FY 12-13 Base Request	\$92,626	0.0	\$22,238	\$4,538	\$65,287	\$563
Common Policy Adjustment		0.0				
FY 2012-13 November 1st Request	\$92,626	0.0	\$22,238	\$4,538	\$65,287	\$563
(K) Workers' Compensation						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$66,843	0.0	\$18,378	\$6,919	\$39,449	\$2,097
FY 2011-12 Total Appropriation	\$66,843		\$18,378	\$6,919	\$39,449	\$2,097
DPA Common Policy Adjustment	\$12,920	0.0	\$2,731	\$1,429	\$8,405	\$355
FY 12-13 Base Request	\$79,763	0.0	\$21,109	\$8,348	\$47,854	\$2,452
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 November 1st Request	\$79,763	0.0	\$21,109	\$8,348	\$47,854	\$2,452
(L) Operating Expenses						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$189,679	0.0	\$0	\$0	\$189,679	\$0

DEPARTMENT OF LAW
FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

S-12

(I) Administration

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$189,679	0.0	\$0	\$0	\$189,679	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$189,679	0.0	\$0	\$0	\$189,679	\$0
DI #3 Case Mgt System	\$3,834	0.0	\$0	\$0	\$3,834	\$0
FY 2012-13 November 1st Request	\$193,513	0.0	\$0	\$0	\$193,513	\$0
(M) Purchase of Services from Computer Center						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$73,188	0.0	\$0	\$0	\$73,188	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$73,188	0.0	\$0	\$0	\$73,188	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$73,188	0.0	\$0	\$0	\$73,188	\$0
OIT Common Policy Adjustment	\$36,527	0.0	\$0	\$0	\$36,527	\$0
FY 2012-13 November 1st Request	\$109,715	0.0	\$0	\$0	\$109,715	\$0
(N) Payment to Risk Management						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$92,047	0.0	\$0	\$0	\$92,047	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$92,047	0.0	\$0	\$0	\$92,047	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$92,047	0.0	\$0	\$0	\$92,047	\$0
DPA Common Policy Adjustment	(\$4,258)	0.0	\$0	\$0	(\$4,258)	\$0
FY 2012-13 November 1st Request	\$87,789	0.0	\$0	\$0	\$87,789	\$0
(O) Vehicle Lease Payments						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$70,176	0.0	\$18,988	\$23,943	\$24,435	\$2,810
	\$0	0	\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$70,176	0.0	\$18,988	\$23,943	\$24,435	\$2,810
	\$0	0.0	\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$70,176	0.0	\$18,988	\$23,943	\$24,435	\$2,810
DPA DI State Fleet	\$109	0.0	\$992	(\$2,442)	\$1,754	(\$195)
FY 2012-13 November 1st Request	\$70,285	0.0	\$19,980	\$21,501	\$26,189	\$2,615
(Q) Information Technology Asset Maintenance						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$407,667	0.0	\$15,291	\$59,588	\$331,407	\$1,381
	\$0	0	\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$407,667	0.0	\$15,291	\$59,588	\$331,407	\$1,381
	\$0	0.0	\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$407,667	0.0	\$15,291	\$59,588	\$331,407	\$1,381

DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

(1) Administration

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
DI #3 Case Mgt System	\$38,140	0.0	\$6,463	\$3,711	\$27,966	\$0
FY 2012-13 November 1st Request	\$445,807	0.0	\$21,754	\$63,299	\$359,373	\$1,381
(R) Lease Space						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$26,220	0.0	\$4,321	\$2,880	\$18,857	\$162
FY 2011-12 Total Appropriation	\$26,220	0.0	\$4,321	\$2,880	\$18,857	\$162
Lease Space Increases (Assumes 3.5% CY 11 and 2.4% CY 12)	\$1,569	0.0	\$259	\$172	\$1,128	\$10
FY 12-13 Base Request	\$27,789	0.0	\$4,580	\$3,052	\$19,985	\$172
		0.0				
FY 2012-13 November 1st Request	\$27,789	0.0	\$4,580	\$3,052	\$19,985	\$172
(S) Capitol Complex Leased Space						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$1,284,061	0.0	\$352,895	\$132,910	\$757,812	\$40,444
		0				
FY 2011-12 Total Appropriation	\$1,284,061	0.0	\$352,895	\$132,910	\$757,812	\$40,444
DPA Common Policy Adjustment	\$145,434	0.0	\$25,420	\$16,692	\$99,816	\$3,506
FY 12-13 Base Request	\$1,429,495	0.0	\$378,315	\$149,602	\$857,628	\$43,950
		0.0				
	\$0		\$0		\$0	
FY 2012-13 November 1st Request	\$1,429,495	0.0	\$378,315	\$149,602	\$857,628	\$43,950
(T) Communication Services Payments						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$8,365	0.0	\$2,946	\$2,269	\$1,146	\$2,004
	\$0	0	\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$8,365	0.0	\$2,946	\$2,269	\$1,146	\$2,004
FY 12-13 Base Request	\$8,365	0.0	\$2,946	\$2,269	\$1,146	\$2,004
OIT Common Policy Adjustment	\$0	0.0	\$1,214	\$899	\$454	\$794
FY 2012-13 November 1st Request	\$11,726	0.0	\$4,160	\$3,168	\$1,600	\$2,798
(U) Building Security						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$125,430	0.0	\$34,472	\$12,983	\$74,024	\$3,951
	\$0	0	\$0	\$0	\$0	\$0
	\$0		\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$125,430	0.0	\$34,472	\$12,983	\$74,024	\$3,951
FY 12-13 Base Request	\$125,430	0.0	\$34,472	\$12,983	\$74,024	\$3,951
Common Policy Adjustment	\$15,059	0.0	\$2,708	\$1,721	\$10,263	\$367

5-13

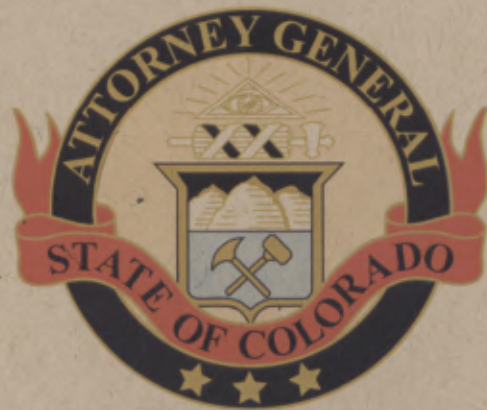
DEPARTMENT OF LAW
FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

5-14

(I) Administration

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
	\$0		\$0		\$0	
FY 2012-13 November 1st Request	\$140,489	0.0	\$37,180	\$14,704	\$84,287	\$4,318
(V) Administrative Law Judges						
	\$0	0.0	\$0	\$0	\$0	\$0
	\$0	0	\$0	\$0	\$0	\$0
	\$0		\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$0	0.0	\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$0	0.0	\$0	\$0	\$0	\$0
DPA Common Policy Adjustment	\$1,100	0.0	\$301	\$118	\$681	
	\$0		\$0		\$0	
FY 2012-13 November 1st Request	\$1,100	0.0	\$301	\$118	\$681	\$0
(W) ADP Capital Outlay						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$0	0.0	\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$0	0.0	\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$0	0.0	\$0	\$0	\$0	\$0
DI #3 Case Mgt System	\$154,370	0.0		\$154,370		
FY 2012-13 November 1st Request	\$154,370	0.0	\$0	\$154,370	\$0	\$0
(X) Attorney General Discretionary Fund						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$5,000	0.0	\$5,000	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$5,000	0.0	\$5,000	\$0	\$0	\$0
FY 12-13 Base Request	\$5,000	0.0	\$5,000	\$0	\$0	\$0
		0.0				
FY 2012-13 November 1st Request	\$5,000	0.0	\$5,000	\$0	\$0	\$0
(I) Administration						
FY 2011-12 Appropriation(Long Bill plus Special Bills)	\$9,112,183	40.7	\$1,430,950	\$615,194	\$6,885,090	\$180,949
FY 2012-13 Base Request	\$9,805,430	40.7	\$1,671,010	\$721,280	\$7,184,745	\$228,395
FY 2012-13 November Request	\$10,209,122	41.7	\$1,682,688	\$944,042	\$7,353,031	\$229,361

FY 12-13
Budget
Schedules 2, 3 and 4
Administration



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
PERSONAL SERVICES	2,994,404	36.6	3,244,706	38.5			3,295,916	40.7	3,065,062	41.7
General Fund	270,717		305,223				328,781		-	
General Fund Exempt	-		-				-		-	
Cash Fund	-		-				-		-	
Reappropriated Funds	2,723,687		2,939,483				2,942,096		3,065,062	
Federal Funds	-		-				-		-	
HEALTH/LIFE INSURANCE TOTAL	-		-				20,078		2,415,841	
General Fund	-		-				-		642,316	
Cash Fund	-		-				-		317,507	
Reappropriated Funds	-		-				-		1,362,479	
Federal Funds	-		-				20,078		93,539	
SHORT TERM DISABILITY	-		-				168		54,275	
General Fund	-		-				-		15,188	
Cash Fund	-		-				-		5,889	
Reappropriated Funds	-		-				-		30,957	
Federal Funds	-		-				168		2,241	
CLASSIFIED SALARY SURVEY	-		-				-		-	
General Fund	-		-				-		-	
Cash Fund	-		-				-		-	
Reappropriated Funds	-		-				-		-	
Federal Funds	-		-				-		-	
SALARY SURVEY - EXEMPT EMPLOYEES	-		-				-		-	
General Fund	-		-				-		-	
Cash Fund	-		-				-		-	
Reappropriated Funds	-		-				-		-	
Federal Funds	-		-				-		-	
PERFORMANCE PAY FOR CLASSIFIED EMPLOYEES	-		-				-		-	
General Fund	-		-				-		-	
Cash Fund	-		-				-		-	
Reappropriated Funds	-		-				-		-	
Federal Funds	-		-				-		-	

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
ATTORNEY REGISTRATION FEES TOTAL	-		-				-		92,626	
General Fund	-		-				-		22,238	
General Fund Exempt	-		-				-		-	
Cash Fund	-		-				-		4,538	
Reappropriated Funds	-		-				-		65,287	
Federal Funds	-		-				-		563	
GENERAL GOV'T COMPUTING CENTER TOTAL	68,003		37,522				73,188		109,715	
General Fund	68,003		37,522				-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	-		-				73,188		109,715	
RISK MANAGEMENT TOTAL	92,968		28,842				92,047		87,789	
General Fund	-		-				-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	92,968		28,842				92,047		87,789	
VEHICLE LEASE PAYMENTS TOTAL	-		-				-		70,285	
General Fund	-		-				-		19,980	
Cash Funds	-		-				-		21,501	
Reappropriated Funds	-		-				-		26,189	
Federal Funds	-		-				-		2,615	
ADP CAPITAL OUTLAY TOTAL	-		-				-		154,370	
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	-		-				-		154,370	
Reappropriated Funds	-		-				-		-	
Federal Funds	-		-				-		-	

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
IT ASSET MAINTENANCE TOTAL	-		-				-		445,807	
General Fund	-		-				-		21,754	
Cash Funds	-		-				-		63,299	
Reappropriated Funds	-		-				-		359,373	
Federal Funds	-		-				-		1,381	
ADMINISTRATIVE LAW JUDGES TOTAL	-		-				-		1,100	
General Fund	-		-				-		301	
Cash Funds	-		-				-		118	
Cash Funds Exempt	-		-				-		681	
Federal Funds	-		-				-		-	
CAPITAL COMPLEX TOTAL	-		-				-		1,429,495	
General Fund	-		-				-		378,315	
Cash Funds	-		-				-		149,602	
Reappropriated Funds	-		-				-		857,628	
Federal Funds	-		-				-		43,950	
LEASE SPACE TOTAL	-		-				-		27,789	
General Fund	-		-				-		4,580	
Cash Funds	-		-				-		3,052	
Reappropriated Funds	-		-				-		19,985	
Federal Funds	-		-				-		172	
COMMUNICATION SERVICES PAYMENTS TOTAL	-		-				-		11,726	
General Fund	-		-				-		4,160	
Cash Funds	-		-				-		3,168	
Reappropriated Funds	-		-				-		1,600	
Federal Funds	-		-				-		2,798	
BUILDING SECURITY	-		-				-		140,489	
General Fund	-		-				-		37,180	
Cash Funds	-		-				-		14,704	
Reappropriated Funds	-		-				-		84,287	
Federal Funds	-		-				-		4,318	
ATTORNEY GENERAL DISCRETIONARY FUND	5,000		5,000				5,000		5,000	
General Fund	5,000		5,000				5,000		5,000	

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Cash Funds	-		-						-	
Reappropriated Funds	-		-						-	
GRAND TOTAL ADMINISTRATION	3,510,059	36.6	3,669,726	38.5	9,112,183	40.7	3,824,987	40.7	10,209,122	41.7
General Fund	523,984		518,677		1,430,950		502,938		1,682,688	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		615,194		-		944,042	
Reappropriated Funds	2,986,075		3,151,049		6,885,090		3,297,010		7,353,031	
Federal Funds	-		-		180,949		25,039		229,361	

SCHEDULE 3 - PERSONAL SERVICES PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
Attorney General	80,004	1.0	80,004	1.0			80,004	1.0	80,004	1.0
Chief Deputy Attorney General	134,112	1.0	134,112	1.0			134,112	1.0	134,112	1.0
Solicitor General	130,620	1.0	130,620	1.0			130,620	1.0	130,620	1.0
Asst. Attorney General I			58,909	0.8			72,000	1.0	72,000	1.0
Deputy Attorney General	122,688	1.0	122,688	1.0			122,688	1.0	122,688	1.0
Management	114,492	1.0	120,000	1.0			120,000	1.0	120,000	1.0
General Professional VI	90,828	1.0	204,204	2.0			204,204	2.0	204,204	2.0
General Professional IV	8,795	0.1	76,956	1.0			76,956	1.0	76,956	1.0
General Profession II	65,511	1.3	105,440	2.0			50,940	1.0	50,940	1.0
General Professional III							60,000	1.0	60,000	1.0
Controller II	75,953	0.8	102,108	1.0			102,108	1.0	102,108	1.0
Accountant III	138,852	2.0	60,876	1.0			60,876	1.0	60,876	1.0
Accountant I	100,400	2.0	50,004	1.0			50,004	1.0	50,004	1.0
Accounting Technician III	36,112	1.0	36,624	1.0			36,624	1.0	36,624	1.0
Accountant II			62,400	1.0			62,400	1.0	62,400	1.0
Program Assistant I	48,304	1.0	48,304	1.0			47,304	1.0	47,304	1.0
Program Assistant II							46,164	1.0	46,164	1.0
Office Manager I	99,396	2.0	99,746	2.0			57,432	1.0	57,432	1.0
Administrative Assistant III	35,088	1.0								
Administrative Assistant II	182,952	5.8	169,116	5.0			207,960	6.0	207,960	6.0
IT Professional V	87,708	1.0	87,708	1.0			87,708	1.0	87,708	1.0
IT Professional IV	125,988	1.5	125,988	1.5			125,988	1.5	125,988	1.5
IT Professional III	72,649	0.9	81,600	1.0			81,600	1.0	81,600	1.0
IT Professional II	364,848	5.6	442,872	7.0			472,872	7.5	472,872	7.5
IT Professional I	237,061	4.7	99,936	2.0			99,936	2.0	99,936	2.0
IT Tech I			23,660	0.6			40,560	1.0	40,560	1.0
IT Tech II			26,088	0.6			33,390	0.7	33,390	0.7
Technician III			40,800	1.0			40,800	1.0	40,800	1.0
TOTAL POSITION DETAIL	2,352,360	36.6	2,590,763	38.5			2,705,250	40.7	2,705,250	40.7

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.A.) CONTINUATION FTE SALARY COSTS	2,352,360	36.6	2,590,763	38.5			2,705,250	40.7	2,705,250	40.7
(Permanent FTE by position)										
Continuation Salary Subtotal										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	235,523		195,924				206,952		274,583	
Medicare on Continuation Subtotal	31,468		34,872				39,226		39,226	
Non-Base Performance Awards	0		-							
Part-Time/Temporary Salaries	24,816		38,964						-	
Contractual Services	26,443		14,578						-	
Overtime Pay	0		-						-	
Furlough	(27,093)		-						-	
Termination/Retirement Payouts	45,539		16,129							
Tuition and Registration										
OT RE DOL TO DPA			770							
Forced Vacancy							(27,044)		(45,062)	
Unemployment Insurance	-		11,848				-			
SUBTOTAL	336,695		313,085				219,134		268,747	
(I.C.) P.S. SUBTOTAL=A+B	2,689,055	36.6	2,903,848	38.5			2,924,384	40.7	2,973,997	40.7
(I.D.) POTS EXPENDITURES										
Health/Life/Dental	215,140		217,626				205,090			
Salary Survey							-			
Performance Awards							-			
Short Term Disability	3,869		4,376				4,788			
SB 04.257 A.E.D.	46,361		61,581				75,747			
SB 06.235 S.A.E.D.	28,993		44,963				60,868			
Other:	10,987		12,313							
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL= C+D	2,994,404	36.6	3,244,706	38.5			3,270,877	40.7	2,973,997	40.7
General Fund	-		-				328,781			
Cash Funds							-			
Reappropriated Funds	2,994,404		3,244,706				2,942,096		2,973,997	
(I.F.) DIFFERENCE= II-I.E.							0		91,065	
ROLLFORWARDS										
General Funds Exempt							-			
(I.) PERSONAL SERVICES DETAIL TOTAL	2,994,404	36.6	3,244,706	38.5	2,942,096	40.7	3,270,877	40.7	2,973,997	40.7

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
SB 11-76 PERA Bill					(31,901)		(31,901)			
Overexpenditures (Reversions) - General Fund										
Lapsed Appropriation Reappropriate Funds Exem	(31,372)	(5.6)	(8,372)	(3.7)						
(III.C.) ALLOCATED POTS										
Health/Life/Dental	190,695		207,632				209,146			
Salary POTS							-			
Performance Awards							-			
Short Term Disability	3,248		3,609				4,163			
SB 04.257 A.E.D.	47,556		54,036				63,581			
SB 06.235 S.A.E.D.	29,218		39,946				51,891			
III.C. SUBTOTAL ALLOCATED POTS	270,717		305,223				328,781			
	2,994,404		3,244,706							
III. RECONCILIATION P.S. TOTAL	2,994,404	36.6	3,244,706	38.5	2,942,096	40.7	3,270,877	40.7	3,065,062	41.7
General Fund	270,717		305,223		-		328,781		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	2,723,687		2,939,483		2,942,096		2,942,096		3,065,062	
Federal Funds	-		-		-		-		-	
IV. RECONCILIATION DIFFERENCE= III-I							0		91,065	
Health, Life and Dental	-		-		2,281,572				2,281,572	
General Fund	-		-		577,900				577,900	
Cash Funds	-		-		237,546				237,546	
Reappropriated Funds	-		-		1,385,970				1,385,970	
Federal Funds	-		-		80,156				80,156	
Decision Item									-	
General Fund									-	
Cash Funds									39,760	
Cash Funds Exempt									-	
Federal Funds									-	
Health/Life/Dental Common Policy Adjustment					0				94,509	
General Fund									64,416	
Cash Funds									40,201	
Reappropriated Funds									(23,491)	
Federal Funds									13,383	
TOTAL HEALTH/LIFE/DENTAL INSURANCE	-		-		2,281,572		20,078		2,415,841	
General Fund	-		-		577,900				642,316	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal							(168)			
TOTAL	-		-							
SB 04-257 Amortization Equalization Disburseme	-		-		775,756				775,756	
General Fund	-		-		203,279				203,279	
Cash Funds	-		-		70,505				70,505	
Reappropriated Funds	-		-		476,591				476,591	
Federal Funds	-		-		25,381				25,381	
SB 04.257 A.E.D. Adjustment					0				192,615	
General Fund					0				71,312	
Cash Funds					0				23,092	
Reappropriated Funds					0				83,077	
Federal Funds									15,134	
Decision Item									12,861	
General Fund									-	
Cash Funds									12,861	
Cash Funds Exempt									-	
Federal Funds									-	
SB 04.257 A.E.D. TOTAL	-		-		775,756		2,657		981,232	
General Fund	-		-		203,279				274,591	
Cash Funds	-		-		70,505				106,458	
Reappropriated Funds	-		-		476,591				559,668	
Federal Funds	-		-		25,381		2,657		40,515	
SB 04.257 A.E.D. Reconciliation										
Long Bill Allocation	560,823		654,314				775,756			
Supplemental:										
Allocation to Divisions	(560,822)		(654,314)				(773,099)			
Overexpenditures (Reversions)							(2,657)			
TOTAL	1		-				-			
SB 06-235 Supplemental Amortization										
Equalization Disbursement	-		-		622,261				622,261	
General Fund	-		-		162,234				162,234	
Cash Funds	-		-		56,656				56,656	
Reappropriated Funds	-		-		382,975				382,975	
Federal Funds	-		-		20,396				20,396	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
TOTAL CLASSIFIED SALARY SURVEY	-		-						-	
General Fund	-		-						-	
Cash Funds	-		-						-	
Reappropriated Funds	-		-						-	
Federal Funds	-		-						-	
Classified Salary Survey Reconciliation										
Long Bill Allocation	-		-				-			
Allocation to Divisions	-		-				-			
Overexpenditures (Reversions) General Fund	-		-							
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal										
TOTAL	-		-				-			
Salary Survey - Exempt Employees	-		-						-	
General Fund	-		-						-	
Cash Funds	-		-						-	
Reappropriated Funds	-		-						-	
Federal Funds	-		-						-	
Exempt Salary Survey FY13 Adjustment									-	
General Fund									-	
Cash Funds									-	
Reappropriated Funds									-	
Federal Funds									-	
SALARY SURVEY EXEMPT TOTAL	-		-				-		-	
General Fund	-		-				-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	-		-				-		-	
Federal Funds	-		-				-		-	
Salary Survey Exempt Reconciliation										
Long Bill Allocation	-		-				-			
Allocation to Divisions	-		-				-			
Overexpenditures (Reversions) General Fund	-		-							
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal										
TOTAL	-		-				-			

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

5-30

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
PBP for Classified Employees	-		-						-	
General Fund	-		-						-	
Cash Funds	-		-						-	
Reappropriated Funds	-		-						-	
Federal Funds	-		-						-	
PBP for Classified Employees FY13 Adjustment									-	
General Fund									-	
Cash Funds									-	
Reappropriated Funds									-	
Federal Funds									-	
TOTAL PBP FOR CLASSIFIED	-		-						-	
General Fund	-		-						-	
Cash Funds	-		-						-	
Reappropriated Funds	-		-						-	
Federal Funds	-		-						-	
PBP for Classified Reconciliation										
Long Bill Allocation	-		-				-			
Allocation to Divisions	-		-				-			
Overexpenditures (Reversions) General Fund	-		-							
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Reappropriated Funds										
Lapsed Appropriation Federal										
TOTAL	-		-				-			
PBP for Exempt Employees	-		-						-	
General Fund	-		-						-	
Cash Funds	-		-						-	
Reappropriated Funds	-		-						-	
Federal Funds	-		-						-	
PBP for Exempt Employees FY12 Adjustment									-	
General Fund									-	
Cash Funds									-	
Reappropriated Funds									-	
Federal Funds									-	
TOTAL PBP FOR EXEMPT	-		-						-	
General Fund	-		-						-	
Cash Funds	-		-						-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Reappropriated Funds	-		-						-	
Federal Funds	-		-						-	
PBP for Exempt Reconciliation										
Long Bill Allocation	-		-				-			
Allocation to Divisions	-		-				-			
Overexpenditures (Reversions) General Fund	-		-							
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal										
TOTAL	-		-				-			
Workers Compensation	-		-		66,843				66,843	
General Fund	-		-		18,378				18,378	
Cash Funds	-		-		6,919				6,919	
Reappropriated Funds	-		-		39,449				39,449	
Federal Funds	-		-		2,097				2,097	
Workers Compensation Adjustment					0				12,920	
General Fund					0				2,731	
Cash Funds					0				1,429	
Reappropriated Funds					0				8,405	
Federal Funds									355	
Decision Item									-	
General Fund									-	
Cash Funds									-	
Reappropriated Funds									-	
Reappropriated Funds									-	
Federal Funds									-	
WORKERS COMPENSATION TOTAL	-		-		66,843				79,763	
General Fund	-		-		18,378				21,109	
Cash Funds	-		-		6,919				8,348	
Reappropriated Funds	-		-		39,449				47,854	
Federal Funds	-		-		2,097				2,452	
Workers Compensation Reconciliation										
Long Bill Allocation	53,106		50,863				66,843			
Supplemental: HB 10-1305	(2,213)		-							
Supplemental: SB 09-192	-		-							
Allocation to Divisions	(50,893)		(50,863)				(66,843)			

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Overexpenditures (Reversions) TOTAL	-		-				-			
Page Totals	2,994,404	36.6	3,244,706	38.5	6,737,724	40.7	3,295,916	40.7	7,439,418	41.7
General Fund	270,717		305,223		974,799		328,781		1,189,181	
General Fund Exempt							-			
Cash Funds	-		-		376,083		-		529,689	
Reappropriated Funds	2,723,687		2,939,483		5,257,208		2,942,096		5,546,984	
Federal Funds	-		-		129,634		25,039		173,564	

5-32

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SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
ABAD OT RE DOL TO DPA	744		-						-	
1350 Employee Non Cash Incentives	120		-						-	
1622 CN PERA			1,268							
1930 Purchased Services - Litigation	-		-				27,537		27,537	
2170 Waste Disposal Services	-		-				12		12	
2210 Other Maintenance/Repair Services	-		-						-	
2220 Building Grounds Maintenance	-		-						-	
2230 Equipment Contract Maintenance	47		462				23		23	
2231 ADP Equip Maint/Repair Services	1,492		1,872				1,783		1,783	
2232 Software Upgrades	6,519		5,185				5,358		5,358	
2240 Motor Vehicle Repair/Maintenance	-		-						-	
2250 Misc Rentals	-		-						-	
2251 Rental/Lease Motor Pool Veh	2,551		2,655				-		-	
2252 Leased Vehicle - Variable	2,487		4,209				3,771		3,771	
2253 Rental of Equipment	693		681				678		678	
2254 Rental of Motor Vehicles	-		-						-	
2255 Rental of Building	137,382		133,467						-	
2258 Parking	7,442		9,400				8,555		8,555	
2259 Parking Fee Reimbursement	-		9				12		12	
2510 In State Travel	14		119						-	
2511 IS Common Carrier Fares	-		-						-	
2512 IS Personal Travel Per Diem	807		1,248				1,299		1,299	
2513 IS Pers Vehicle Reimbursement	84		159				45		45	
2514 IS State Owned Aircraft	-		-						-	
2515 State-Owned Vehicle Charge	-		-						-	
2530 Out of State Travel	403		595				447		447	
2531 OS Common Carrier Fares	1,984		2,852				1,961		1,961	
2532 OS Personal Travel Per Diem	4,157		5,669				4,500		4,500	
2533 OS Pers Vehicle Reimbursement	-		-				350		350	
2541 OS-Non-Employee Common Carrier	-		-						-	
2542 OS-Non-Employee Per Diem	-		-						-	
2610 Advertising	-		70						-	
2611 Public Relations	-		-						-	
2630 Comm Service Div of Telecom	37,518		27,750				30,200		30,200	
2631 Comm Svcs from Outside Sources	6,870		9,601				9,460		9,460	
2641 Other ADP Billing -Purch Services	854		4,692				850		850	
2640 GGCC Billing Purch Services	-		-						-	
2650 OIT Purchased SVS			5							
2660 Insurance	5,372		5,324						-	
2680 Contract Printing	9,910		8,716				10,000		10,000	
2681 Photocopy Reimbursement	-		-						-	

5-33

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

5-34

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2710 Purchase Medical Services	-		-						-	
2810 Freight & Storage	-		-						-	
2820 Other Purchased Services	20		75						-	
2830 Office Moving-Pur Services	-		-						-	
2831 Storage Purch Svs	-		9						-	
3110 Other Supplies and Materials	-		-						-	
3112 Automotive Supplies	-		-						-	
3113 Clothing and Uniform Allowance	-		-						-	
3114 Custodial	-		-						-	
3115 DP Supplies	2,408		1,394				2,525		2,525	
3116 Purchased/Leased Software	682		1,087				-		-	
3117 Educational	50		-				33		33	
3118 Food and Food Service Supplies	-		-						-	
3119 Med Lab and Supplies	2,204		-						-	
3120 Books & Subscriptions	41,649		4,574				32,570		32,570	
3121 Office Supplies	12,114		12,067				12,063		12,063	
3122 Microfilming/Photo. Supplies	-		-						-	
3123 Postage	18,188		16,134				18,376		18,376	
3124 Printing	-		-						-	
3126 Repair & Maintenance Supplies	-		37						-	
3128 Non-Capitalized Equipment	374		1,733						-	
3131 Non-Capitalized Building Materials	20,325		41,677						-	
3132 Non-Capitalized Furn	1,419		3,374						-	
3140 Non-Capitalized IT - PC's	2,974		14,415						-	
3141 Non-Capitalized IT - Servers	209		619						-	
3143 Non-Capitalized IT - Other	4,785		6,979						-	
3146 Non-Capitalized IT - PC SW	-		1,010						-	
3950 Gasoline	-		-						-	
3970 Natural Gas	-		-						-	
4111 Prizes and Awards	265		750						-	
4117 Reportable Claims Against State	-		-						-	
4140 Dues & Memberships	7,065		7,818				7,400		7,400	
4151 Interest - Late Payments	-		40						-	
4170 Miscellaneous Fees	-		-						-	
4180 Official Functions	2,037		5,535				4,350		4,350	
4200 Purchase Discounts	175		-						-	
4220 Registration Fees	5,293		5,330				5,300		5,300	
4221 Other Educational - W2 RPT	-		-						-	
6140 Leasehold Improv - Direct Purch	-		-						-	
6210 ADP Equipment	-		-						-	
6212 IT Servers - Direct Purchase	-		1,870				-		-	
6214 IT Other Direct Purchase	-		1,120				219		219	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
6280 Other Capital Equipment (direct purchase)										
6340 Leasehold Improvements										
Operating Expense Subtotal	349,684		353,656				189,679		189,679	
General Fund	180,264		170,932				-		-	
General Fund Exempt										
Cash Funds	-		-				-		-	
Reappropriated Funds	169,420		182,724				189,679		189,679	
Federal Funds	-		-				-		-	
FY13 DECISION ITEMS										
DI #3 Case Mgt System									3,834	
General Fund									-	
Reappropriated Funds									3,834	
Potted Operating Expenses										
Workers' Compensation	5,453		5,324				6,721			
Leased Vehicle Expense	2,509		2,659				2,549			
Capital Complex	126,750		132,897				129,104			
Leased Space Expense	783		631				631			
IT Asset Maintenance	14,946		15,291				15,291			
ADP Capital Outlay	6,882									
Communication Services Payments	-		-							
CLE Registration Fees	1,874		2,250				2,250			
Building Security	21,066		11,880				12,611			
Total Potted Operating Expenses	180,264		170,932				169,157			
OPERATING EXPENSE GRAND TOTAL:	349,684		353,656			189,679	358,836		193,513	
General Fund	180,264		170,932				169,157		-	
General Fund Exempt	-		-				-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	169,420		182,724			189,679	189,679		193,513	
Federal Funds	-		-				-		-	
OPERATING EXPENSE RECONCILIATION										
Long Bill Appropriation	194,679		194,679				194,679			
Supplemental	(20,856)		-							
Allocated POTS										
Worker's Compensation	5,453		5,324				6,721			
Vehicle Lease Payments	2,509		2,659				2,549			
Capital Complex Lease Space	126,750		132,897				129,104			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

5-36

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<i>Leased Space</i>	783		631				631			
<i>IT Asset Maintenance</i>	14,946		15,291				15,291			
<i>ADP Capital Outlay</i>	6,882		-				-			
<i>Communication Services Payments</i>	-		-				-			
<i>CLE Registration Fees</i>	1,874		2,250				2,250			
<i>Building Security</i>	21,066		11,880				12,611			
Year-End Transfer										
Rollforward from previous FY	-		-				-			
Rollforward to subsequent FY										
Overexpenditure/(Reversion)										
Lapsed Appropriation Reappropriated Funds	(4,403)		(11,955)							
TOTAL	349,684		353,656				363,836			
Attorney Registration & CLE's Costs	-		-		92,626		-		92,626	
General Fund	-		-		22,238		-		22,238	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		4,538		-		4,538	
Reappropriated Funds	-		-		65,287		-		65,287	
Federal Funds	-		-		563		-		563	
Attorney Registration & CLE's Adjustment										
General Fund									-	
General Fund Exempt									-	
Cash Funds									-	
Reappropriated Funds									-	
Federal Funds									-	
TOTAL ATTORNEY REGIS. & CLE's	-		-		92,626		-		92,626	
General Fund	-		-		22,238		-		22,238	
Cash Funds	-		-		4,538		-		4,538	
Reappropriated Funds	-		-		65,287		-		65,287	
Federal Funds	-		-		563		-		563	
Attorney Registration & CLE's Reconciliation										
Long Bill Appropriation	92,626		92,626				92,626			
<i>Special Bills: HB 10-1305</i>										
Allocation to Divisions	(92,626)		(92,626)				(92,626)			
Overexpenditure/(Reversion)										
TOTAL	-		-							
General Gov Computing Center	68,003		37,522		73,188		73,188		73,188	
General Fund	68,003		37,522		-		-		-	
Cash Funds										
Reappropriated Funds	-		-		73,188		73,188		73,188	
Federal Funds										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
GGCC FY Adjustment									36,527	
General Fund									-	
Reappropriated Funds									36,527	
GGCC TOTAL	68,003		37,522		73,188		73,188		109,715	
General Fund	68,003		37,522		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	-		-		73,188		73,188		109,715	
GGCC Reconciliation										
Long Bill Appropriation	71,185		37,522				73,188			
<i>Supplemental: HB 10-1305</i>	(3,182)		0							
<i>Supplemental: HB08-1290</i>										
Lapsed Reappropriated Funds										
TOTAL	68,003		37,522				73,188			
Risk Management	92,968		28,842		92,047		92,047		92,047	
General Fund	-		-		-		-		-	
Reappropriated Funds	92,968		28,842		92,047		92,047		92,047	
Risk Management Common Policy Adjustment									(4,258)	
General Fund									-	
Cash Funds									-	
Reappropriated Funds									(4,258)	
Federal Funds									-	
RISK MANAGEMENT TOTAL	92,968		28,842		92,047		92,047		87,789	
General Fund	-		-		-		-		-	
Reappropriated Funds	92,968		28,842		92,047		92,047		87,789	
Risk Management Reconciliation										
Long Bill Appropriation	98,646		28,842				92,047			
<i>Supplemental: HB 10-1305</i>	(5,678)		-							
<i>Supplemental: HB08-1290</i>										
Lapsed Reappropriated Funds										
TOTAL	92,968		28,842				92,047			
Vehicle Lease Payments	-		-		70,176				70,176	
General Fund	-		-		18,988				18,988	
Cash Funds	-		-		23,943				23,943	
Reappropriated Funds	-		-		24,435				24,435	
Federal Funds	-		-		2,810				2,810	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

5-38

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Vehicle Lease Payments Common Policy Adjustment										109
General Fund										992
Cash Funds										(2,442)
Reappropriated Funds										1,754
Federal Funds										(195)
VEHICLE LEASE PAYMENTS TOTAL	-		-		70,176		-		70,285	
General Fund	-		-		18,988		-		19,980	
Cash Funds	-		-		23,943		-		21,501	
Reappropriated Funds	-		-		24,435		-		26,189	
Federal Funds	-		-		2,810		-		2,615	
Vehicle Lease Reconciliation										
Long Bill Appropriation	73,969		72,813				70,176			
<i>Special Bills</i>										
<i>Supplemental</i>			1,517							
Allocation to Divisions	(73,969)		(74,330)				(70,176)			
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal										
TOTAL	-		-				-			
ADP Capital Reconciliation										
Long Bill Appropriation	13,764		-				-			
<i>DI Case Mgt System</i>										154,370
Allocation to Divisions	(13,764)		-				-			
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
TOTAL/CF	-		-				-			154,370
Information Technology Asset Maintenance										
General Fund	-		-		407,667		-		407,667	
Cash Funds	-		-		15,291		-		15,291	
Reappropriated Funds	-		-		59,588		-		59,588	
Federal Funds	-		-		331,407		-		331,407	
Federal Funds	-		-		1,381		-		1,381	
Dec Item Case Mgt System										38,140

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
General Fund									6,463	
Cash Funds									3,711	
Reappropriated Funds									27,966	
Federal Funds									-	
IT ASSET MAINTENANCE TOTAL	-		-		407,667		-		445,807	
General Fund	-		-		15,291		-		21,754	
Cash Funds	-		-		59,588		-		63,299	
Reappropriated Funds	-		-		331,407		-		359,373	
Federal Funds	-		-		1,381		-		1,381	
IT Asset Maintenance Reconciliation										
Long Bill Appropriation	407,667		407,667				407,667			
Supplemental										
Allocation to Divisions	(407,667)		(407,667)				(407,667)			
Rollforward										
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal										
TOTAL	-		-				-			
Capital Complex Leased Space										
General Fund	-		-		1,284,061		-		1,284,061	
Cash Funds	-		-		352,895		-		352,895	
Reappropriated Funds	-		-		132,910		-		132,910	
Federal Funds	-		-		757,812		-		757,812	
TOTAL	-		-		40,444		-		40,444	
Capital Complex Adjustment										
General Fund					0				145,434	
Cash Funds					0				25,420	
Reappropriated Funds					0				16,692	
Federal Funds					0				99,816	
TOTAL					0				3,506	
CAPITAL COMPLEX TOTAL										
General Fund	-		-		1,284,061		-		1,429,495	
Cash Funds	-		-		352,895		-		378,315	
Reappropriated Funds	-		-		132,910		-		149,602	
Federal Funds	-		-		757,812		-		857,628	
TOTAL	-		-		40,444		-		43,950	
Capital Complex Reconciliation										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

5-40

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Long Bill Appropriation	1,293,584		1,252,757				1,284,061			
<i>Supplemental: HB10-1305</i>	(17,445)		-							
<i>Supplemental: SB09-192</i>	-		-							
Allocation to Divisions	(1,276,139)		(1,252,757)				(1,284,061)			
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal	-		-				-			
TOTAL										
Lease Space	-		-		26,220				26,220	
General Fund	-		-		4,321				4,321	
Cash Funds	-		-		2,880				2,880	
Reappropriated Funds	-		-		18,857				18,857	
Federal Funds	-		-		162				162	
FY13 Adjustment - Common Policy									1,569	
General Fund									259	
Cash Funds									172	
Reappropriated Funds									1,128	
Federal Funds									10	
LEASE SPACE TOTAL	-		-		26,220		-		27,789	
General Fund	-		-		4,321		-		4,580	
Cash Funds	-		-		2,880		-		3,052	
Reappropriated Funds	-		-		18,857		-		19,985	
Federal Funds	-		-		162		-		172	
Lease Space Reconciliation										
Long Bill Appropriation	32,502		26,220				-			
<i>Supplemental: HB08-1290</i>										
Allocation to Divisions	(32,502)		(26,220)				-			
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal										
TOTAL	-		-				-			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Security for State Services Building	-		-		125,430				125,430	
General Fund	-		-		34,472				34,472	
Cash Funds	-		-		12,983				12,983	
Reappropriated Funds	-		-		74,024				74,024	
Federal Funds	-		-		3,951				3,951	
FY13 Adjustment - Common Policy									15,059	
General Fund									2,708	
Cash Funds									1,721	
Reappropriated Funds									10,263	
Federal Funds									367	
SECURITY FOR STATE SER BLDG TOTAL	-		-		125,430		-		140,489	
General Fund	-		-		34,472		-		37,180	
Cash Funds	-		-		12,983		-		14,704	
Reappropriated Funds	-		-		74,024		-		84,287	
Federal Funds	-		-		3,951		-		4,318	
Security for State Srv Building Reconciliation										
Long Bill Appropriation	196,693		120,919				125,430			
<i>Supplemental: HB08-1290</i>										
Allocation to Divisions	(196,693)		(120,919)				(125,430)			
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal	-		-							
TOTAL	-		-				-			
Administrative Law Judges	-		-		-				-	
General Fund	-		-		-				-	
Cash Funds	-		-		-				-	
Reappropriated Funds	-		-		-				-	
Federal Funds	-		-		-				-	
FYAdjustment - Common Policy									1,100	
General Fund									301	
Cash Funds									118	
Reappropriated Funds									681	
Federal Funds									-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

5-42

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
ADMINISTRATIVE LAW JUDGES TOTAL	-		-		-		-		1,100	
General Fund	-		-		-		-		301	
Cash Funds	-		-		-		-		118	
Reappropriated Funds	-		-		-		-		681	
Federal Funds	-		-		-		-		-	
Administrative Law Judges Reconciliation										
Long Bill Appropriation	-		-		-		-			
<i>Special Bills</i>										
<i>Supplemental: SB07-168</i>										
<i>Supplemental: HB08-1290</i>	-		-		-		-			
Allocation to Divisions	-		-		-		-			
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal										
TOTAL	-		-		-		-			
COMMUNICATION SERVICE PAYMENTS	-		-		8,365		-		8,365	
General Fund	-		-		2,946		-		2,946	
Cash Funds	-		-		2,269		-		2,269	
Reappropriated Funds	-		-		1,146		-		1,146	
Federal Funds	-		-		2,004		-		2,004	
FYAdjustment - Common Policy					0				3,361	
General Fund									1,214	
Cash Funds					0				899	
Reappropriated Funds					0				454	
Federal Funds									794	
COMMUNICATION SERVICES TOTAL	-		-		8,365		-		11,726	
General Fund	-		-		2,946		-		4,160	
Cash Funds	-		-		2,269		-		3,168	
Reappropriated Funds	-		-		1,146		-		1,600	
Federal Funds	-		-		2,004		-		2,798	
Comm Ser Payments Reconciliation										
Long Bill Appropriation	6,208		7,744				8,365			
<i>Supplemental: SB07-168</i>										
<i>Supplemental: HB08-1290</i>	-		-							
Allocation to Divisions	(6,208)		(7,744)				(8,365)			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 10		Actual FY11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal										
TOTAL	-		-				-			
AG's DISCRETIONARY FUND	5,000		5,000		5,000		5,000		5,000	
General Fund	5,000		5,000		5,000		5,000		5,000	
Cash Funds										
Reappropriated Funds										
Federal Funds										
AG's Decret Reconciliation of Funds										
Long Bill Appropriation	5,000		5,000				5,000			
Overexpenditure/(Reversion) General Fund										
TOTAL	5,000		5,000				5,000			
ADMINISTRATION GRAND TOTAL	3,510,059	36.6	3,669,726	38.5	9,112,183	40.7	3,824,987	40.7	10,209,122	41.7
General Fund	523,984		518,677		1,430,950		502,938		1,682,688	
General Fund Exempt										
Cash Funds	-		-		615,194		-		944,042	
Reappropriated Funds	2,986,075		3,151,049		6,885,090		3,297,010		7,353,031	
Federal Funds	-		-		180,949		25,039		229,361	

Item Description	Quantity	Unit Price	Total Price	Tax	Net Total	Balance
Item 1	1000	100.00	100.00	0%	100.00	100.00
Item 2	2000	200.00	400.00	0%	400.00	300.00
Item 3	3000	300.00	900.00	0%	900.00	0.00
Item 4	4000	400.00	1600.00	0%	1600.00	1600.00
Item 5	5000	500.00	2500.00	0%	2500.00	2500.00
Item 6	6000	600.00	3600.00	0%	3600.00	3600.00
Item 7	7000	700.00	4900.00	0%	4900.00	4900.00
Item 8	8000	800.00	6400.00	0%	6400.00	6400.00
Item 9	9000	900.00	8100.00	0%	8100.00	8100.00
Item 10	10000	1000.00	10000.00	0%	10000.00	10000.00
Item 11	11000	1100.00	12100.00	0%	12100.00	12100.00
Item 12	12000	1200.00	14400.00	0%	14400.00	14400.00
Item 13	13000	1300.00	16900.00	0%	16900.00	16900.00
Item 14	14000	1400.00	19600.00	0%	19600.00	19600.00
Item 15	15000	1500.00	22500.00	0%	22500.00	22500.00
Item 16	16000	1600.00	25600.00	0%	25600.00	25600.00
Item 17	17000	1700.00	28900.00	0%	28900.00	28900.00
Item 18	18000	1800.00	32400.00	0%	32400.00	32400.00
Item 19	19000	1900.00	36100.00	0%	36100.00	36100.00
Item 20	20000	2000.00	40000.00	0%	40000.00	40000.00
Item 21	21000	2100.00	44100.00	0%	44100.00	44100.00
Item 22	22000	2200.00	48400.00	0%	48400.00	48400.00
Item 23	23000	2300.00	52900.00	0%	52900.00	52900.00
Item 24	24000	2400.00	57600.00	0%	57600.00	57600.00
Item 25	25000	2500.00	62500.00	0%	62500.00	62500.00
Item 26	26000	2600.00	67600.00	0%	67600.00	67600.00
Item 27	27000	2700.00	72900.00	0%	72900.00	72900.00
Item 28	28000	2800.00	78400.00	0%	78400.00	78400.00
Item 29	29000	2900.00	84100.00	0%	84100.00	84100.00
Item 30	30000	3000.00	90000.00	0%	90000.00	90000.00
Item 31	31000	3100.00	96100.00	0%	96100.00	96100.00
Item 32	32000	3200.00	102400.00	0%	102400.00	102400.00
Item 33	33000	3300.00	108900.00	0%	108900.00	108900.00
Item 34	34000	3400.00	115600.00	0%	115600.00	115600.00
Item 35	35000	3500.00	122500.00	0%	122500.00	122500.00
Item 36	36000	3600.00	129600.00	0%	129600.00	129600.00
Item 37	37000	3700.00	136900.00	0%	136900.00	136900.00
Item 38	38000	3800.00	144400.00	0%	144400.00	144400.00
Item 39	39000	3900.00	152100.00	0%	152100.00	152100.00
Item 40	40000	4000.00	160000.00	0%	160000.00	160000.00

ADMINISTRATIVE

SCHEDULE 2 - OPERATING PROGRAMS

TOTAL

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

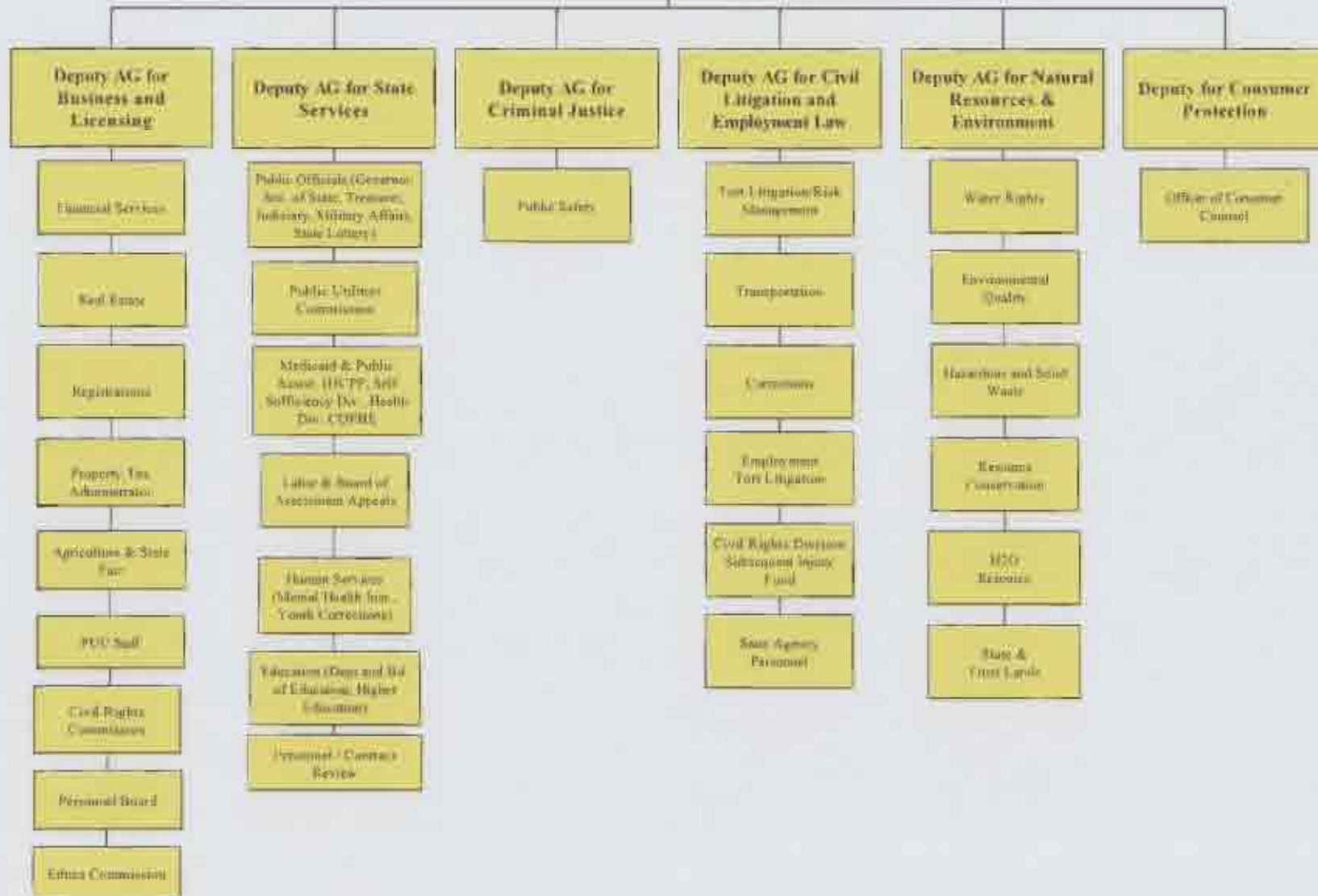
Department of Revenue		ADMINISTRATION				
Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		Actual FY 10	Actual FY11	Approp FY 12	Approp FY 12	Request FY 13
Schedule 3 Total		3,510,059	3,669,726	9,112,183	3,824,987	10,209,122
General Fund		523,984	518,677	1,430,950	502,938	1,682,688
General Fund Exempt		-	-	-	-	-
Cash Funds		-	-	615,194	-	944,042
Reappropriated Funds		2,986,075	3,151,049	6,885,090	3,297,010	7,353,031
Federal Funds		-	-	180,949	25,039	229,361
Cash Funds						
Various Sources of Cash		-	-	615,194	-	944,042
NO Call Cash Fund		-	-	-	-	-
SUBTOTAL CASH FUNDS:		-	-	615,194	-	944,042
Reappropriated Funds						
Various Sources of Cash Exempt		2,986,075	3,151,049	6,885,090	3,297,010	7,353,031
FEDERAL FUNDS						
Mediciad Fraud		-	-	180,949	25,039	229,361
		-	-	-	-	-

DESCRIPTION	2010	2011	2012	2013	2014	2015	2016
RECEIVABLES							
Accounts receivable	1,200,000	1,500,000	1,800,000	2,100,000	2,400,000	2,700,000	3,000,000
Allowance for doubtful accounts	(100,000)	(120,000)	(140,000)	(160,000)	(180,000)	(200,000)	(220,000)
INVENTORY							
Raw materials	500,000	600,000	700,000	800,000	900,000	1,000,000	1,100,000
Work in process	300,000	350,000	400,000	450,000	500,000	550,000	600,000
Finished goods	200,000	250,000	300,000	350,000	400,000	450,000	500,000
PROPERTY, PLANT, AND EQUIPMENT							
Cost	1,000,000	1,200,000	1,400,000	1,600,000	1,800,000	2,000,000	2,200,000
Accumulated depreciation	(200,000)	(300,000)	(400,000)	(500,000)	(600,000)	(700,000)	(800,000)
LIABILITIES							
Accounts payable	800,000	900,000	1,000,000	1,100,000	1,200,000	1,300,000	1,400,000
Notes payable	200,000	300,000	400,000	500,000	600,000	700,000	800,000
Accrued liabilities	100,000	150,000	200,000	250,000	300,000	350,000	400,000
EQUITY							
Common stock	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Retained earnings	1,000,000	1,500,000	2,000,000	2,500,000	3,000,000	3,500,000	4,000,000
TOTAL ASSETS	3,000,000	3,500,000	4,000,000	4,500,000	5,000,000	5,500,000	6,000,000
TOTAL LIABILITIES AND EQUITY	3,000,000	3,500,000	4,000,000	4,500,000	5,000,000	5,500,000	6,000,000

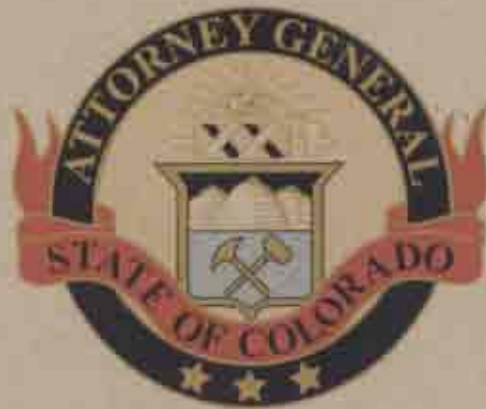
SCHEDULE 1 - SOURCE OF FINANCING - DIRECT BELIEVERS

UNIVERSITY OF CALIFORNIA

Legal Services to State Agencies



Narrative
LSSA
Business & Licensing



Strategic Plan FY 12-13

Business & Licensing Section

Department of Law

MISSION: The Business and Licensing Section's mission is to provide the highest quality legal representation to regulatory boards, commissions, programs and governmental agencies.

Objective 1: Business and Licensing's ("B&L") attorneys shall serve as general counsel to the following clients to effectuate the shared goal of public protection: Department of Regulatory Agencies, Department of Agriculture, Board of Assessment Appeals, and the Independent Ethics Commission.

Goal 1: Attorneys shall provide timely, accurate and responsive legal advice to the agencies.

Goal 2: Attorneys for all Units shall assist in rulemaking as needed or requested by the agencies.

Goal 3: When appropriate to the agency, attorneys shall develop and maintain internal tracking systems for informal attorney general opinions rulemaking, and legislation affecting the agencies.

Goal 4: Attorneys shall provide aggressive and effective legal representation of the Board or other clients on all appeals of Board or agency decisions.

Objective 2: The Assistant Attorneys General ("AAGs") within B&L shall develop subject matter expertise on issues relevant to the clients they represent.

Goal 1: The Section shall continue to implement the training protocols for new attorneys by pairing each new attorney with a mentor and by holding section-wide practice improvement sessions.

Goal 2: The Section shall maintain competence of all attorneys by participating in the evaluation process and the goal planning process with supervisors.

Goal 3: The attorneys shall attend Continuing Legal Education programs relevant to their practice.

Goal 4: Supervisors shall improve legal advice to all agencies by identifying areas of law and practice where Section wide consistency can be achieved, and shall implement tools to address consistency.

Objective 3: The Section shall effectuate the client's goals through effective litigation by initiating actions in administrative court, State District Court, courts of appeals and other courts as necessary.

Goal 1: PUC attorneys shall assist Litigation Staff with early identification and development of issues to be presented at hearings.

Goal 2: The PUC supervisor and team leaders shall provide an educational environment in which attorneys and staff may increase their substantive knowledge of the subject

matter and pursue opportunities for attorneys and staff to develop discovery, trial, and preparation skills.

Goal 3: All Units shall have policies in place to assure early attorney review and action on all referred cases.

Goal 4: All Units shall identify backlogs and have plans in place to effectively manage backlogs.

Goal 5: Units shall work with clients to continually educate investigators and staff regarding their role in managing evidence, affidavits and documentations supporting the legal elements that must be proved at hearing.

Objective 4: The B&L attorneys shall provide effective conflicts counsel to agencies as assigned.

Goal 1: Attorneys shall effectively advise the State Personnel Board in its adjudicatory role in actions that come before the board, and provide rulemaking support and other advice as required.

Goal 2: Attorneys shall effectively advise the Civil Rights Commission in its adjudicatory role in actions that come before the commission, and provide rulemaking support and other advice as required.

Goal 3: Attorneys shall effectively advise the Mined Land Reclamation Board in its adjudicatory role in actions that come before the board.

I) BACKGROUND INFORMATION: BUSINESS AND LICENSING SECTION.

OBJECTIVE: The Business and Licensing Section's mission is to provide the highest quality legal representation to regulatory boards, commissions, programs and other governmental agencies. Through Business and Licensing's ("B&L") representation, these clients are able to effectuate the shared goal of public protection. The Assistant Attorneys General ("AAGs") within B&L develop subject matter expertise depending on the clients they represent. Attorneys litigate enforcement actions most often in state district court, initiate licensing actions in administrative court, assist in rulemaking, and provide general counsel advice to the client agencies. In most cases B&L utilizes a collaborative model to promote efficiency, consistency, and excellent legal services for our clients.

The Business & Licensing Section is headed by Deputy Attorney General Diana Black and has approximately sixty (60) attorneys, nine (9) legal assistants and eight (8) support staff organized into units, each headed by a First Assistant Attorney General.

The Business and Licensing Section clients include:

- Department of Regulatory Agencies
- Department of Agriculture
- Department of Revenue
- Independent Ethics Commission
- State Personnel Board
- Unrelated clients in other Sections for whom we serve as conflicts counsel

The Department of Regulatory Agencies

The Department of Regulatory Agencies ("DORA") houses several divisions represented by more than 30 B&L AAGs. The AAGs enforce compliance with the law by prosecuting disciplinary actions against licensed professionals, by representing the programs in licensure denial actions, by litigating civil enforcement and subpoena enforcement actions, and by litigating injunctive actions. In addition to prosecuting individual cases, the attorneys provide general counsel advice regarding legislative and policy matters, rulemaking and case analysis. Examples include:

Division of Registrations: B&L AAGs provide legal representation to regulatory boards, committees and programs within the Division of Registrations, the largest Division within DORA. The professions regulated include accountants, acupuncturists, addictions counselors, architects, barbers, cosmetologists, chiropractors, dentists, electricians, engineers, land surveyors, landscape architects, hearing aid dealers, massage therapists, marriage and family therapists, midwives, nurses, nurse aides, nursing home administrators, occupational therapists, optometrists, outfitters, passenger tramways, physicians, physical therapists, plumbers, podiatrists, pharmacists, professional counselors, psychologists, respiratory therapists, social workers, registered psychotherapists, and veterinarians.

Division of Real Estate: The AAGs representing the Division of Real Estate provide legal counsel to the Colorado Real Estate Commission, the Board of Real Estate Appraisers, the Mortgage Loan Originator Board (formerly the Mortgage Broker Program), and the Colorado Conservation Easement Oversight Commission.

Division of Insurance: AAGs representing the Division of Insurance act as general and litigation counsel to the various divisions of the Division of Insurance ("DOI" or the "Division"). Unit attorneys assist and advise on a wide variety of subject areas in rulemaking related to the regulation of insurance companies and their agents, and provide legal advice regarding changes and amendments to the insurance laws. Litigation is conducted in administrative and district courts on behalf of the DOI against unauthorized companies and individuals and insurance companies and their agents. These entities offer numerous types of insurance including, but not limited to, health care insurance, health maintenance organizations, long-term care, Medicare supplement insurance, life insurance, property and casualty insurance, and preneed funeral contracts.

Division of Securities: AAGs representing the Division of Securities assist the client in the regulation of securities, broker-dealers, sales representatives, investment advisers, and investment adviser representatives and other related entities. Unit attorneys conduct litigation on behalf of the Division of Securities in administrative and district court against individuals, companies, and investment funds or entities that operate in violation of the Colorado Securities Act.

Division of Banking: The Division of Banking regulates state-chartered commercial banks, trust companies, and money transmitters. The AAGs provide legal representation and

advice to the Board and the Division of Banking on such issues as involuntary liquidations of banks, merger and consolidation applications, and general legal advice including rulemaking.

Division of Financial Services: AAGs representing the Colorado Financial Services Board assist the client in the regulation of life care institutions, state-chartered credit unions, and state-chartered savings and loan associations.

Public Utilities Commission Staff: The Colorado Public Utilities Commission ("PUC" or "Commission") regulates the rates, charges, services, and facilities of public utilities within the State of Colorado. Within B&L, the PUC AAGs primary responsibility is to represent Litigation Staff of the PUC in cases before the Commission itself.

Staff of the Commission consists of experts in fields including, but not limited to engineering, finance, and economics. When Staff enters an appearance and becomes a party to a proceeding, Staff is divided into Advisory Staff and Litigation Staff. Representation of Litigation Staff includes advising on a daily basis and representing them in cases before the PUC. Such cases include but are not limited to those in which public utilities seek to increase the rates charged to the public, including residential, commercial, and industrial customers as well as cases in which public utilities seek to either build new facilities or extend existing Colorado facilities.

The AAGs also represent the PUC and its Commissioners in judicial review actions; in civil actions commenced by or against the PUC in state and federal courts (except civil actions for damages against the PUC and/or PUC Commissioners, which are litigated by attorneys in the Tort Litigation Unit); and in federal administrative proceedings before the Federal Communications Commission, Federal Energy Regulatory Commission, and the Surface Transportation Board.

Department of Revenue

The Department of Revenue ("Revenue") also houses several divisions represented by B&L AAGs, including:

Taxation divisions: These include Audit and Compliance, Collections, Fair Share, Taxpayer Services, Tax Policy Analysis, and the Office of the Tax Conferee. Attorneys represent the Tax Conferee in administrative, district court and appellate proceedings in which all types of tax assessments are contested; attorneys defend the Department against multiple tax protester lawsuits in several different courts; attorneys provide regular legal advice defending the state's interest in consumer bankruptcy cases; and attorneys represent the department in actions related to tax collection efforts. The Unit's attorneys represented the Department in an appellate case analyzing whether the generation of electricity constitutes the "manufacture" of "tangible personal property." Attorneys are representing the Department in various taxation disputes in state district courts. Issues litigated included the location of a sale of tangible personal property associated with a wind farm, the validity and value of conservation easement tax credits, the interpretation of a transportation deduction for an oil and gas company, and whether "blunts" or "blunt wraps" are tobacco products subject to the tobacco tax.

Enforcement programs and divisions: These include the Division of Gaming and the Colorado Limited Gaming Control Commission; the Auto Industry Division and the Colorado Motor Vehicle Dealer Board; the Division of Racing and the Racing Commission; the Medical Marijuana Enforcement Division and the Liquor and Tobacco Enforcement Division. Attorneys provide general counsel advice on matters including rulemaking, interpretations, policies, legislative matters and other questions presented. Attorneys represent the clients in administrative hearings, during the exceptions process and on appeal. Finally, attorneys defend clients in injunctive, declaratory judgment and other civil procedures in district court.

The Division of Motor Vehicles: Attorneys review rules and records requests, represent the Division in appeals of driver's license revocation cases to the Colorado Court of Appeals and Supreme Court, and provide other legal assistance as requested.

The Executive Director's Office: Attorneys provide legal representation to the Executive Director's Office, which oversees all of Revenue. Attorneys are defending the Executive Director in a variety of lawsuits related to any of Revenue's Divisions. This year, attorneys defended a constitutional challenge to House Bill 10-1193, which establishes a number of notification provisions designed to improve Colorado's collection of use tax on sales of goods where sales tax has not been collected, including on many e-commerce transactions. Attorneys also are defending the Executive Director in a lawsuit filed by Chrysler challenging 2010 legislation.

Independent Ethics Commission

The AAGs representing the Independent Ethics Commission assist the Commission in carrying out its constitutional and statutory duties through the Commission's issuance of Position Statements, Advisory Opinions and Letter Rulings relating to standards of conduct for government officials. AAGs also help the Commission in its constitutional duty to investigate and hold hearings on ethical complaints.

Department of Agriculture

The Business and Licensing Section provides general and litigation counsel to the Colorado Department of Agriculture and the Commissioner of Agriculture. This representation is provided by two full-time AAGs who represent and provide legal advice to the various divisions within the department including: the Animals Division, the Colorado State Board of Livestock Inspection, the Conservation Services Division, the Inspection and Consumer Services Division, the Plants Division, and the Markets Division. The AAGs also represent and advise the Colorado State Fair and several other marketing-related boards associated with the department. The AAGs assist the department in dealing with a myriad of complicated legal issues on a daily basis from livestock disease emergency quarantines, takings and destructions, to regulation of pesticide use, licensing of commodity handlers, certification of organic producers, and prevention of plant diseases, many of which involve complex interactions between state and federal law. The AAGs also assist with rulemaking, drafting of proposed legislation and the sunset review process.

Mined Land Reclamation Board

The Business and Licensing Section provides a General Counsel position that serves as permanent conflicts counsel to the Colorado Mined Land Reclamation Board ("MLRB"), a multi-interest citizen board that establishes the regulations, standards, and policies that guide the Division of Reclamation, Mining and Safety ("DRMS"). The MLRB implements the Colorado Mined Land Reclamation Act and is actively involved in the decision-making process for controversial permit issuance and enforcement actions. Generally, the Board oversees the reclamation permitting activity for the hard rock mining and construction materials mining industries. The MLRB also has jurisdiction over reclamation permits issued for oil shale activities and coal mines. The General Counsel position ensures the separation of the prosecutorial and decision making processes by advising the MLRB at its adjudicatory hearings in which it approves or denies permits and permit modifications when there are objections or public comment, issues violations, sets civil penalties and corrective actions, revokes permits and authorizes bond forfeitures. The MLRB's General Counsel provides guidance on procedural issues before, during, and after hearings. The General Counsel also provides guidance regarding substantive issues of law throughout the process, and drafts the Orders that result from the monthly enforcement hearings. The General Counsel also ensures MLRB compliance with open meetings requirements and provides guidance on rulemaking procedures.

The Department of Local Affairs

Colorado's Department of Local Affairs ("DOLA") is an initial and primary point of contact where local communities work in partnership with the state. Approximately half of DOLA's legal services budget is allocated to attorneys within the Business and Licensing Section, who represent two of DOLA's key divisions: the Board of Assessment Appeals and the Property Tax Administrator. Because these two divisions have sometimes conflicting legal interests, the attorneys for the Board of Assessment Appeals and the attorneys for the Property Tax Administrator are in separate Units within the Business and Licensing Section, and report to different supervisors.

DOLA's Property Tax Division coordinates and administers the implementation of property tax law throughout 64 counties in Colorado. The Property Tax Administrator, who is appointed by the state Board of Equalization, leads the Division. The Administrator's responsibilities include review of county government grants of property tax refunds exceeding \$1000, valuation of public utilities for property taxation, review of applications for property tax exemptions, and ruling on other property tax questions. The attorneys representing the Property Tax Administrator provide statutory interpretation and other general counsel services as needed and represent the Administrator in administrative hearings and negotiations before the Board of Assessment Appeals. Attorneys have represented the Property Tax Administrator this year in several complex district court and appellate cases of importance to the state.

DOLA's Board of Assessment Appeals ("BAA") is a three-member board appointed by the Governor and confirmed by the state Senate. The Governor also may appoint up to six additional members to one-year terms. Currently there are nine members of the BAA. The BAA hears appeals filed by real and personal property owners regarding the valuation placed on their

property. Taxpayers may appeal decisions of county boards of equalization or county boards of commissioners to the BAA. Decisions of the Property Tax Administrator regarding state assessed properties and exemptions may also be appealed to the BAA. Business and Licensing attorneys provide advice to the BAA in its adjudicatory role and represent the BAA when its decisions are appealed.

Other Conflicts Counsel Clients

Business and Licensing also represents the Civil Rights Commission and the State Personnel Board. The Civil Rights Commission is a seven-member commission appointed by the Governor for four-year terms. The State Personnel Board includes five members serving five-year terms, three of whom are appointed by the Governor and two of whom are elected by members of the state personnel system.

II) PRIOR YEAR LEGISLATION

Department of Regulatory Agencies:

Division of Registrations: This year, 10 programs underwent sunset review. Those programs include the Colorado Board of Veterinary Medicine (SB 11-091), the Colorado Board of Optometry (SB 11-094), the Colorado Board of Psychologist Examiners (SB 11-187), the Colorado Board of Social Work Examiners (SB 11-187), the Colorado Board of Marriage and Family Therapist Examiners (SB 11-187), the Colorado Board of Licensed Professional Counselors (SB 11-187), the Colorado Registered Psychotherapist Board (formerly Grievance Board) (SB 11-187), the Colorado Board of Addiction Counselor Examiners (formerly Addiction Counselor Advisory Board) (SB 11-187), the Colorado Board of Physical Therapists (SB 11-169), and the Colorado Direct-Entry Midwives Registration Program (SB 11-088).

Other newly added programs that will also receive representation this fiscal year by the Business and Licensing Section include: private investigators (HB 11-1195) and surgical assistants and surgical technologists (HB 10-1415).

Division of Real Estate: The AAGs representing the Division of Real Estate provide legal counsel to the Colorado Real Estate Commission, the Board of Real Estate Appraisers, the Mortgage Loan Originator Board (formerly the Mortgage Broker Program), and the Colorado Conservation Easement Oversight Commission.

The Conservation Easement Oversight Commission: Created by HB 08-1353, CEOC provides guidance to the Department of Revenue and to the Director of the Division of Real Estate concerning conservation easement appraisals and holders. The Commission's AAGs assisted the client with its statutory purpose of maintaining the integrity of the Conservation Easement Tax Credit Program. Consistent therewith, AAGs provided legal advice regarding rulemaking and implementation of the Conservation Easement Holder Certification Program.

Division of Insurance: The General Assembly passed at least 22 bills impacting the Division of Insurance. Many of them will require either the drafting of new rules or amending

existing ones. The legislation includes: HB 10-1004, which requires standardized health insurance information to be provided to consumers; HB 10-1008, which prohibits gender rating in the individual market; HB 10-1160, which permits health insurance carriers to offer incentives for participation in wellness programs based on outcomes; and HB 10-1220, which involved the sunset review of functions of the Division. In addition, the Division will be impacted by the Patient Protection and Affordable Care Act of 2009, the federal health care reform bill. New legislation will impact attorneys' legal services as the bills become effective and new cases develop.

Public Utilities Commission: The General Assembly passed HB 10-1365, which provides incentives for electric public utilities to reduce air emissions and requires the utilities to submit plans to achieve such reductions by replacing or repowering coal generation with natural gas, and also consider other low-emitting resources. The bill contains a stringent deadline by which the Public Utilities Commission must approve plans submitted by the utilities. The hearing process regarding implementation of HB 10-1365 requires participation by the Unit's attorneys.

Department of Revenue: This year, Colorado's General Assembly adopted multiple bills impacting the Department of Revenue. Business and Licensing Section attorneys representing Revenue have, when requested, assisted the Department with rulemaking and modification of policies and procedures to implement these new laws effectively and efficiently. For example, attorneys assisted with developing rules to implement diverse legislative changes, including a bill modifying the procedures governing conservation easement tax credit cases (HB 11-1300) and a bill modifying the law governing the newly regulated medical marijuana industry (HB 11-1043). Attorneys also are defending Revenue in lawsuits challenging three new bills. Attorneys are defending the state against a lawsuit challenging HB 10-1193, which imposed reporting requirements on retailers who do business in Colorado but who do not collect Colorado sales tax. In addition, attorneys are defending Revenue against a lawsuit challenging HB 10-1049 and SB 10-201, which affected the relationship between motor vehicle manufacturers and motor vehicle dealers holding a franchise from the manufacturer.

Independent Ethics Commission: HB 10-1404 transferred the Commission from the department of personnel to the judicial department as an independent agency.

III) HOT ISSUES:

Department of Regulatory Agencies:

Division of Registrations: Examples of cases handled by the attorneys representing the various boards, committees and programs within the Division of Registrations include:

Douglas Ikeler, DVM: AAGs representing the Board of Veterinary Medicine brought this matter to trial following allegations that Dr. Ikeler practiced in an unsanitary environment with dozens of uncontrolled cats wandering the premises, violated the standards of care in his treatment of animals, and violated the law when he dispensed DEA controlled medications without having the proper DEA licensure. Following a trial on the merits, the Judge found in

favor of the Board and against Dr. Ikeler on all counts, recommending revocation of his license to practice veterinary medicine. In a companion case against Peggy Cruder and Aurora Cat Vet Clinic, AAGs obtained an order directing Ms. Cruder to cease and desist the unlicensed practice of veterinary medicine.

Wang Kho: The AAG representing the Colorado Office of Massage Therapist Registration obtained revocation of Mr. Kho's massage therapist registration following allegations that Mr. Kho sexually assaulted an 18 year old client in Breckenridge during a massage.

Gerald M. Bradshaw, CPA: The AAGs representing the Board of Accountancy resolved a case against Gerald Bradshaw, a licensed certified public accountant without the need of a formal hearing. Mr. Bradshaw began soliciting tax clients and other individuals to participate in an investment opportunity which, in actuality, was a Ponzi scheme. AAGs representing the Board were able to negotiate relinquishment of Mr. Bradshaw's certificate and his firm's registration along with an agreement that Mr. Bradshaw would not offer any investments in the future.

Pharmacy Board v Calvin Tyree: Respondent Calvin Tyree, a licensed pharmacist in Colorado, failed to report a wrongful death suit and related felony complaint pending against him. In addition, Mr. Tyree transferred approximately 22,000 dosage units of controlled substances, which had been previously repackaged, from a pharmacy he owned to a pharmacy in which he had no ownership interest, in violation of Board rules. He further failed to notify the DEA of the closure of one of his pharmacies and the disposition of the controlled substances therein. Finally, Mr. Tyree edited a malpractice claim form referencing the incidents leading to the felony complaint and civil suit to delete his name as the responsible party. The AAG for the Board filed a notice of charges against Mr. Tyree's license. After extensive discovery, Mr. Tyree agreed to permanently relinquish his license.

Before the Colorado Medical Board, concerning the license to practice medicine of George MacDonald, M.D: Dr. George MacDonald was arrested in late 2008 for assaulting and threatening his family after he had consumed a large amount of alcohol. At one point during this incident he pointed a shotgun at his three children, chased them to the roof, and yelled at them that he was going to get them. After pleas to three felony charges and one misdemeanor charge, Dr. MacDonald was sentenced to prison. The AAG successfully negotiated a Stipulation and Final Agency Order resulting in Dr. MacDonald surrendering his medical license.

Before the Colorado Medical Board, concerning the license to practice medicine of Manuel Aquino, M.D: The AAG for the Board filed a notice of charges against Dr. Aquino alleging substandard medical practice resulting from Dr. Aquino's recommendation of marijuana to a twenty year old pregnant woman. Dr. Aquino conducted no physical examination prior to recommending marijuana, and the patient's child was born drug-exposed. After extensive discovery conducted by the AAG for the Board, Dr. Aquino relinquished his medical license.

State Board of Nursing v. Nurse M: The Board suspended Nurse M. for failing to attend or complete the Peer Assistance Services ("PAS") program. (Nurse M. was being monitored by PAS for depression and for indications of a possible alcohol problem). Nurse M. requested a hearing on the suspension. This case was the first of its kind and posed a significant challenge, as there is no case law and little interpretation of the statute at issue, § 12-38-131(4), C.R.S. At hearing, the Board proved that Nurse M. is not safe to practice nursing without psychiatric treatment and had not received any treatment in the year after the suspension. In the Initial Decision, the ALJ ruled that the Board could continue the suspension of Nurse M.'s license only if it filed disciplinary charges; otherwise, the Board should lift the suspension. Following the exceptions process, Nurse M.'s suspension has been continued until such time as she returns to participation in the PAS program.

People of the State of Colorado & the State Board of Nursing v. Velez-Murillo:

Between November 2006 and August 2009, Ms. Velez-Murillo used a false identity to obtain employment as a certified nurse aide ("C.N.A."). On behalf of the Board, the OAG filed a Motion for Permanent Injunction in Denver District Court, requesting that Respondent be enjoined from holding herself out as or offering to practice as a C.N.A. without the proper certification. Ms. Velez-Murillo did not appear in the case, and the permanent injunction was issued by default in October 2009.

In January, 2010, the Board received information that Ms. Velez-Murillo was again attempting to obtain employment as a C.N.A., using another [male] C.N.A.'s certificate number. The OAG filed a Motion for Contempt in District Court, asking the court to hold Ms. Velez-Murillo in contempt for violating the injunction. Ms. Velez-Murillo appeared at the contempt hearing, and after hearing the Board's evidence, the court sentenced Ms. Velez-Murillo to five days in jail. Ms. Velez-Murillo was to report to Denver County Jail the following Monday but did not appear. A bench warrant was issued, and in June 2011, Ms. Velez-Murillo was arrested and remanded to Denver County Jail to serve her sentence.

The State Board of Dental Examiners v. Jennifer Zipfel, DDS: Dr. Zipfel engaged in a wide range of substandard care including misdiagnosis, improper treatment related to the placement of implants, engaging in treatment without records of proper consent and a pattern of making treatment recommendations without documentation of medical and dental histories and findings and diagnoses to support the necessity of all of the dental work she recommended. Dr. Zipfel also displayed a pattern of billing for services which were not documented in the records as having been performed. The parties settled the case with a stipulation providing for an indefinite suspension until the completion of a clinical evaluation, office audit and all recommendations arising there from. If Dr. Zipfel successfully completes the terms of her suspension, upon reinstatement, she agreed to practice under probation for three years, with a practice monitor for the first two years.

The State Board of Dental Examiners v. Ernesto Macias, (unlicensed): Mr. Macias was the subject of the Board's cease and desist order in 2006 for holding himself out as a dentist and practicing dentistry without a license. In 2010, the Board obtained further information that Mr. Macias was continuing to perform acts constituting dentistry or dental hygiene in

violation of the cease and desist order. Accordingly, the Board obtained a permanent injunction against Mr. Macias that enjoins him from any act constituting the practice of dentistry or dental hygiene in the state of Colorado without being duly licensed, the violation of which is punishable by the court's contempt powers.

Office of Outfitters Registration v. Terry Sandmeier: The Office of Outfitters Registration ("Office") initiated formal disciplinary proceedings against Mr. Sandmeier for allowing a client to illegally shoot a bighorn ram approximately 100 yards from Interstate 70 near Georgetown, an area closed to hunting, and condoning the violation by lying to law enforcement. Mr. Sandmeier is a former chair of the Advisory Committee to the Office and was a prominent member of the outfitting community. The AAG representing the Office successfully moved for summary judgment against Mr. Sandmeier, proving his violation of state laws regulating wildlife and rules governing outfitter conduct. Following a sanctions hearing, an administrative law judge ordered Mr. Sandmeier's registration as an outfitter to be revoked. The Office approved the ALJ's decision and Mr. Sandmeier appealed. The Colorado Court of Appeals affirmed the Office's order.

Division of Real Estate: Examples of cases handled by the AAG's representing the Division of Real Estate and programs within the Division include:

Colorado Board of Real Estate Appraisers v. Goldstein: The Board of Real Estate Appraisers referred this case to our office after it received nine complaints against Mr. Goldstein, a certified residential appraiser, for his appraisals of over 40 properties. Each appraisal contained multiple violations of the professional standards for appraisers. AAGs helped the Board settle this case at mediation for a voluntary surrender of Respondent's license to be treated as a revocation, an agreement to never re-apply for a Colorado appraiser license, and admissions to facts and violations of the real estate statute.

Colorado Real Estate Commission v. Bartlett: AAGs received a favorable published decision from the Colorado Court of Appeals, affirming the revocation of Respondent's real estate broker license. The Court of Appeals held that the Commission met its burden to prove that the Respondent was not rehabilitated from the acts forming the basis of a guilty plea Respondent entered to the crime of Attempted Sexual Assault on a Child in 2006.

Colorado Real Estate Commission v. Carrillo: AAGs aided the Commission obtain a positive settlement in this case with a real estate broker who unlawfully retained earnest money deposits from people seeking to buy homes. Mr. Carrillo admitted eight violations of licensing law, agreed to revocation of his license and agreed to pay a \$10,000 fine.

Mortgage Loan Originator Board v. Brenneman: AAGs facilitated a settlement in this matter, effectively revoking Ms. Brenneman's license, based on her falsification of loan documentation.

Colorado Real Estate Commission v. Barron: AAGs successfully convinced Mr. Barron to voluntarily surrender his real estate broker license, based on his plea to attempted sexual

assault of a 15 year old, failure to report this plea to the Commission and violation of his probation subsequent to the plea.

Division of Insurance: Significant cases handled by the Insurance Unit include:

Pinnacol Assurance: Negotiated \$15M settlement/credit to Colorado consumers in case involving payment of excess premium by Colorado consumers for worker's compensation insurance from Pinnacol.

Anthem (Rocky Mountain Hospital and Medical Services): Negotiated a \$20 million dollar settlement with Anthem regarding health insurance rates for the benefit of health insurance consumers.

International Fidelity Insurance Company: \$442,000.00 civil penalty assessed and paid to Colorado after market conduct examination (bail bond underwriter).

Lexington National Insurance Company: \$125,000 settlement involving a market conduct examination of Lexington National Insurance Company (bail bond underwriter).

Pioneer General Insurance Company: \$225,000 settlement involving a market conduct examination of Pioneer General Insurance Company (bail bond underwriter);

Minnesota Surety & Trust: The Attorney General's Office assisted the Division with taking sworn statements of 11 witnesses over the course of 72 hours, drafting a complex Show Cause Order for a public hearing on the suspension or revocation of the carrier's authority, and preparing for a hearing involving 18 witnesses and over 300 pages of exhibits with less than 3 week notice. The case settled the Friday before the hearing and resulted in Minnesota Surety being fined \$1,200,000 and having its certificate of authority suspended.

Joseph Amelang: The Division received several consumer complaints that Joseph Amelang (Escalante Insurance Agency) had accepted premium from consumers and made misrepresentations about insurance coverage to the consumers. Further, that premium received by Amelang was never forwarded or remitted to insurance companies to obtain insurance coverage. As a result, insurance policies were never issued to the consumers, or were not renewed, or were cancelled. Some consumers found themselves without insurance and/or have received cancellation notices from various insurance companies. The Division filed an Order of Summary Suspension at the Office of Administrative Courts and obtained an Initial Decision after default against Amelang/Escalante in the amount of \$120,000 and restitution for consumers and victims in the amount of approximately \$67,000.

Kwan Perry: The Division was notified that Kwan Perry had submitted about 50 fraudulent applications for life insurance and received thousands of dollars in advance commissions from the life insurance underwriter. The applications included false social security numbers, addresses and bank account numbers. The Division filed an order of summary suspension at the Office of Administrative Courts and obtained an Initial Decision after default judgment in the amount of \$1.2 million dollars (not including restitution).

The Unit's attorneys are assisting the Division with its implementation of the new federal health care reform act as the Division scrutinizes insurance premiums and rate filings. In addition, the attorneys are assisting the Division with restructuring the bail bond industry.

Division of Securities: The AAGs representing the Division of Securities handled a significant number of complex civil matters. For example:

Joseph v. Financial Services Investors #4, LLC: Unit attorneys represented the Division of Securities in bring an injunctive enforcement action in the Denver District Court against Financial Services Investors #4, LLC ("FSI4"), Steven Signer, Lynden Bridges, and David Bell based upon the fraudulent offer and sale of an investment in a leveraged US Treasury Bond trading program. The Division also alleged that Miles Scott, as a relief defendant, received investor funds without investing any money or performing any services for FSI4 and thus was subject to disgorgement. Unit attorneys obtained summary judgment against Bridges on all counts, reached a settlement with Bell, and obtained a judgment against Scott. Part of the way through a trial on the merits, the remaining parties opted to settle with the Commissioner. As a result, all defendants are subject to a permanent injunction barring them from working in the securities industry in Colorado, and a substantial amount of funds were obtained to return to investors injured by the violations.

Joseph v. Colorcom, Ltd: Unit attorneys brought an injunctive enforcement action in the Denver District Court against Colorcom, Ltd., IFR Technologies, Inc. d/b/a Accelerated I/O, Inc. ("Accelerated"), Custom Design and Manufacturing ("CDM"), Joseph Doll, and Richard Janoka based upon their offer and sale of investments in the development of "raster to vector" computer software to hundreds of investors in Colorado and across the United States. Unit attorneys obtained summary judgment against all defendants based upon their violations of the registration and antifraud provisions of the Colorado Securities Act. Following the entry of summary judgment, all defendants stipulated to the entry of a permanent injunction, and agreed to make a rescission offer to Colorado investors. As a result of the rescission offer, Colorado investors had the opportunity to obtain the return of more than \$2.2 million in investment funds plus statutory interest.

Joseph v. Polocz: Unit attorneys brought an injunctive enforcement action in the Denver District Court against Robert Polocz Jr. based upon the fraudulent offer and sale of unregistered securities to Colorado investors. As a result of the efforts of unit attorneys, Polocz stipulated to the entry of a permanent injunction and agreed to the entry of a judgment of restitution, with payment of restitution to be made within 5 years of the entry of the order.

In addition to traditional injunctive litigation, AAGs representing the Division of Securities are actively managing a number of cases where a receiver has been successfully sought by the DOS to seize investment funds, including Mueller Capital Management, Wealth Systems International and the DelGreene family of funds, Secured Financial Group and the Integrity Funds, Southern Financial Corporation and the Secured Real Estate Lending Fund, Mark Jackson, Dharma Investment Group and the Dharma family of entities, as well as XL Capital and the Vision and Velocity Funds.

Division of Banking: As outlined below, AAGs representing the Division of Banking worked with Banking Board staff and the FDIC to close one bank in January 2011 and three banks in July 2011.

FirsTier Bank, Boulder County, Colorado: On January 28, 2011, Fred Joseph, the Acting Colorado State Bank Commissioner, with the approval of the Colorado State Banking Board, took emergency action to close FirsTier Bank and appoint the FDIC as receiver for the purpose of liquidating the bank. FirsTier was a \$781 million State bank with seven branches. Because there was no acquiring institution, the FDIC immediately transferred all insured deposits, except for brokered deposits, certificates of deposit, and individual retirement accounts to the newly created Deposit Insurance National Bank of Louisville (DINB). The DINB was a newly chartered, national bank operated by the FDIC for a thirty day transition period.

Colorado Capital Bank, Douglas County Colorado: On July 8, 2011, Fred Joseph, the Acting Colorado State Bank Commissioner, with the approval of the Colorado State Banking Board, took emergency action to close Colorado Capital Bank and appoint the FDIC as receiver for the purpose of liquidating the bank. Colorado Capital Bank was a \$718 million State bank with six branches.

Signature Bank, Weld County, Colorado: On July 8, 2011, Fred Joseph, the Acting Colorado State Bank Commissioner, with the approval of the Colorado State Banking Board, took emergency action to close Signature Bank and appoint the FDIC as receiver for the purpose of liquidating the bank. Signature Bank was a \$67 million State bank with one full-time branch. On July 15, 2011, a director of the bank filed an application with the Banking Board to rescind this action.

Bank of Choice, Weld County, Colorado: On July 22, 2011, Fred Joseph, the Acting Colorado State Bank Commissioner, with the approval of the Colorado State Banking Board, took emergency action to close Bank of Choice and appoint the FDIC as receiver for the purpose of liquidating the bank. Bank of Choice was a \$1.1 billion State bank with 17 branches.

Public Utilities Commission: Significant cases in which the PUC Unit was involved include:

Public Service Company of Colorado's Gas Rate Cases: Represents staff on behalf of the public interest in an application to increase gas rates submitted by an Xcel Energy subsidiary, Public Service Company of Colorado ("Xcel Energy"). Xcel initially requested a rate increase of \$27.8 million. Staff, Xcel Energy, and the Office of Consumer Counsel settled on an increase of \$10.8 million. After considering certain requests by Energy Outreach of Colorado, the hearing Commissioner approved an increase of \$12.6 million. The case has now moved to Phase II which determines how the rates will be allocated among rate classes.

Black Hills Electric Rate Case: Represents staff on behalf of the public interest in an application to increase electric rates \$40.8 million.

Renewable Energy Production: In response to legislative mandates, many utilities are attempting to increase the amount of renewable energy that they provide. AAGs represent staff on behalf of the public interest in the applications to increase renewable energy supply. For example, Black Hills sought approval from the Commission to develop and own fifty percent of a wind project constituting a new distributed generation resource. The case settled in principle and is awaiting approval from the Commission. Similarly Xcel Energy's submitted an application for approval of its 2012 renewable energy standard compliance plan. AAGs represent staff on behalf of the public interest in that matter.

Energy Resource Plans: In response to legislation and Commission decisions, many utilities have applied for approval of certain pollution reduction measures. AAGs represent staff on behalf of the public interest in these matters. One example is Xcel Energy's application for approval of the Pawnee Emissions Control Project.

Independent Ethics Commission: This past fiscal year, the IEC issued numerous Advisory Opinions and Position Statements and were assisted by AAGs in doing so. AAGs also helped the Commission draft and promulgate new rules of procedure, effective April 14, 2011.

Department of Revenue: Significant cases handled on behalf of the Department of Revenue include:

Direct Marketing Association: The Unit's attorneys are defending Revenue in this federal lawsuit challenging HB 10-1193 on several constitutional grounds.

Public Service Co v. Dept of Revenue: The Unit's attorneys are representing the Department on appeal in this case in which Public Service seeks refunds of more than \$40 million (all pending claims) for sales tax paid on purchases of machinery used to generate electricity. The critical issue is whether electricity is "tangible personal property" under the statute.

BP America Production Company v. Dep't of Revenue: The Unit's attorneys are representing the Department in this case, which is set for trial in December 2011. The issue in the case is whether Return-On-Investment ("ROI") for capital assets used in the transportation of oil/gas by Petitioner is a transportation cost qualifying as a deduction from the gross lease revenue prescribed under §39-29-102(3)(a).

Creager Mercantile v. Dep't of Revenue: The Unit's attorneys are representing the Department in this dispute over whether "blunts" or "blunt wraps" are a "tobacco product" as defined in C.R.S. §39-28.5-101(5) for the purposes of tobacco taxes proscribed in C.R.S. §39-28.5-102 and §39-28.5-102.5.

Farm Deals, Farms of Hasty, Kindone and Vanman v. Revenue: The Unit's attorneys are representing the Department in this District Court proceeding regarding the validity and value of donated conservation easement tax credits.

GE Wind v. Dep't of Revenue: District Court proceedings are pending in this case regarding county sales taxes assessed by the Department in connection with a wind farm erected and installed by GE Wind Energy, LLC ("GE Wind") in Prowers County, Colorado. The parties are litigating issues related to the transfer of title, possession and ownership for purposes of sales tax.

Champion Auto Group dealerships: The Unit's attorneys have continued to represent the Motor Vehicle Dealer Board in connection with the summary suspension of five related motor vehicle dealer licenses. The dealerships are alleged to have failed to pay off consumer loans when a vehicle was traded in, failed to activate warranties, failure to forward tax payments to the counties and failure to deliver titles, all of which affected some 150 consumers.

Gilpin County v. the Colorado Limited Gaming Control Commission: The Unit's attorneys are representing the Commission in this case. In this case, Gilpin County challenged the Commission's interpretation of Article XVIII, Section 9(5)(b)(II) of the Colorado Constitution governing distribution of the limited gaming fund. A motion to dismiss on procedural grounds is pending.

Department of Agriculture: The Animals Division of Agriculture relied upon the attorneys with regard to several cease and desist orders, instituting discipline against several licensed pet animal care facilities, and managing a Memorandum of Understanding with CDPHE regarding carcass disposal during emergency disease outbreak. During FY 11, the AAGs handled fifteen cases enforcing the pesticide regulation laws. They also assisted the department with ongoing efforts to enforce legal actions related to livestock-animal cruelty in Logan County and Park County, enforcing preliminary injunctions while preparing for trials that are set for FY 12.

Stulp v. Schuman: The Bureau of Animal Protection intervened in a livestock neglect and cruelty case in which over twenty head of livestock were severely malnourished, sick, dehydrated, and dying; one had to be euthanized on-site. CDA petitioned the Logan County District Court for possession of the livestock and temporarily restrained the owner from owning, possessing, managing, or otherwise tending livestock in Logan County through and to a hearing for a permanent injunction. The permanent injunction enjoining the owners from owning, managing or controlling livestock in Logan County was issued July 22, 2011.

Stulp v. Wagner, et al: The Bureau of Animal Protection intervened in a second livestock neglect and cruelty case in which over 150 head, in a 1,200-head herd, were found deceased, having become malnourished and ultimately perishing in the winter's elements in Park County. The Department sought possession of the entire herd, removed 379, sold that herd, and negotiated a temporary restraining order to uphold the status quo of the remainder of the herd pending a trial on whether Mr. Wagner should be permanently restrained from owning, possessing, managing, or otherwise tending livestock in Park County. The trial is currently set for December 5-9, 2011.

Mined Land Reclamation Board: During the 2010 fiscal year, the MLRB heard approximately 60 matters and, in nearly as many cases, issued orders drafted by the General Counsel. In

addition, General Counsel for the MLRB is currently defending five suits in state district courts, four in Denver and the other in Montrose. Two of those cases are significant, including *Cotter Corporation v. MLRB and the Division of Reclamation, Mining and Safety* and *High Country Citizens' Alliance v. MLRB and U.S. Energy*.

Cotter Corporation v. MLRB and the Division of Reclamation, Mining and Safety: Cotter Corporation holds a reclamation permit for the Schwartzwalder Mine, an inactive uranium mine in Jefferson County. The mine is located near Ralston Creek. Ralston Creek flows into Ralston Reservoir, which is a drinking water source for Denver, Arvada and other communities. Cotter ceased production at the mine in 2000. When it was active, Cotter dewatered the mine. After mining ceased, the mine was allowed to fill with water, eventually reaching a level at least twenty-five feet above the level of Ralston Creek. After a hearing, the MLRB found Cotter that the level of the mine water is creating a hydrologic gradient toward Ralston Creek, allowing mine water to pollute it. The MLRB found Cotter in violation of the Mined Land Reclamation Act for failing to minimize disturbances to the hydrologic balance, failing to handle toxic-forming material to protect the drainage system from pollution, and failing to protect areas outside of the affected land from damage. The MLRB ordered Cotter to begin dewatering the mine, treat the water removed, and pay a \$55,000 civil penalty. The MLRB subsequently found Cotter had taken no action to comply with its order; the Board issued Cotter a cease and desist order and levied an additional \$39,000 civil penalty. Cotter filed an appeal of both the Board's initial order and its cease and desist order.

High Country Citizens' Alliance v. MLRB and U.S. Energy: U.S. Energy holds a permit for a 365-acre molybdenum mine approximately three miles from Crested Butte, Colorado. U.S. Energy filed an application to amend its permit to allow it to expand access portals, generate additional waste rock, and take other actions at the site. The Division of Reclamation, Mining and Safety approved the application and High Country petitioned for a hearing before the Board. The Board affirmed the Division's approval of the application. High Country appealed the MLRB's decision, claiming that water supplies in the area may be polluted with heavy metals from mine runoff. High Country's appeal seeks judicial review of the Board's decision to affirm without requiring financial warranty for the costs for water quality treatment.

Department of Local Affairs:

Board of Assessment Appeals: Boulder County Board of Commissioners vs.

HealthSouth Corporation: AAGs represented the Board of Assessment Appeals ("BAA") before the Colorado Supreme Court, obtaining a successful decision for the BAA, which reversed the Court of Appeals. In its opinion, the Supreme Court held that HealthSouth was not entitled to property tax refunds on moneys paid to Boulder County based on fictitious assets.

Qwest Corp v. Division of Property Tax: Public utilities, including telephone companies, are state assessed for property tax. Most businesses are locally assessed, and there are some differences in valuation methods. Qwest, as a telephone company, challenged the distinction between public utilities and locally assessed property because cable companies, which also

offer telephone services, are locally assessed and allegedly enjoy certain advantages. Qwest asserted violations of equal protection and of the Colorado Constitution's uniformity clause. Unit attorneys successfully moved to dismiss the case in district court, and have defended the district court's order of dismissal in the Colorado Court of Appeals. A decision is expected this year.

Colorado Horse Park v. Property Tax Administrator: The Horse Park sought an exemption from property tax, asserting that it qualified as a charitable enterprise under exemption statutes. The PTA denied and Horse Park then sought exemption as a qualified amateur sports organization. Following a hearing before the Board of Assessment Appeals (BAA), the BAA upheld the Property Tax Administrator's denial of the exemption. The Court of Appeals affirmed, upholding the denial of the exemption. The Horse Park has sought and obtained an extension to seek certiorari.

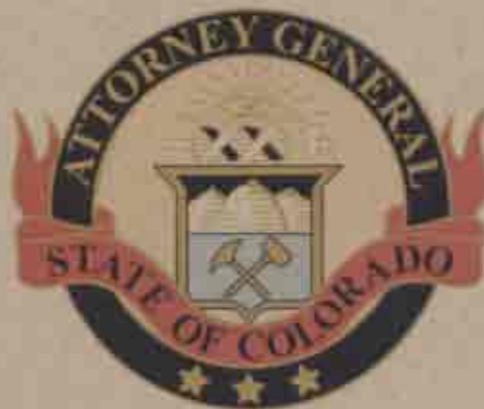
Colorado Department of Human Services v. Maggard: The AAG for the Personnel Board successfully argued this matter before the Colorado Supreme Court, resulting in an affirmation of the straightforward and efficient standard of review applicable to appeals from Personnel Board decisions. The Personnel Board AAG's also assisted with rulemaking related to procedures applicable to state employees in the classified system.

IV) WORKLOAD MEASURE:

WORKLOAD INDICATORS

As a result of DORA's increased use of the Expedited Settlement Program within the Division of Registrations and Division of Real Estate, cases not requiring referral for legal services have been resolved within the agency. Consequently, the cases that have been referred to the Office of the Attorney General have been more complex and contentious. Consistent with the client's expectation, AAGs have continued to aggressively file or resolve most cases within a one-year period of time. AAGs have responded to this goal without compromising their commitment to prioritize the most egregious cases and promote public protection. Additionally, the AAGs for the Division of Registrations have reduced the total number of cases pending for longer than one year without filing or resolution by 75%. Furthermore, the ongoing mortgage crisis has resulted in increased litigation surrounding the regulation of mortgage loan originators. Under HB 10-1141 enforcement authority shifted to a Board model, as well as to Department of Regulatory Agencies oversight. As has been the case for four years, substantial statutory changes to the Mortgage Loan Originator Program have required a significant amount of legal time to be allocated to the drafting and review of newly promulgated rules.

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State Services



D) BACKGROUND INFORMATION: STATE SERVICES SECTION.

The State Services Section consists of 38 attorneys, 10 legal assistants, three administrative assistants and one office manager. Collectively, the attorneys in the State Services section provide representation to nine of sixteen executive branch state agencies, as well as Colorado's five statewide elected public officials. The legal work of the Section is diverse, ranging from providing advice on transactions and general operations to defending the constitutionality of state laws in both state and federal court. In general, the State Services Section protects children, people at risk, and represents the public at large. The Section also conserves the state's fiscal system by reviewing hundreds of state contracts and defending the State against claims typically involving the inadequacy of funding of various programs.

The Section is composed of the following units:

Human Services:

This Unit represents the Department of Human Services. On behalf of the Department, the Unit defends the confirmation of a report of child abuse as determined by a County. On behalf of the Division of Child Care, the unit also brings licensure actions to revoke or discipline child care providers who harm children or do not follow requirements. Attorneys represent the Division of Youth Corrections for aggravated offenders and requests for extensions of commitment, motions to quash record subpoenas, and general legal advice; the Division of Behavioral Health in licensing actions and the Mental Health Institutes protecting the confidentiality of records and providing general legal advice; the Division of Developmental Disabilities in judicial review cases in district court and providing general legal advice, among others. The Unit has expanded its legal representation assisting with more transactional issues, assisting with water rights, the sale of the Trinidad nursing home, enforcing contracts and the audit process, as well as updating contracts. Lastly, the Unit represents the State Long Term Care Ombudsman and the newly created Child Welfare Ombudsman.

Health Care:

This Unit represents the health programs of the Department of Public Health and Environment, including the division that licenses and surveys all health facilities in the state, sets standards and level of care for hospital emergency departments and trauma units, and certifies EMTs and paramedics. The Unit also represents the Registrar of Vital Statistics within CDPHE, which includes the Medical Marijuana Registry, birth/death records, and the State Laboratory. The Unit represents the Department of Health Care Policy and Financing, which administers Medicaid, the Colorado Indigent Care Program and the Children's Basic Health Plan. The Unit's representation includes eligibility issues, Medicaid provider appeals, recipient appeals on judicial review, collection of overpayments and amounts owed Medicaid by third-parties. In addition, we review rules for and provide counsel to the Colorado Board of Health and the Colorado Medical

Services Board. We also provide counsel to the Hospital Provider Fee Oversight and Advisory Board, a governor appointed board which was created by HB 09-1293 (Health Care Affordability Act).

Labor/Personnel and Administration:

This Unit represents the Department of Labor and Employment, which involves mainly workers compensation, unemployment compensation, and petroleum storage tank monitoring and cleanup. In addition, the Unit does the legal work for the Department of Personnel and Administration, including the Personnel Director, employee benefit programs, state buildings, and purchasing. We also advise the State Controller and review hundreds of contracts annually for legal sufficiency.

Education:

This Unit advises the State Board of Education and the Department of Education on a wide variety of issues, including charter school appeals, general policy questions, and teacher licensure cases. The Unit also provides general legal advice to the Department of Higher Education, the Commission on Higher Education and the state's public colleges and universities. The Unit regularly defends state education laws and the system of public school finance against constitutional challenges.

Public Officials:

This Unit provides legal advice to the Governor/Lt. Governor, Secretary of State (election and campaign finance law), the Treasurer, the Attorney General, and the Judicial Department, as well as the Department of Local Affairs, the Department of Military Affairs, the State Auditor and the Colorado Lottery. The Unit handles constitutional challenges to some state laws and initiated measures adopted by the voters.

Public Utilities Commission (PUC):

This Unit represents the three commissioners of the PUC and the staff members of the PUC in an advisory (general counsel) capacity. The PUC Unit provides legal advice in the wide variety of quasi-judicial and quasi-legislative proceedings, including rulemaking proceedings, conducted before the Commission. The PUC Unit also represents the PUC in state and federal court.

II) PRIOR YEAR LEGISLATION

Update with 2011 session info of interest

Human Services

Four bills passed this legislative session impact the child care licensing division with the Department of Human Services. HB11-027 creates a pilot program that would develop quality child care standards using federal Department of Defense quality standards. This is subject to receiving sufficient funds and implementation will require new regulations. HB11-1079 aligns state statute with the federal runaway and homeless youth act. The Department will need to promulgate rules to license host homes for the youth. HB11-1102 will make finger-print criminal background checks portable among child care centers owned and operated by the same parent company. HB11-1145 requires that all new child care employees have a FBI background check.

HB 11-1181 Concerning the Department of Human Services Child Fatality Review Team

This bill codifies a process of reviewing child fatalities where there is a suspicion of child abuse or neglect. A multi-disciplinary team will be convened to review the case file and develop a confidential case-specific report and an annual report without confidential information.

HB 11-1278 Concerning Sex Offender Registration

This bill makes a number of changes to the registration statutes, and one change impacts the Division of Youth Corrections in the Department of Human Services. Some juveniles may petition to discontinue their duty to register as sex offenders, and the legislation allows the Department of Human Services to petition the court if a juvenile is eligible to discontinue his duty to register and has not yet been released on parole.

Health Care

HB11-43-CONCERNING MEDICAL MARIJUANA. This bill further amended medical marijuana statutes including the regulations of patients, care-givers, and physicians.

HB11-1152-HEALTH CARE WORKFORCE DATA COLLECTION. This bill requires the Director of the Division of Registrations to implement a system to collect workforce data from specified health care professionals. The data is required to be anonymous and extractable for research purposes. The director is also required to provide the option for health care professionals to provide additional workforce data through a voluntary on-line survey.

HB10-1284-CONCERNING REGULATION OF MEDICAL MARIJUANA. This bill, effective July 1, 2010, granted rulemaking authority to the Board of Health with regard to standards for issuing medical marijuana registry cards, regulation of patients and care-givers, documentation for physicians who certify patients for medical marijuana use, and

sanctions for physicians who violate the bill. Although passed in the 2010 legislative session, litigation surrounding this bill is still expected.

SB11-200-Created the Colorado Health Benefit Exchange which is intended to increase access, affordability, and choice for individuals and small employers purchasing health insurance in Colorado. The exchange is an instrumentality of the state, but is not an agency of the state. The Executive Director of the Department of Health Care Policy and Financing is required to serve as a nonvoting, ex officio member of the board, which may result in some additional legal services from the Health Care Unit. Although presently it is unclear whether the Attorney General's Office will be providing legal services to the Exchange, if it does, it is likely that the State Services Section will be assigned.

SB11-258-LOCAL FOODS TO LOCAL MARKETS. This bill creates the Colorado Cottage Foods Act that allows a grower of an agricultural ingredient to use his or her own private home kitchen for the production of food to be sold to the public given certain requirements. The bill authorizes the state public health department and local health departments to create registries for growers and impose fees sufficient to recover their actual and direct costs for administration.

Education

HB11-1017- This bill provides for filling of vacancies in the Auraria Higher Education Center board of directors student advisory committee or faculty advisory committee for the remainder of an unexpired term in the event of a vacancy.

HB11-1053 - This bill provides that incarceration for truancy and contempt should be used only as a last resort.

HB11-1069 - This bill requires districts to adopt a policy that incorporates a minimum 600 minutes of physical activity each month into each elementary school student's schedule and specifies reporting requirements.

HB11-1074 - This bill makes changes to financial aid funding for the Colorado School of Mines.

HB11-1089 - This bill expands the types of federal grants for which a charter school can apply.

HB11-1121 - This bill prohibits a school district from employing non-licensed employees convicted for certain criminal offenses and allows revocation of teacher licenses in cases of felony drug offenses.

HB11-1126 - This bill requires each school district to adopt a parent involvement policy and specifies communications districts must make to parents of students in schools that have improvement plans.

HB11-1155 - The bill provides that the lieutenant governor can simultaneously serve as, and be paid as, the head of a principal state department.

HB11-1169 – This bill permits an institution of higher education police department to share information regarding incidents that may pose risks to the campus community with certain designated institution administrators or a person who is the subject of a threat of physical violence. A person providing information in good faith to campus officials is immune from civil liability.

HB11-1201 – This bill implements measures to speed up the teacher licensure process, providing for verification of continuing education requirements by affidavit rather than requiring that CDE verify completion of continuing education. The bill also allows CDE to spend license fee revenue without annual approval by the legislature.

HB11-1211 – This bill limits travel expenses for board members and employees of various state entities, including colleges and universities.

HB11-1254 - This bill provides for a CDE bullying prevention grant, setting requirements for schools accepting the grants. It also would require the department to provide bullying prevention resources online.

HB11-1277 - This bill permits school districts to submit information about the potential cost of state mandates to the legislature.

HB11-1301 - This bill creates greater autonomy for higher education institutions in administrative areas including use of student fees, personnel matters and construction projects.

SB11-012 - This bill eliminates the requirement that a student have a treatment plan to possess or self-administer medication to treat asthma, food or other allergy, anaphylaxis, or other related, life-threatening condition. The State Board of Education is to adopt regulations.

SB11-034 - This bill adds educators who provide services through a federal special supplemental nutrition program for women, infants, and children as persons required to report child abuse or neglect.

SB11-052 – This bill sets goals for the system of higher education and directs the Colorado Commission on Higher Education to further articulate and specify the goals. The bill also creates a performance-funding process that would begin in 2016-17 if a certain base level of state funding is in place.

SB11-061 – This bill changes the state IDEA appeal process regarding disability services to a single due process hearing with the commissioner of education.

SB11-109 - This bill creates a voluntary contribution designation line for the state pre-school program as a line on state individual income tax returns.

SB11-111 - This bill creates the educational success task force, which will review when intervention education services are critical to the student's success. The task force will work with the Education Leadership Council created by the governor.

SB11-133 - This bill creates an interim legislative group to study the use of criminal justice sanctions and certain school discipline strategies in public schools.

SB11-157 - School Finance bill.

SB 11-173 - This bill adds additional public safety agencies to be included in schools' interoperable communications, readiness, and incident management plan.

SB11-184 - This bill establishes a tax amnesty program with net revenues primarily benefitting the State Education Fund.

SB11-188 - This bill modifies the charter school capital construction moral obligation program.

SB11-230 - School Finance bill.

SB11-245 - The bill addresses educator preparation and required the Colorado commission on higher education review the current system and make recommendations, on or before December 30, 2013, for a new system to review, evaluate, and assist programs in meeting statutory requirements.

SB11-259 - This bill changes Mesa State College's name to Colorado Mesa University.

SB11-266 - This bill requires contractors performing services for a public school to conduct background checks on employees working on public school premises.

Public Utilities Commission

SB11-087 This bill authorizes the PUC to adopt rules creating an exemption from any tiered electricity rate plan based on a customer's medical condition or use of an essential life support device.

HB11-1083 This bill requires the PUC to give special consideration to certain hydroelectric and pumped hydroelectric generation facilities when evaluating an electric utility's resource plan.

HB11-1198 This bill reorganizes the statutes governing motor carriers, and consolidates the former articles 10, 11, 13, 14, and 16 of title 40, C.R.S., into a single article. The bill

also modified the PUC's authority over towing carriers and with respect to certain fingerprint requirements.

HB11-1262 This bill requires the PUC to adopt new rules applicable to the bid process by which Colorado public utilities acquire new generation resources. The bill requires the rules to set forth the parameters under which public utilities shall provide owners and developers of generation resources with the modeling inputs and assumptions used by the electric utility to evaluate their bids. The bill also requires the PUC to establish standards for the treatment and distribution of highly confidential information related to resource planning proceedings.

HB 10-1365 (The 2010 Clean Air Clean Jobs Act) This landmark legislation required the PUC to conduct proceedings to establish, no later than December 15, 2010, the parameters by which electric utilities will replace or repower certain coal fired generation facilities and the incentives for so doing. Having established the parameters, the PUC must now conduct certification and rate proceedings so that the repowering and replacement is completed by the statutorily mandated deadline of December 31, 2017.

Public Officials

H.B. 11-1230 *Concerning the consolidation of state programs that distribute federal housing moneys to persons needing assistance in obtaining housing into the division of housing within the department of local affairs, and making an appropriation therefor.*

This bill consolidates a housing program for the disabled with a housing program for persons needing assistance. The office is providing legal advice to conform the program to federal law.

III) HOT ISSUES:

Human Services

a. Colorado Benefits Management System ("CBMS") - Although a settlement is again in place, one term remains unresolved. The named Defendants are the Department of Human Services and Department of Health Care Policy and Financing. Each Department is required to meet target goals every six months with ever higher timely processing rates. If those are not met, there is a process for review and corrective action, and eventually the possibility of litigation.

b. Child welfare - The new child welfare ombudsman has been selected and will begin operating this year. The Department continues to look for more ways to improve the child protection system.

c. Developmental disabilities - This continues to present more need than there is funding or programs. Individuals who are both developmentally disabled and mentally ill have an extremely difficult time getting their needs met, and the Department is involved in at least one case trying to get both the mental health system and the DD system to work together to meet the individual's needs. Reductions in funding have resulted in numerous Medicaid appeals and Department reviews of levels of care. Some of these administrative appeals have not moved to district court and two are currently pending on judicial review.

Health Care

a. The Unit continues to defend HCPF in the CBMS litigation. Presently, we are continuing to monitor case processing figures and compliance with the settlement agreement.

b. The Unit is continuing joint efforts with the U.S. Attorney's office and the Medicaid Fraud Control Unit to pursue Medicaid provider fraud, in both the civil and criminal arenas.

c. The Unit continues to defend HCPF in numerous appeals filed by nursing facilities challenging reimbursement rates.

d. The Unit continues to provide legal advice and opinions to the Department of Public Health and Environment, Medical Marijuana Registry. We also continuously defend the Department against subpoenas seeking confidential information, and assist the Board of Health with rulemaking issues.

Labor/Personnel and Administration and HIPAA

- a. Defense of a lawsuit challenging the constitutionality of Amendment 42 which increases the minimum wage for Colorado with the Denver/Boulder/Greeley Consumer Price Index. Litigation was successfully completed with a decision from the Colorado Court of Appeals in July 2011.
- b. The unit is expecting that the Division of Labor will be challenged on immigration issues in connection with its enforcement efforts. The Division is currently involved in an audit of the entire enforcement program.
- c. The unit will be working with the Office of Information Technology to streamline the State's contracting and administration process in connection with information technology.
- d. The unit will continue to work with DPA and the Governor's Office and reform of the State procurement and State contracting policies and procedures.

Education

These matters have significant potential impact and have received coverage in the press.

- *Lobato v. State of Colorado*. The State prevailed in the trial court and the court of appeals against a challenge to the manner in which the state funds K-12 education. The Colorado Supreme Court reversed these rulings, finding that the issue of the standard of educational adequacy under the Colorado Constitution's "thorough and uniform" clause is justiciable, and remanded the case to the trial court for further proceedings. The Education Unit is preparing for a 5 week trial set for August 2011.
- *Taxpayers for Public Education, et al., v. Douglas County School District RE-1, et al.*, Case No. 2011CV 4427
- *LaRue, et al., v. Colorado Board of Education, et al.*, Case No. 2011CV4424

These cases were brought against the Douglas County School District, the State Board of Education, and the Colorado Department of Education as a constitutional and statutory challenge to the Douglas County Option Certificate Pilot Program, which will allow up to 500 Douglas County public school students to attend private schools of their choice both inside or outside the district.

- *Colorado Education Association v. Colorado State Board of Education*, Denver District Court.

This lawsuit was filed by the CEA challenging the State Board of Education's legal authority to promulgate the recently-passed Parental

Notification Rules, which require school districts to notify parents whenever a teacher is arrested or convicted of certain felonies

- *Cost Recovery Efforts for Environmental Contamination on the campus of Colorado School of Mines.*

Mining research projects conducted primarily by private mining interests and the Federal government at a research center on the Colorado School of Mines campus left research wastes containing radioactive materials and metals at the Site. The General Assembly appropriated approximately \$7.5 million between April 1994 and February 1995 for Site cleanup. EPA conducted a partial clean up that proved ineffective. Potentially responsible parties funded the soil characterization study of EPA's excavation but made no further contribution to the clean up. The School continued investigation and cleanup incurring further costs. The State is now negotiating with numerous PRPs to recover the State's unrecovered costs.

Public Officials

a. Pending Public Officials litigation—These lawsuits have potentially significant public impact and have been covered in the media:

- *Independence Institute v. Buescher.* The Independence Institute and other plaintiffs challenge several provisions in Colorado's initiative statute, including residency for circulators, limits on payments made on a per-signature basis, requirements that circulators be available to provide testimony in petition challenges, licensure of petition entities, and other provisions. The federal district court entered a preliminary injunction against the State on the residency requirements and the limits on pay per-signature. The judge denied the preliminary injunction on all other issues.
- *Colorado Common Cause v. Gessler.* The 10th Circuit in *Sampson v. Buescher* declared that the \$200 threshold for issue committees was unconstitutional. The Secretary passed a rule establishing a \$5,000 threshold. Common Cause and Colorado Ethics Watch challenge the constitutionality of the Secretary's rule.
- *Bruce v. State.* Bruce challenged the constitutionality of the inclusion of non-cash items in the TABOR emergency reserve. The Denver District Court declared the practice constitutional.

- *Moreno v. Gessler*. The General Assembly failed to enact legislation establishing new Congressional Districts. Various parties have sued.

Public Utilities Commission

a. Pending PUC litigation – The PUC Unit is defending the PUC in the lawsuits described below:

Office of Consumer Counsel (OCC) v. PUC. The OCC has challenged the lawfulness of the Commission's decisions authorizing Qwest Corporation to increase the rate it charges for standalone residential basic local exchange service. The OCC claims that the record before the PUC does not support the adopted rates. The Denver District Court set aside the PUC's decision. The PUC and Qwest have appealed this matter to the Colorado Supreme Court.

Clean Air Clean Jobs Act Judicial Review Litigation I The Associated Governments of Northwest Colorado and Peabody Corporation have brought judicial review actions challenging a variety of procedural and substantive rulings made by the PUC in the establishment of the parameters for the retirement and replacement by Public Service Company of approximately 900 MW of coal fired generation facilities. These challenges focus on whether the decision of the PUC was just, reasonable and in the public interest and on whether any of the PUC Commissioners were biased and should have been disqualified. Recently the Routt County District Court entered an order regarding its jurisdiction to hear these judicial review actions. The PUC disagrees with this interpretation and has petitioned the Colorado Supreme Court for C.A.R.21 (original jurisdiction review), which petition is presently pending.

Clean Air Clean Jobs Act Judicial Review Litigation II The Office of Consumer Counsel has sought judicial review challenging the PUC's authority to require Staff's consultants that assisted Staff in the Public Service Clean Air Clean Jobs Act proceeding be paid with money collected by Public Service through its rates.

American Tradition Institute v. State of Colorado This federal lawsuit asserts that Colorado's Renewable Energy Standard (which became law on December 1, 2004 (codified at 40-2-124, C.R.S.) following its approval by the electors of the State as Amendment 37, and as subsequently amended by the General Assembly in 2005, 2007, 2008, 2009, and 2010) violates the dormant commerce clause aspect of the Commerce Clause of the United States Constitution. Plaintiffs seek injunctive and declaratory relief as well as damages and attorneys fees under § 1983.

Colorado Mining Association (CMA) v. Ritter CMA is appealing the lower court's order approving, *inter alia*, the PUC's invocation of the deliberative process privilege in a CORA matter seeking to obtain access to information related to the stakeholder process that lead to the enactment into law of the Clean Air Clean Jobs Act (House Bill 10-1365).

Intermountain Rural Electric Association v. PUC IREA has sought appellate review of the district court's ruling that the PUC's discussion by e-mail of potential legislation is outside the scope of the PUC's policy-making authority and, therefore, was not a "meeting" in violation of the Open Meetings Law under the reasoning of *Bd. of County Comm'rs v. Costilla County Conserv. Dist.*, 88 P.3d 1188 (Colo. 2004).

Mile High Cab v. PUC Mile High Cab is seeking judicial review of the PUC's decision to deny its application for authority to operate 150 taxicabs in the Denver metro area. In this case, the PUC interpreted the 2008 statutory standards related to the entrance of taxi cabs into the greater Denver market.

Qwest Corporation v. PUC, Cbeyond Communications This matter is before the U.S. Tenth Circuit Court of Appeals. Qwest and PUC/Cbeyond cross-appealed the lower court decision. At issue is the proper interpretation of the Federal Communication Commission's definition of a "business line" to be used when determining how much intercarrier competition there is in a wire center. The interpretation is important because the level of competition affects the wholesale price at which Qwest may sell access to its facilities.

b. Possible PUC litigation: The PUC is currently conducting proceedings in two high profile matters, which matters are likely to be headed to litigation:

In the Matter of the Application of Public Service Company of Colorado and Tri-State Generation and Transmission Association for a Certificate of Public Convenience and Necessity for the San Luis Valley-Calumet-Comanche Transmission Line Project Trinchera Ranch (owned by Louis Bacon), a very large landowner whose property the transmission line may cross, has challenged both the need for the proposed transmission line and the proposed corridor for the line. Over these objections, the PUC has issued a decision awarding a Certificate of Public Convenience and Necessity for the transmission line. Once the proceedings at the PUC have concluded, Trinchera Ranch is likely to seek judicial review on whether the PUC's decision is supported by substantial evidence in the record and on whether a commissioner, other than Commissioner Tarpey, should have disqualified himself.

Consolidated Taxicab CPCN Application Matter In this consolidated matter concerning four requests to provide new or expanded taxicab service in the Denver Metropolitan Area, the PUC determined not to grant any new authority. The taxicab companies are likely to challenge the PUC's decision to deny certificates of public convenience and necessity.

IV) WORKLOAD MEASURE:

DEPARTMENT OF HUMAN SERVICES

Workload Measure	FY 11 Actual	FY 12 Estimate
Defend the Department in litigation regarding the implementation of the Colorado Benefits Management System (CBMS).	Review and submit monthly data regarding timely processing in accordance with settlement agreement; communicate with plaintiffs' counsel to address concerns, CBMS upgrades and processing data.	Work with the Department to address individual cases as well to improve systemic issues; negotiate last term for settlement agreement, prepare every six months reports for Judge Bellipanni, and if necessary defend in active litigation
Defend County confirmations of child abuse/neglect in the State database system on behalf of the Department for use in employment/background checks.	Ongoing litigation to prosecute child abuse/neglect in full evidentiary hearings before the OAC. Unit carries an average of 450 active cases.	Aggressively prosecute child abuse cases to prevent persons who are found responsible for child abuse from working with children.
Prosecute licensing actions for the Division of Childcare	Actively litigate to revoke, suspend, and deny licenses where the facility fails to follow department rules, the licensee or employs commits child abuse, or otherwise fails to assure safe care for children.	Continue to actively prosecute child care licensing cases to assure safe childcare.
Advise the Department in rulemaking and adoption process.	Review rules and advise on authority and substantive content.	Continue advising on rulemaking.
Initiate actions to revoke, suspend, or deny substance abuse treatment licenses for the Division of Behavioral Health, and certifications for the Division of Developmental Disabilities.	Prosecute treatment agencies or certified service agencies for failures to comply with Department regulations.	Continue to represent the Divisions in licensing actions.

Defend the Department in administrative proceedings brought by recipients of Vocational Rehabilitation services or programs who were denied or reduced services.	Actively defend and, where possible, negotiate settlements for the Division of Vocational Rehabilitation.	Continue to defend the Department in these actions before the OAC. Assist the Division to improve the administrative hearing rules for these cases.
File petitions in district courts on behalf of the Division of Youth Corrections for aggravated offenders, requesting extensions of commitments, release from mittimus or vacating illegal sentences.	Represent the DYC in all post-commitment juvenile proceedings, specifically those requiring a return to court for a change in placement or status or responding to subpoenas for records.	Continue representing the DYC in juvenile cases and providing legal advice.
Assist the Department to respond to subpoenas and open records requests.	File motions to quash or redact records as needed when responding to records requests.	Provide ongoing legal advice and representation.
Represent and advise the Division of Developmental Disabilities.	Provide legal advice and represent the Department when needed in court actions.	Advise the Division in proceedings before OAC, represent the Division in Imposition of Legal Disability proceedings, and assist with rule revisions.

Caseload Trends:

The Human Services Unit continues to see a greater variety of cases and requests for legal advice from more divisions within the Department of Human Services.

Type of Case	Number of Cases	Current Status
Informal Legal Opinions/Legal Advice	17	Completed or in final draft stages
Judicial Review of Final Agency Decisions	14	8 Child Abuse/Neglect 6 Other
Child Abuse/Neglect	768 cases received	90% settle, 357 active cases currently
Child Care Licensing	46 cases received	39 active currently

Other Litigation/Court Cases	14	8 active litigation and 2 actively advising
Vocational Rehabilitation	11	4 active
Youth Corrections	21	All granted or pending
Transactional	47	6 ongoing

HEALTH CARE

Workload Measure	FY 11 Actual	FY 12 Estimate
Department of Health Care Policy and Financing		
Defense of the Department in litigation regarding the implementation of the Colorado Benefits Management System.	Monitor provision of claims processing date. Respond to inquiries from plaintiffs' counsel	Anticipate that this office will continue to monitor a very complex settlement.
Defense of the Department in Administrative proceedings brought by recipients and providers claiming services or amounts due under Department of complex regulations in the Medicaid system. Many of the federal requirements have increased the issues programs – primarily state Medicaid.	Continue representation of HCPF in all administrative matters involving provider appeals or audits. Represent HCPF in certain recipient appeals, primarily at district court level.	Given the substantial increase in Medicaid populations, which will likely continue to increase, we can anticipate increased appeals and utilization of resources.
Recover funds expanded as a result of third parties' actions.	Total recovery of \$762,133. Increased litigation and potential for litigation as a result of <i>State of Arkansas v. Ahlborn</i> .	Although HCPF handles more third party cases in house, it is likely that the increase in Medicaid recipients will increase work load in this area. Anticipate additional

		<i>Ahlborn litigation.</i>
Working with the Department's Program Integrity Unit to uncover and eliminate provider overpayments and fraud in the Medicaid program.	Prosecute provider overpayment appeals at civil level. Work with agency and health care fraud task force to identify fraud in the Medicaid program.	Anticipate economy driven increase in provider overpayment appeals.
Advise HCPF in the rule-making and adoption process to keep the state in compliance with federal and state statutes in connection with the distribution of benefits.	Continue to provide advice to Medical Services Board. This year we have added representation of the HB 09-1293 Oversight and Advisory Bd.	Continue representation of both MSB and 1293 Board.
Provide advice and representation with regard to subpoenas and CORA requests.	Maintain advice and document review assistance.	There is no reason to believe that trend of significant involvement in CORA requests will slow down.
Colorado Department of Public Health and Environment		
Workload Measure	FY 11 Actual	FY 12 Estimate
Actions prosecuted to revoke, suspend, or place on probationary status licenses of Emergency Medical Technicians.	22	28
Prosecute licensing actions involving Home Health agencies licensed under the authority of the Department.	Regulatory process ongoing to develop licensing criteria.	Anticipate that licensing process will be in place. Assist Dept. in resolution of start up issues. Prepare to and prosecute enforcement actions.
Prosecute licensing actions involving Health facilities licensed under the authority of the Department.	13	15

Provide rulemaking advice to Board of Health.	Review all rules and attend monthly Board meetings.	Same as FY 10
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EDUCATION

Caseload trends:

The unit continues to average 2-3 major constitutional cases each year.

Teacher licensure cases referred for charges have decreased this year.

Legislative Measures

The General Assembly enacted numerous laws affecting the State Board of Education's oversight responsibilities. Many will require additional rule-making, policy and procedure creation, and additional hearings and board meeting work.

Workload Measure	Unit	FY 10 Actual	FY 11 Actual
Teacher Licensure			
Teacher licensure matters referred	# of matters	67	37
Settlements Obtained	# of settlements	1	11
Closed cases.	# of closed matters	52	41
Actions Filed	# of cases	20	18
Cases carried over to next FY (open and pending cases)	# of matters	18	17

Objective: To support the Department of Education and the State Board of Education in protecting school children from teachers who have violated State standards.

Strategy: Provide timely legal services to the clients on all matters referred; closely track case status to assure timeliness; solicit and respond to oral and written client feedback to maintain client satisfaction.

Evaluation of Prior Year Performance: The Unit avoided case backlogs and worked collaboratively with the client to achieve its objective of protecting students from substandard teachers.

Key Workload Indicators: Case status tracking numbers, client satisfaction surveys and meetings to address client concerns.

PUBLIC UTILITIES COMMISSION

Workload Measure	Unit	FY 10 Actual	FY 11 Actual	FY12 Estimate
Prevail in appeals of PUC decisions in state and federal court	# of decisions.	Prevailed in 3 of 3 cases. Obtained a split decision in 1 case. Obtained favorable or neutral settlements in 2 cases	Prevailed in 2 of 3 cases. Obtained a split decision in 0 cases. Obtained favorable or neutral settlements in 1 cases	There are 12 appeals or other court cases pending
Provide on-going, comprehensive, timely and accurate legal assistance to the PUC regarding PSCo's Emissions Reduction Plan Filing Pursuant to HB10-1365		Continue to meet all deadlines and provide substantive assistance in any appeals of the PUC's decision in this matter.	Continue to meet all deadlines and provide substantive assistance in any appeals of the PUC's decision in this matter.	Continue to meet all deadlines and provide substantive assistance in any appeals of the PUC's decision in this matter.
Provide on-going, comprehensive, timely and accurate legal assistance to the PUC regarding the PSCo/Tri-State application to construct a transmission line connecting the San Luis Valley to a site near Pueblo		We have met all deadlines in this matter and continue to substantively assist the PUC in its decision in this matter.	We have met all deadlines in this matter and continue to substantively assist the PUC in its decision in this matter.	Continue to meet all deadlines and provide substantive assistance in any appeals of the PUC's decision in this matter.

Provide comprehensive and timely legal assistance to the PUC regarding the Qwest merger with CenturyLink.	Do we get rid of this? YES	This matter commenced at the very end of the FY09	This matter commenced at the very end of the FY09	We have met all deadlines in this matter and continue to substantively assist the PUC in its decision in this matter.
Provide comprehensive and timely legal assistance to the PUC regarding the promulgation of rules regarding the renewable energy standard and community solar gardens.	We got rid of this	Began drafting new rules in FY10.		We have met all deadlines in this matter and continue to substantively assist the PUC in its decision in this matter.

LABOR/PERSONNEL AND ADMINISTRATION

**DEPARTMENT OF LABOR AND EMPLOYMENT,
DIVISION OF WORKERS COMPENSATION**

1. Worker's Compensation Enforcement

**DEPARTMENT OF LABOR AND EMPLOYMENT,
DIVISION OF WORKERS COMPENSATION, ICAO APPEALS, AND
DIVISION OF OIL AND PUBLIC SAFETY**

1. Worker's Compensation Enforcement

Objective: Pursue statutory fines against employers that fail to have WC insurance for their employees. In the event that employers continue to fail to obtain or maintain WC insurance coverage, the Division seeks to either bring the employer into compliance or close the business.

Workload Measure	Unit	FY 10 Actual	FY 11 Actual	FY12 Estimate
Total number of new cases in Unit		102	247	175 to 200
WC cases		81	80	Approx. 100 cases
WC settlements		36	16	15 to 20
WC fines imposed and sent to collections		\$1.2M	\$1.6M	\$1.5M
WC fines sent to collections		\$525,000	\$567,095	\$500K

2. ICAO Appeals

The Industrial Claims Appeals Office (ICAO) serves as the first appellate level for appeals in Worker's Compensation and Unemployment Insurance cases. If an ICAO decision is appealed, that appeal is filed with the Colorado Court of Appeals. Further appeal is available in the Colorado Supreme Court. The ICAO selects cases that effect the overall administration of the WC or UI systems, and not just whether benefits were granted in a particular case.

Workload Measure	Unit	FY 10 Actual	FY 11 Actual	FY12 Estimate
Total number of cases		57	41	50 cases
Appellate briefs		47	32	40 briefs
Oral arguments		10	6	10 oral arguments

3. Division of Oil and Public Safety

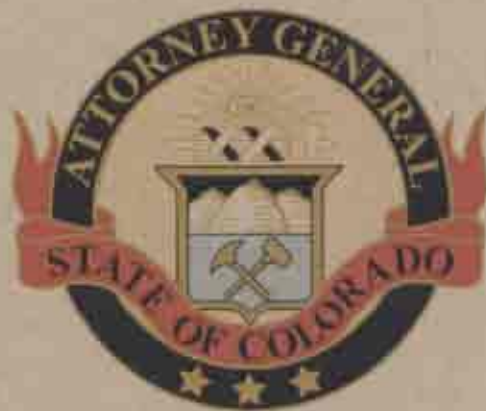
The Division of Oil and Public Safety (OPS) has several statutory duties including oversight of petroleum storage tanks, amusement rides, boiler inspection program, and the elevator, escalator, and other public conveyances program. OPS is in the process of streamlining the administration of UST program claims with the goal of reducing the number of hearings and appeals.

Workload Measure	Unit	FY 10 Actual	FY 11 Actual	FY12 Estimate
New OPS cases		37	33	30 to 40 new cases
Successfully closed or dismissed cases		44	23	40 cases
OPS settlements		36	23	30 settlements

Narrative

LSSA

Department of Public Safety



D) BACKGROUND INFORMATION: DEPARTMENT OF PUBLIC SAFETY UNIT

The Department of Public Safety (DPS) includes the Executive Staff and four divisions: Colorado Bureau of Investigation (CBI), Colorado State Patrol (CSP), Division of Criminal Justice (DCJ), and the Division of Fire Safety (DFS). The Department is responsible for the provision of state law enforcement services and research, advice and oversight of the State of Colorado criminal justice system. Approximately 90 statutory and administrative boards and commissions fall under the auspices of CDPS. The CDPS has approximately 1400 employees statewide with its headquarters located at 700 Kipling Street, Denver, CO.

The Department of Public Safety actively and extensively utilizes the legal services of the Department of Law. Due to the nature of its mission, the safety and security of the public, the DPS consults its attorney on a daily basis, oftentimes initiating 2-3 additional requests for advice and legal representation each day. Due to the sensitive nature of much of its work, the attorney has become a member of its executive team which meets monthly to address department wide issues.

The attorney provides legal services involving representation of CDPS in all litigation, not implicating the risk management fund. Representation includes actions seeking declaratory judgments, challenges to final agency actions entered by any of the numerous statutory boards, representation of peace officers in criminal actions when challenges are raised to CDPS policies, representation of employees deposed as witnesses in civil lawsuits, actions before the state personnel board, and all appellate issues resulting from this litigation. Attorney appearances occur in federal, state, and local courts, statewide, in both criminal and civil matters, and including bankruptcy court.

The attorney provides legal services involving representation of CDPS in all transactional matters. This representation involves drafting, review, and oversight of contracts, intergovernmental agreements, memorandum of understanding, grant application requirements, administrative rules, and federal forfeiture requests. The attorney advises on policy matters, reviews proposed changes to departmental policies and initiates proposed policies on legal issues.

The Department of Public Safety also seeks training of its employees on a wide range of topics. Recently, training was provided to internal affairs investigators on report writing and testifying in court. The training was well received and presentations have been requested for additional groups of employees. Training has also been identified and requested to address the uniqueness of managing high level employees.

The Public Safety Unit attorney is also responsible for providing legal services to the P.O.S.T. Board and P.O.S.T. staff. The P.O.S.T. Board is responsible for overseeing the education, training, and certification of Colorado's peace officers. The Board meets quarterly and is composed of 20 members, of which three are statutory (Colorado

Attorney General-chair, FBI Special Agent in Charge- Denver Division, and Executive Director of DPS). Seventeen members are appointed by the Governor to 3-year terms and include one local government representative, one member of the general public, 6 active sheriffs, 6 active chiefs of police, and 3 line-level peace officers serving at the rank of sergeant and below.

The provision of legal services to the P.O.S.T Board and to the P.O.S.T. staff includes attendance at all P.O.S.T. Board quarterly meetings, rule interpretations, legal research and advice, and legal representation in litigation, as needed.

II) PRIOR YEAR LEGISLATION:

HB 09-1151 designated CDPS as the agency responsible for oversight of public school inspection and transferred all associated employees from the Department of Labor and Employment (7 FTE). The legislation also established a new board of appeals with final agency action authority. No legal services funding was transferred.

HB 09-1036 increased the vehicle registration fees for P.O.S.T. training, substantially increasing the amount of funding available for grants.

HB 10-1113 transferred the Motor Carrier Safety Assistance Program of the Ports of Entry section in the Department of Revenue to the Colorado State Patrol. Appropriations for 8.8 FTE were transferred to CDPS. No additional legal services funding was transferred.

III) HOT ISSUES:

The most critical issue is the need for additional legal resources to meet the increasing functions and responsibilities of the CDPS as delegated by the Governor and the state legislature including the creation of task force commissions for policy development and the coordination of statewide law enforcement activities. The pending reorganization and transfer of Homeland Security to CDPS is anticipated to require significant additional legal services includes several substantial memorandum of understanding transferring employees among departments. The pending reorganization of Ports of Entry anticipates the transfer of an additional 128 employees into CDPS and will require significant legal advice and potential rule-making proceedings. Additionally, the P.O.S.T. Board staff includes new employees as a result of recent turnover, necessitating an increase in legal advice.

IV) WORKLOAD MEASURES:

This position is funded for one fulltime attorney position.

Workload Measure	Unit	FY 09 Actual	FY 10 Actual	FY 11 Estimate	FY 12 Request
Trial Court Litigation	# of cases	6	5	6	10
Administrative Hearings	# of cases	12	12	20	30
EEOC Investigations	# of cases	3	2	2	5
Appellate Litigation	# of cases	2	2	3	6
Court Interventions	# of appearances	25	30	40	50
Major Policy Issues	# of issues	15	10	30	50
Intergovernmental Agreements	# of agreements	10	8	10	20
Rulemaking Hearings	# of hearings	10	2	4	10
Major Client Meetings	# of meetings	100	100	150	200
General Requests for Legal Advice	# of requests	200	200	250	300
P.O.S.T. staff legal advice	# of requests	5	50	80	100

Year	Month	Day	Time	Location	Remarks
1950	1	1	10:00	...	...
1950	1	2	10:00	...	...
1950	1	3	10:00	...	...
1950	1	4	10:00	...	...
1950	1	5	10:00	...	...
1950	1	6	10:00	...	...
1950	1	7	10:00	...	...
1950	1	8	10:00	...	...
1950	1	9	10:00	...	...
1950	1	10	10:00	...	...
1950	1	11	10:00	...	...
1950	1	12	10:00	...	...
1950	1	13	10:00	...	...
1950	1	14	10:00	...	...
1950	1	15	10:00	...	...
1950	1	16	10:00	...	...
1950	1	17	10:00	...	...
1950	1	18	10:00	...	...
1950	1	19	10:00	...	...
1950	1	20	10:00	...	...
1950	1	21	10:00	...	...
1950	1	22	10:00	...	...
1950	1	23	10:00	...	...
1950	1	24	10:00	...	...
1950	1	25	10:00	...	...
1950	1	26	10:00	...	...
1950	1	27	10:00	...	...
1950	1	28	10:00	...	...
1950	1	29	10:00	...	...
1950	1	30	10:00	...	...
1950	1	31	10:00	...	...

**Narrative
LSSA
Litigation &
Employment Law**



D) BACKGROUND INFORMATION: CIVIL LITIGATION AND EMPLOYMENT LAW

The Civil Litigation and Employment Law Section of the Colorado Attorney General's Office employs 36 attorneys, 10 legal assistants, 6 administrative assistants and 1 office manager. The employees of the section defend state agencies, officials, and employees in litigation in state and federal court, as well as administrative hearings. The section also acts as general counsel to the Division of Risk Management, the Colorado Dept. of Corrections (CDOC), the Parole Board, the Colorado Civil Rights Division (CCRD), the Colorado Transportation Commission, and the Colorado Dept. of Transportation (CDOT), providing quick and thorough legal advice regarding the many issues that arise on a daily basis. The section advises all state agencies regarding personnel matters. The section is divided into five units: Corrections, Employment Personnel and Civil Rights, Employment Tort, Tort Litigation, and Transportation. A brief description of each unit follows.

Corrections:

The Corrections unit is responsible for the representation of the Department of Corrections, the Colorado State Board of Parole, and all employees of those agencies in state and federal lawsuits alleging tort claims, claims of various constitutional violations, construction claims, requests for documents and appearances in court, challenges to sentences, appeals of internal inmate discipline, environmental matters, religious practices, medical treatment claims, and prison conditions. The unit represents other agencies who are sued by inmates. The unit acts as a general service law firm to CDOC except in the areas of personnel and contracts. The unit members give advice on a daily basis to representatives of CDOC and the Parole Board on the many complicated issues that arise in a prison and parole context. The attorneys provide advice regarding proposed legislation as well.

Employment Personnel and Civil Rights:

The Employment Personnel and Civil Rights unit defends state agencies and employees in administrative hearings before the State Personnel Board and before the appellate courts in matters involving employment grievances and appeals. The cases involve claims arising from the Colorado Constitution, the State Personnel System Act, the state whistleblower act, the Colorado Anti-Discrimination Act, and related federal and state statutes. The attorneys also provide advice and training to state agencies on issues such as hiring, managing, and disciplining employees. The unit provides legal advice to the Colorado Civil Rights Division within the Department of Regulatory Agencies in connection with CCRD's investigation of charges of employment, housing, and public accommodations discrimination and cases brought based as a result of those investigations. The unit prosecutes civil rights cases through all stages of appeal and defends challenges to the authority of the Commission. The unit also defends cases brought under the Subsequent Injury Fund and the Major Medical Insurance Fund by employees injured in the course and scope of their employment with the state. These funds cover very limited claims.

Employment Tort:

The Employment Tort unit defends state agencies and employees in state and federal court employment litigation. The attorneys handle the cases from inception through appeal. The cases involve claims arising under a myriad of federal and state statutes, including Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Fair Labor Standards Act, The Family Medical Leave Act, the Equal Pay Act, the Age Discrimination in Employment Act, the state whistleblower act, and other employment laws as well as federal civil rights laws. The attorneys also provide advice and training to state agencies regarding employment law. The unit provides day to day advice to the State Risk Management Division on questions of coverage, indemnity, settlements, and conflicts.

Tort Litigation:

The Tort Litigation unit defends state agencies and employees in lawsuits seeking damages for personal injury and property damage, and those brought pursuant to federal law (except for employment claims). The unit also provides day to day advice to the State Risk Management Division on questions of coverage, indemnity, settlement, and applicability of the Colorado Governmental Immunity Act. Members of this unit aggressively defend the state and seek to minimize the monetary liability of the state in a variety of law suits. The Risk Management cases handled by the Corrections unit attorneys are included in the Workload Measures for the Corrections unit.

Transportation:

The Transportation unit acts as a general service law firm to CDOT and the Colorado Transportation Commission, with the exception of personnel and tort matters. The members of the unit advise CDOT regarding a myriad of legal issues. The unit prosecutes all condemnation actions, defends inverse condemnation actions, and handles administrative actions. The unit also handles access control, highway beautification, and billboard location disputes, and protests brought under the Procurement Code. The unit advises CDOT in construction matters and represents CDOT in construction arbitration and litigation. The unit also provides advice regarding environmental and real estate issues and defends and negotiates settlements in these areas. Members of the unit review, revise, and approve all CDOT contracts and assist in rulemaking and approval of regulations. The attorneys also review proposed legislation affecting CDOT.

II) PRIOR YEAR LEGISLATION:

SB11-241: Concerning changes to the operation of the Parole Board.

This bill made major changes to the functioning of the Colorado State Board of Parole, which has resulted in confusion with respect to parole for offenders with immigration and custom enforcement detainers.

III) HOT ISSUES:

1) *Montez case*

The class action lawsuit, *Montez et al. v. Ritter et al.*, is still pending in the U.S. District Court. This case was brought against the CDOC pursuant to the Americans with Disabilities Act and the Rehabilitation Act. The case was settled in 2003. The settlement included two major components: 1) Offenders who believed they had been injured by discrimination against them based on a disability were allowed to file individual claims for damages. These claims were handled by special masters appointed by the federal court. Over 1,400 claims were filed and resolved. The state paid less than \$50,000 overall on these claims. In addition, the Division of Risk Management paid plaintiffs' attorneys fees and the special masters' fees. Presently, hearings are being conducted to determine whether the CDOC has complied with the special masters' orders with respect to individual accommodations awarded to the individual inmates. Also, the Tenth Circuit Court of Appeals ruled that the individual inmates may appeal the special masters' orders to the Tenth Circuit, despite the language in the original settlement agreement waiving such appeal. 2) The CDOC was given two years to comply with the terms of the stipulation, followed by a two-year monitoring period. The compliance period was extended twice – the ultimate date for compliance was May 1, 2009. An eight-week hearing to determine whether compliance was achieved was held in 2010. Full briefing on proposed finding of fact and conclusions of law will be completed in August, 2011. We will then await Judge Kane's ruling on compliance.

2) Deaths at the Colorado Mental Health Institute - Pueblo

We are watching developments in connection with three patient deaths at CMHIP. A forensic patient died while being restrained by CMHIP personnel using a prone restraint technique that has since been banned at CMHIP. A criminal investigation and proceedings before a Grand Jury were conducted, but no indictments were returned against CMHIP personnel. A notice of claim has been filed, and we anticipate a Section 1983 lawsuit. Meanwhile, attorneys for the patient's family are seeking the release of the testimony in the Grand Jury proceedings. Previously, another forensic patient at CMHIP died as a result of a burst bowel after being treated with drugs with known constipation-causing side effects. That case was settled. A third patient at CMHIP died of suicide by asphyxiation. He smothered himself with a plastic bag that he obtained at the facility. During fiscal year 2011, that claim was settled with the patient's family for \$175,000.

3) Colorado Bridge Enterprise Bonding

The Colorado Bridge Enterprise issued \$300 million in bonds in December 2010 to fund "designated bridge" repair and reconstruction projects. The Bridge Enterprise is likely to issue additional bonding in late 2012.

4) High Performance Transportation Enterprise

The High Performance Transportation Enterprise is pursuing a \$54 million loan from the U.S. Dept. of Transportation to help fund "managed lanes" on U.S. Hwy 36 (BRT/HOV/tolled lanes). The transaction is complicated due to Colorado's TABOR Amendment, and a broad variety of funding, in addition to the U.S. DOT loan, is necessary to finance the project.

5) Electronically Stored Information

The Tort Litigation and Employment Tort units continue to train and advise state agencies, their human resource and information technology professionals, and their counsel within the AG's Office, regarding the obligation to preserve and disclose electronically-stored information.

6) Training

The employment units continue to create and present training to state agencies on a myriad of employment and litigation issues. This past year, the attorneys conducted training sessions covering sexual harassment, retaliation, and litigation issues, and best practices for managers. The units conducted 14 training sessions for CDOT supervisors throughout the state, and made presentations to DPA's Human Resource Directors' Forum on the revisions to the ADA and on the new Genetic Information Non-discrimination Act. The units also presented investigations and state personnel system training to the Community College System presidents and investigators.

7) Fort Lyon closing

The Employment Personnel and Civil Rights unit provided assistance to the CDOC on issues involving transfers and staff assignments in light of the closing of Fort Lyon Correctional Facility.

IV) WORKLOAD MEASURES:

The workload measurements below do not reflect all areas of work these units address on behalf of clients. The measurements below are presented to provide a representation of the type and gravity of work each unit performs throughout each year.

CORRECTIONS:

Workload Measure	Unit	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
New cases	Corrections	408 (293 inmate, 58 Risk Management, 42 advice, 11 Montez, 4	376 (248 inmate, 79 Risk Mgmt, 34 advice, 11 Montez, 4	400	400

		assigned to outside counsel)	assigned to outside counsel)		
Billable hours		17,657 (one additional attorney hired for Montez)	17,431 (one additional attorney hired for Montez)	15,000	15,000

EMPLOYMENT PERSONNEL AND CIVIL RIGHTS:

Workload Measure	Unit	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Personnel cases opened	Employment Personnel	178	209	180	180
Special funds (SIF and MMIF) cases opened		7	3	5	5
Civil rights matters opened (including hearing worthiness analysis and probable cause sufficiency analysis)		22	13	20	20
Billable hours		18,393	19,362	19,000	19,000

EMPLOYMENT TORT:

Workload Measure	Unit	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
New cases opened	Employment Tort	17 new cases with 114 claims	22 new cases with 100 claims	20 new cases with 150 claims	20 new cases with 150 claims
Cases and claims handled in-house		40 cases with 553 claims	41 cases with 505 claims	40 cases with 300 claims	40 cases with 300 claims
Cases and claims handled by outside counsel		1 case with 1 claim	5 cases with 13 claims	1 case	1 case
Billable hours		11,777	12,529	12,500	12,500

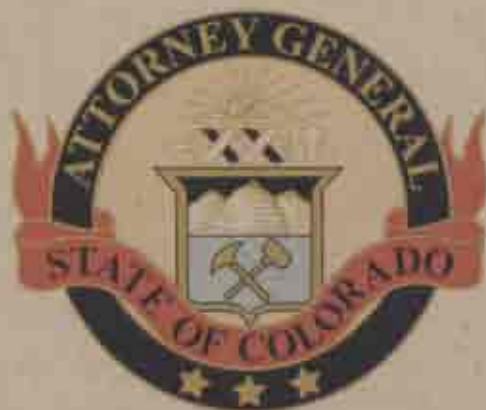
TORT LITIGATION:

Workload Measure	Unit	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
New cases opened	Tort Litigation	101	83	90	90
Notices of claims received and reviewed		1,659	1,658	1,700	1,700
Conflicts cases handled (new FTE added in FY 11)		NA	22	55	55
Billable hours		16,400	16,363	18,000	18,000

TRANSPORTATION:

Workload Measure	Unit	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
New cases filed	Transportation	36	30	30	30
Pending cases		62	52	50	50
Number of trials		0	2	2	2
Contested hearings		5	3	4	4
Condemnation cases resolved		14	15	15	15
Contracts reviewed		572	586	580	580
Billable hours		14,994	12,945	14,000	14,000

Narrative
LSSA
Natural Resources &
Environment



D) BACKGROUND INFORMATION: NATURAL RESOURCES AND ENVIRONMENT SECTION (LSSA).

Introduction to the Natural Resources and Environment Section

The Natural Resources and Environment Section protects and defend the interests of the State and its citizens in all areas of natural resources law and environmental law. The Section is made up of seven units that represent and advise state agencies and boards that regulate and oversee the development, use and conservation of Colorado's natural resources and the quality of Colorado's environment.

Environmental Quality Unit

The Environmental Quality Unit represents the divisions and commissions of the Colorado Department of Public Health and Environment (CDPHE) that are responsible for improving and protecting our state's air and water resources. The Unit also represents the divisions of CDPHE that are charged with radiation control and consumer protection. Specifically, the Unit provides legal counsel to the Executive Director's Office, the Air Quality Control Commission, the Air Pollution Control Division, the Consumer Protection Division, the Laboratory and Radiation Services Division, the Water Quality Control Commission, the Water Quality Control Division, the Water and Wastewater Facility Operators Certification Board, the Office of Administration, the Office of Policy and Public/Private Initiatives and Uranium Special Projects. The Unit also provides representation to the Governor's Office of Energy Conservation.

The attorneys in the Environmental Quality Unit provide general legal advice as well as representation in administrative and judicial proceedings, rule-making hearings, enforcement actions, and legislative proposals. They help to ensure that the State's businesses and citizens comply with applicable environmental requirements, and they bring enforcement actions against those who do not comply.

Water Conservation Unit

The Water Conservation Unit provides legal counsel and representation in water rights and administration matters to the Department of Natural Resources, including the Executive Director's Office, the Colorado Water Conservation Board ("CWCB"), the Division of Wildlife ("Wildlife"), the Division of Parks and Outdoor Recreation ("Parks") and the State Land Board ("SLB"). The Unit also provides legal counsel and representation in water matters to the Department of Transportation ("DOT"), the Department of Corrections ("DOC") and any other state agency or official that requests water rights advice or representation.

The Unit files water rights applications or water rights diligence applications for these agencies and also files statements of opposition in water court to protect the existing water rights of the agencies. Water matters are appealed directly from Water Court to the Supreme Court, and the Unit generally has several matters pending before the Supreme

Court at any given time. The Unit represents and counsels various boards and commissions, and their staff under each agency. The Unit handles transactional work for each agency, including negotiating and drafting documents for acquisitions and protection of water rights for the CWCB, Wildlife and Parks. The Unit helps draft contracts for hundreds of millions of dollars in loans and grants from the CWCB to ditch companies, water conservation districts, municipalities and other water users.

In addition to general legal advice, the Unit assists the CWCB with various hearings before the Board, trials and appeals, helps in drafting and promulgating rules and regulations for the instream flow program and the floodplain program and establishing policies and guidelines for the loan program and the water conservation program, drafts and reviews CWCB loan and grant contracts, and negotiates and drafts documents for acquisitions and protection of water rights for the CWCB. The Unit helps the CWCB Water Supply Planning and Finance Program to: (1) arrange low-interest loans to enable the construction of water resource projects or the purchase of water rights; (2) finance other specialized water studies and projects; 3) aid in the construction of new reservoirs and rehabilitation of existing structures including dams, diversions, pipelines, pump stations and irrigation channels; and (4) fund feasibility studies for possible new construction projects, and processes. Specifically, the Unit aids the client in drafting the contracts associated with such loans, grants and studies, and loan repayments.

Water Resources Unit

The Water Resources Unit provides legal counsel and representation in water rights legal and administration matters to the Division of Water Resources of the Department of Natural Resources. The Unit represents the directors, board members, and staffs of the State and Division Engineers, the Colorado Groundwater Commission, and the Board of Examiners for Water Well Contractors. The Unit has an active caseload of approximately 600 proceedings, including water court litigation proceedings regarding applications for new water rights, changes to existing water rights, and plans for augmentation; administrative and water court proceedings concerning objections to well permit issuances and denials; water court and administrative enforcement actions to curtail illegal water uses; declaratory judgment actions challenging water rights administration decisions by the State Engineer; and other water rights related matters. Because Water Court decisions are appealed directly to the Colorado Supreme Court, the Unit also typically has several matters pending before the Supreme Court at any given time. In addition to assisting the Division of Water Resources with litigation enforcement matters, the Unit also provides general legal advice to the Division with respect to the Division's administrative decision and responsibilities so as to ensure efficient and effective water rights administration.

Resource Conservation Unit

The attorneys and legal assistants in the Resource Conservation Unit provide legal assistance and representation to entities within the Department of Natural Resources ("DNR"), including the Oil and Gas Conservation Commission, the Mined Land Reclamation Board, the Colorado Coal Mine Board of Examiners and the Division of

Reclamation, Mining and Safety. These clients within DNR implement and enforce numerous statutorily created programs including regulation of reclamation of land that has been mined and regulation of oil and gas operations. The activities performed by attorneys in the Resource Conservation Unit include general legal advice to and representation of the Executive Director's Office and divisions, boards and commissions of DNR in administrative and judicial hearings, trials, and appeals; promulgation of rules and regulations; defense of litigation filed against the agencies (other than tort and personnel actions, in which case the Resource Conservation Unit attorneys may serve as "second chair" to attorneys in the Litigation Section or Employment Section, respectively); prosecution of enforcement actions; general advice and counsel in permitting; and advice on legislative proposals.

State and Trust Lands

The attorneys and legal assistants in the State and Trust Lands Unit provide legal assistance and representation to state officials and agencies within the Department of Natural Resources ("DNR"), including the Wildlife Commission and the Division of Wildlife, the Parks Board and the Division of Parks and Outdoor Recreation, the Colorado Geological Survey, and the State Board of Land Commissioners and its administrative staff.

Unlike most agencies, Wildlife, Parks and the State Land Board are essentially cash funded agencies that generate their own revenues to support their statutorily mandated responsibilities and mandated activities. Representation of these agencies is similar in many respects to representation of corporate business entities and, as such, raises issues frequently not presented by other state agencies.

Wildlife is a TABOR enterprise funded entirely by the sale of hunting and fishing license fee revenues, federal fish and wildlife funds, and funds made available to it by the GOCO Trust Fund. Parks receives a minor amount of general funds (15%) and is otherwise funded by the sale of parks passes and permits, federal park and recreation funds and funds made available to it by the GOCO Trust Fund. The State Land Board serves as the trustee for the lands granted the state in public trust to support K-12 education and its trust management activities are supported by revenues generated by the trust assets.

Hazardous & Solid Waste Unit

This Unit represents the Hazardous Materials & Waste Management Division of CDPHE ("HMWMD") regarding the storage, treatment and disposal of solid and hazardous waste. Advice includes civil and administrative law enforcement, regulatory matters and rule-makings, and transactional matters. The Unit ensures contaminated sites are promptly and thoroughly cleaned up by those responsible for the contamination, and pursues enforcement actions when appropriate. The Unit also advises HMWMD regarding EPA-lead CERCLA or "Superfund" cases and ensures that the State's "meaningful and substantial involvement" is incorporated into EPA's CERCLA response actions. Finally, the Unit provides legal advice to the Petroleum Storage Tank Committee, which oversees

reimbursement of cleanup costs that are covered under the Petroleum Storage Tank Fund (essentially a state insurance program). The Unit also provides legal advice to the Director of the Department of Labor's Division of Oil and Public Safety in connection with Explosives Permit appeals hearings.

II) PRIOR YEAR LEGISLATION

Most of these bills require the Section to provide legal assistance in promulgating new rules or amending existing rules to comply with the new statutory mandates.

HB 11-1290 under federal law, each state prepares a state implementation plan (SIP) to meet specific requirements of the national Clean Air Act. The SIP is submitted to the Environmental Protection Agency (EPA) for approval. This bill approves the most recent SIP revisions, and eliminates the automatic expiration of the rules contained in the plan that, under current law, would otherwise expire automatically on May 15, 2012.

SB 11-235 the bill creates a process to expedite air permitting in the Colorado Department of Public Health and Environment (CDPHE). To establish emissions for most air permit applications, the Air Pollution Control Division (APCD) will prequalify and retain several private-sector modeling contractors. Applicants may elect to use an approved modeling contractor to expedite permit review if the applicant agrees to pay for the contractor's and the APCD's costs.

HB 11 1026 The bill authorizes the Department of Public Health and Environment, Water Quality Control Division (WQCD), to designate one or more nonprofit storm water management system administrators to assist in compliance activities for the state's Colorado Discharge Permit System (CDPS), as part of the federally mandated National Pollutant Discharge Elimination System (NPDES).

HB 10 1365 is directed to a coordinated plan for air pollution emission reductions. The legislation provides incentives for replacing or repowering certain coal-burning power plants with natural gas, renewable energy or other resources. CDPHE and other state agencies have designated roles under the legislation. The legislation has already resulted in several administrative and judicial challenges.

HB 10 1329 provides for "tipping fees" on solid waste disposal. These tipping fees provide money for: 1) the Hazardous Substance Response Fund, in turn providing for the State's CERCLA matching funds, including long-term operations and maintenance of hazardous substance release sites. The HSRF lost \$32m to the General Fund in the State's efforts to balance the FY 10 budget. 2) CDPHE's Solid Waste program, regulating solid waste facilities and disposal. 3) the AGO's representation of the State's Natural Resources Trustees, who are the Directors of CDPHE and DNR, and the Attorney General. Natural Resources Trustees representation was previously funded by the General Fund. This bill provided caps on the tipping fees and transferred fee-setting

authority to the Solid & Hazardous Waste Commission. Rulemaking set for November 2010.

III) WORKLOAD MEASURES

Environmental Quality Unit

The attorneys in the Environmental Quality Unit provide general legal advice as well as representation in regulatory, administrative and judicial proceedings, enforcement actions, and legislative proposals. This includes representing clients in meetings, rule-making hearings, and adjudicatory hearings before (among other entities) the Air Pollution Control Division, Air Quality Control Commission, Water Quality Control Division, Water Quality Control Commission, the Water and Wastewater Facility Operators Certification Board, the Laboratory and Radiation Services Division, the Public Utilities Commission, the Board of Health, and various state and federal courts. As just one example, the attorneys prepare for and attend approximately thirty-six meetings of various boards and commissions annually.

The attorneys assist the air and water divisions in obtaining and maintaining delegation from the EPA to administer the state counterparts of corresponding federal environmental programs. They ensure that adoption, implementation and enforcement of the state's environmental programs are consistent with state and federal requirements, and defend any challenges to such programs. The attorneys are regularly involved in prominent issues of statewide importance, including such matters as clean streams, rivers and lakes, safe drinking water and clean air (including addressing ozone and regional haze).

The Unit's attorneys have a regular caseload of enforcement actions. The attorneys seek to ensure compliance with environmental programs through creative, non-punitive means, as well as through traditional enforcement methods. In addition to traditional cash penalties, the attorneys help to negotiate supplemental environmental projects, which can be used to reduce cash penalties and improve the environment.

In the regulatory arena, the attorneys help to draft and to negotiate clear, effective and efficient regulations and legislation on behalf of their clients. They review proposed legislation to ensure that it is consistent with existing laws and regulations.

In recent years the CDPHE has experienced an increase in workload relating to many of the state's environmental programs, including air quality, water quality, and radiation control. Such workload increases have included and will include large-scale rulemakings, such as oil and gas, ozone, regional haze and mercury regulations in the air arena. They also include new temperature and ammonia standards, new nutrient criteria and Whole Effluent Toxicity requirements, other permitting regulations, and oil and gas issues in the water arena. There has also been an increase in litigation (both in court and administrative) concerning challenges to CDPHE decisions, such as with respect to air

and water permits, radioactive materials licenses, Open Records Act issues, agency commission determinations, construction stormwater enforcement, water treatment plant site approvals, and drinking water disinfection revocations. This trend has required the DOL to spend additional time assisting the client to develop and defend its decision-making record. A recent increase in major federal environmental legislation and litigation, particularly in the air quality arena, will require additional legal resources as CDPHE makes changes to its corresponding state program.

Water Conservation Unit

The Water Conservation Unit assists the CWCB, Wildlife, Parks, State Land Board, Department of Transportation, Department of Corrections and Department of Education in acquiring, maintaining and protecting water rights. In order to meet expectations of the above goal, Unit personnel undertake the following: evaluate water rights portfolio and recommend and assist in implementing advisable actions; identify and resolve problems concerning existing water rights through stipulated settlements or litigation; pursue changes of water rights or applications for new water rights as directed by the client; protect clients water rights and access easements from 3rd parties; represent and assist client agencies in administrative proceedings and hearings and advise staff in preparing for such meetings; assist CWCB staff in developing and obtaining Controller approval of standard loan contract and revisions; assist CWCB staff in resolving issues related to loans and grants and in developing loan programs and procedures; provide comprehensive legislative history research for client agencies, and other complex legal research, including drafting legal memos and opinions; advise Parks staff regarding water and water rights acquisitions for new State parks; assess the quality and viability of prospective acquisitions, negotiate specific terms of purchase and negotiate and draft transactional documents; and advise Division of Wildlife staff regarding water and water rights acquisitions for Wildlife parks; and assess the quality and viability of prospective acquisitions, negotiate specific terms, negotiate and draft transactional documents, providing guidance through the due diligence process.

Water Resources Unit

As population increases, water users continue to place additional demands on Colorado's water supply. This trend has resulted in and will continue to result in a steadily increasing number of water rights applications for new water rights, changes of water rights, and plans for augmentation. In addition, as the water supply grows tighter, an escalating number of water users concerned about the effects of new water rights applications on existing water supply are filing statements of opposition to these new water rights applications, resulting in an increased number of complicated, difficult, expensive and time consuming water court litigations.

As the administrative agency responsible for administering new water rights and preventing new water rights applications from injuring existing water users, the primary client of the Water Resources Unit, the State Engineer's Office, has been and increasingly will be required to spend additional resources in these water court related

matters. Moreover, the State Engineer's Office's efforts to protect existing water rights from injury resulting from these applications continue to be met with more resistance from water rights applicants, requiring more complex and difficult negotiations. Accordingly, Assistant Attorneys General representing the State Engineer's Office will continue to be required to accept responsibility for a larger and more complex caseload.

There also has been over the past year an increased awareness of the affects of upon vested water rights of certain practices that historically have not been regulated by the State Engineer's Office. Specifically, the Supreme Court, in *Vance v. Wolfe*, recently ruled that produced water from Oil and Gas operations falls under the regulatory authority of the State Engineer. Moreover, the Supreme Court found that the State Engineer must permit Coal Bed Methane wells that produce water in the course of methane production. As a result of this decision, the State Engineer's Office adopted rules pursuant to which the State Engineer's Office will now regulate the operation of certain oil and gas wells that remove groundwater. There have been numerous legal challenges regarding this rulemaking requiring legal representation from the Attorney General's Office.

Attorneys are expected to demonstrate competency in all areas of water law sufficient to meet and exceed the demands of the State Engineer's Office. Each attorney will be required to participate in monthly meetings with the State Engineer's Office, at which meetings each Assistant Attorney General will be required to demonstrate mastery of the legal and technical issues raised by their respective assignments. In addition, each Assistant Attorney General will be required to develop specialized knowledge in one area of water law. Each Assistant Attorney General will demonstrate this mastery by preparing and presenting a Continuing Legal Education class regarding that area of law. The attorneys are responsible for supervising a caseload of at least 100 active matters and enforcing water rights matters for the seven Water Divisions.

Resource Conservation Unit

Attorneys in the Resource Conservation Unit represent the Division of Reclamation, Mining and Safety in administrative hearings held monthly before the Mined Land Reclamation Board. Attorneys advise and assist the Division in preparing for administrative hearings and represent the Division at prehearing conferences and at the hearings. These administrative hearings can range from small hearings with a few people involved to time consuming hearings in which numerous parties (operator, objectors, etc) and complex issues (water quality, legal right to enter) are involved. In addition, attorneys in this unit represent the Division in litigation. The attorneys also assist the Division in drafting proposed regulations for rulemaking hearings. Resource Conservation Unit attorneys also provide day-to-day verbal and written advice and representation to the Division on a variety of legal issues and matters. Cases range from simple legal questions to complex legal issues. In addition, attorneys in this unit act as legal advisor to the Oil and Gas Conservation Commission including in monthly administrative hearings.

Lastly the attorneys work with the Division and Commission to set priorities for legal services based on workload, need, and budget constraints. The average yearly number of matters for which legal services are provided by this Unit runs in the hundreds.

The Division of Reclamation, Mining and Safety continues to see a substantial increase in its need for legal advice especially concerning proposed molybdenum and uranium development. Such development will ultimately result in reclamation permit applications being filed with the Division and hearings being held on such applications before the Mined Land Reclamation Board.

The prospect of oil shale development may require advice and counsel on a number of legal issues, and attendance at numerous federal and state agency coordination meetings. A number of regulatory issues have arisen, and will likely continue to arise, in regard to uranium development. These regulatory issues have required and will continue to require legal advice and counsel. Given the increase in demand for molybdenum, the Division will likely see increased activity in mining of this mineral in addition to oil shale and uranium. Accordingly, there will be a parallel increased need for legal services.

As to the Oil and Gas Conservation Commission, the trend of issuing record breaking numbers of applications for permits to drill will most likely continue this year. In addition, continues to implement the regulations it adopted in 2008. In addition, several lawsuits have been filed against the Commission concerning these rules, the process for applications for permits to drill and other final agency actions by the Commission. Based on the rules, the litigations and the record breaking business of the OGCC, there is likely to be a continued increase in the Commission's need for legal services.

State and Trust Lands Unit

The attorneys in the State and Trusts Lands Unit are assigned to and act as general counsel to and work directly with their client agencies – the Wildlife Commission, the Parks Board and the State Land Board – to appropriately plan and meet the demand for legal services based on workload and budget constraints. Case loads for all client agencies continue to increase and generally exceed legal service budgets and attorneys work directly with their client agencies to establish priorities within those budgets. Due to the specialized nature of their client agencies, all of which are primarily revenue generating entities and not primarily regulatory in nature, legal services are provided by attorneys on a daily and otherwise on-going basis and not generally on an individual request basis. In many instances such services are provided informally in person or through telephone consultations. Assigned attorneys attend, represent and assist the Wildlife Commission, the Parks Board and the State Land Board in establishing policies and program direction during their monthly meetings and then assist the staff of the client agencies in their implementation of those policies and programs and general management of the revenue generating assets of the client agencies. The provision of legal services is given in a manner intended to avoid legal challenge to or litigation regarding the activities of the client agencies. However, any litigation that is filed is handled by the attorney assigned to representing the client agency in a timely and effective manner.

Hazardous & Solid Waste Unit

This Unit represents the HMWMD in a wide variety of civil matters. The Unit's attorneys promptly review draft administrative orders to ensure that they are within the client's authority to issue and enforce. Additionally, the Unit represents the related rule-making body, the Solid & Hazardous Waste Commission, and ensures it complies with applicable statutory and regulatory procedural requirements, and advises the Commission as needed. The Unit also handles civil and administrative litigation and assists the client in formulating litigation strategy, amassing evidence, preparing witnesses, and appearing in administrative, trial and appellate courts. The client leveled off from its recent trend of increasing litigation, especially relating to solid waste enforcement, although new legislative mandates and penalty authorities could reverse this trend. Attorneys in the Unit assist in hazardous and solid waste rulemakings; the Solid Waste Regulations will be completely revised and re-promulgated over the next several years.

Oil & gas drilling brine waste facilities continue to account for a disproportionate share of resources, requiring three civil actions and several unilateral orders as well as promulgation of a new section of the Solid Waste Regulations. This new section has been appealed by two of the facilities. Following our victory in District Court, they took the case up on appeal. Violations over the last several years have included forged laboratory reports, direct release of solid wastes to surface water bodies, failure to characterize contaminant plumes, unauthorized expansion, and refusal to pay applicable tipping fees.

Dry cleaning facilities are the fastest-growing clean up category; approximately half of all hazardous waste remediation sites in Colorado are current or former dry cleaners. The Unit is represented in a Work Group to develop a legislative proposal for a dry cleaner specific remediation fund.

Although usually prosecutorial, the HMWMD has found itself as a defendant in several matters. Five years ago, Adams County appealed a hazardous waste Permit and a radioactive materials License issued by HMWMD to Clean Harbors Dear Trail (CHDT); the five lawsuits stemming from the effort to allow CHDT to accept low-activity radioactive materials. The Unit also represents the Solid & Hazardous Waste Commission, which is a defendant in the suit against the new brine waste impoundment regulations noted above.

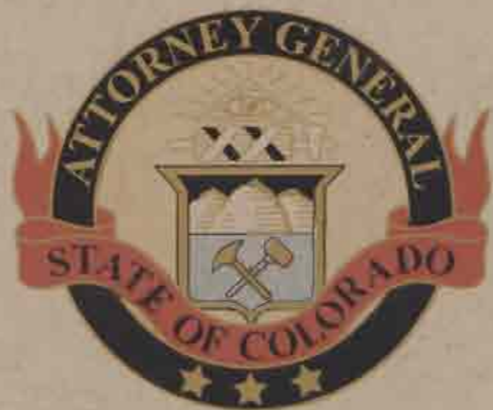
The first section of the report discusses the general situation of the country in 1961. It covers the political, economic, and social aspects of the country. The political situation is described as stable, with the government maintaining a firm grip on power. The economy is reported to be growing, with a focus on industrial development. Socially, the country is seen to be progressing, with improvements in education and healthcare.

The second section of the report details the government's policies and programs for the year. It highlights the government's commitment to economic growth and social development. Key programs mentioned include the expansion of the public sector, the promotion of private industry, and the implementation of social welfare schemes. The government also emphasizes the importance of maintaining law and order and promoting national unity.

The third section of the report provides a summary of the government's achievements in 1961. It notes the successful completion of several major projects, the achievement of economic targets, and the implementation of various social programs. The government is praised for its leadership and the progress made in the past year.

The final section of the report outlines the government's plans for the future. It discusses the government's vision for the country's development and the steps it will take to achieve its goals. The government is committed to continuing its efforts to improve the country's economy and social conditions, and to maintaining a stable and democratic political system.

Narrative
LSSA
Office of Consumer
Counsel Section



D) BACKGROUND INFORMATION: OFFICE OF CONSUMER COUNSEL SECTION.

This Unit provides full legal services to the Office of Consumer Counsel (“OCC”), a type 1 agency within the Colorado Department of Regulatory Agencies, and the Utility Consumers’ Board. By statute, the OCC is charged with representing the public interest and specific interests of residential, small business, and agricultural consumers in proceedings before the Colorado Public Utilities Commission (“PUC”). Such advocacy most often involves matters relating to proposed changes in electric, gas, and telephone utility rates and services. In addition, the Unit represents the OCC in federal regulatory proceedings affecting Colorado consumers’ rates and services. See Legal Services to State Agencies for Program Summary.

ID) PRIOR YEARS LEGISLATION

The Colorado Legislature in 2007, 2008, 2009, and 2010 passed the following legislation affecting energy and telecommunication regulation in Colorado:

SB 07-022, Concerning the Authority of the Public Utilities Commission to Consider the Needs of Low-Income Households When Setting Utility Rates for Energy;

HB 07-100, Concerning Measures to Ensure the Adequacy of Colorado’s Electric Transmission Infrastructure, and, in Connection Therewith, Requiring Utilities to Designate Energy Resource Zones and Authorizing Expedited Cost Recovery for the Construction of Transmission Facilities;

HB 07-1037, Concerning Measures to Promote Energy Efficiency, and Making an Appropriation Therefore;

HB 07-1281, Concerning Increased Renewable Energy Standards;

HB 08-1164, Concerning the Advancement of New Solar Energy Technologies;

HB08-1227, Concerning the Public Utilities Commission, and, in Connection therewith, Continuing the Public Utilities Commission under the Sunset Law;

HB09-1345, Concerning Integrated Planning for the Construction of Electric Transmission Facilities in Colorado;

SB09-051, Concerning Measures to Facilitate the Financing of Energy-Efficient Structures;

HB10-1001, Concerning the Installation of New Distributed Renewable Energy Generation Facilities in Colorado and Increasing the Target Percentages under the Electric Utility Portfolio Standard;

HB10-1365, Concerning Incentives for Electric Utilities to Reduce Air Emissions, and Requiring Plans to Achieve Such Reductions that Give Primary Consideration to Replacing or Repowering Coal Generation with Natural Gas and Also Considering Other Low-Emitting Resources.

III) HOT ISSUES (for the OCC)

Governor Ritter, in November 2007, issued his Colorado Climate Action Plan, A Strategy to Address Global Warming. As a result of the Governor's Climate Action Plan, the above referenced legislation, and the PUC's rulemaking dockets to implement the legislation, the OCC has been heavily involved in numerous proceedings involving these issues. The largest of these dockets was Public Service Company of Colorado's ("Public Service") 2007 Colorado Resource Plan which identified its electric resource needs through the year 2015. The PUC issued its Phase II Decision in February, 2010. The OCC appealed the PUC's Decision to Denver County District Court. On June 24, 2011, the Denver District Court, pursuant to a filing by the OCC, dismissed the OCC's appeal. Utility resource need filings are made every 4 years.

Public Service's electric resource needs for the 2007 Colorado Resource Plan were affected by the PUC's decisions in other dockets, which included Demand Side Management, Renewable Energy Resources, Interruptible Service Option Plan and various transmission plan applications. HB 07-1037 required the PUC to develop rules for natural gas and electric demand side management programs to develop natural gas and electric savings targets. Electric resource needs will be reduced by the implementation of these conservation measures. HB 07-1281 revised the electric resource standards by requiring electricity to be generated, for utilities under the PUC's jurisdiction, from eligible energy resources in the following amounts: 3% for the year 2007, 5% for the years 2008 through 2010, 10% for the years 2011 through 2014, 15% for the years 2015 through 2019 and 20% for the year 2020 and thereafter. (Municipal utilities and cooperative electric associations have smaller requirements.) The maximum retail rate impact to comply with these standards is 2% of the total electric bill annually for each customer. HB06-1281 (codified at 40-2-123) provides incentives for utilities to consider the use of "new clean energy and energy-efficient technologies" for its electric generation portfolio. For generation that qualifies as a 123 Resource, the utility is allowed to collect approved costs through a separate rate rider. SB09-051 encourages the installation of energy-efficient equipment such as solar panels. Even though HB10-1001 was not in effect during Public Service's 2007 Electric Resource Plan, it will have an effect in future proceedings. HB10-1001 further revised the electric resource standards by requiring 12% for the years 2011

through 2014, 20% for the years 2015 through 2019 and 30% for the year 2020 and thereafter. The 2007 proceedings involved all of the above referenced legislation, except for SB 07-022.

The 2011 resource plan filings will be made in October 2011 and the above-reference legislation, except for SB 07-022, will be involved in the filings.

Because of the rising energy costs, SB 07-022 was passed to assist low-income households who are having problems paying their utility bills. The first proposed pilot project to implement this legislation was filed in Public Service's 2008 natural gas rate case and approved by the PUC. The program became operational in January 2009. A similar pilot program for electric customers was filed in Public Service's 2009 electric rate case and was approved by the PUC. In 2011, as a result of this legislation, the PUC initiated a rulemaking proceeding regarding low-income assistance programs.

HB10-1365 is known as the "Clean Air-Clean Jobs Act". This bill required all rate-regulated electric utilities (Public Service and Black Hills/Colorado Electric Utility Company ("Black Hills")) to file at the PUC before August 15, 2010 its Emission Reduction Plan, which covers a minimum of 900 megawatts or 50 % of the utility's coal-fired electric generating units in Colorado, whichever is smaller. Each of the utility's plans had to be reviewed by the Department of Public Health and Environment prior to filing to determine if the plan or plans "meet the current and reasonably foreseeable requirements of the Federal Act ("Federal Clean air Act") and State law ("Colorado Air Pollution Prevention and Control Act") in a cost-effective manner." Filings were made by Public Service and Black Hills. Pursuant to HB 10-1365 the PUC issued its Decision in both proceedings on December 15, 2010. There are two district court appeals of the Public Service decision, one of which was filed by the OCC. Both appeals are still pending. Numerous PUC proceedings have been filed as a result of the PUC's decisions regarding fuel switching at various electric generating stations and the construction of new electric generating facilities.

HB08-1227 amended § 40-15-502(3)(b)(I), C.R.S. to eliminate the 13 year old "statutory rate cap" for telecommunication companies and stated new statutory language creating a Residential Basic Service "maximum price" cap. As a result of this legislation, Qwest Corporation ("Qwest") filed a rate case before the PUC to increase its residential basic local exchange rate. As a result of the PUC's decision, the OCC filed an appeal with the Denver District Court. On January 6, 2011, the Court reversed the Commission's Order and remanded the matter back to the PUC for further proceedings. Both Qwest and the PUC have filed an appeal with the Colorado Supreme Court, which case is still pending.

IV) WORKLOAD MEASURE (for the OCC)

Workload Measure	Unit	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Achieve customer savings that at least equal the OCC's annual appropriation		3118% \$46,453,935	1720% \$25,429,544	2928% (Based on a 3 year fiscal average)	
Percent of rate proceedings in which the OCC participated on behalf of consumers		100%	100%	100%	

OCC

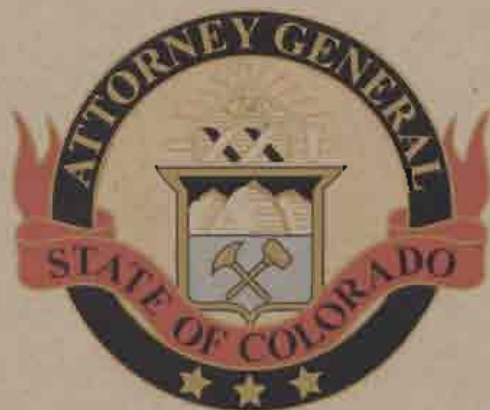
Performance Measure	Outcome	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Number of cases OCC participates	Benchmark	60	60	60	60
	Actual	76	55	60	

Strategy: The Office of Consumer Counsel ("OCC") unit represents the Office of Consumer Counsel and therefore represents residential, small commercial and agricultural customers before the Public Utilities Commission.

Evaluation of Prior Year Performance: Because the cases the OCC unit participates is based on the filings done by electric, natural gas and telephone utilities, the OCC has no control on the number of cases worked on. However, by reviewing the savings chart above, the OCC has saved utility customers millions of dollars.

Key Workload Indicators: The key workload factor is the amount of customer savings. The number can fluctuate each year because it depends on the number and type of cases filed by utilities. For example, there are potentially more savings in years that a utility or multiple utilities file rate cases.

FY 12-13 Reconciliation of Request LSSA



DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

(2) Legal Services to State Agencies

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Legal Services to State Agencies						
Personal Services						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$19,473,569	226.6	\$0	\$1,659,140	\$17,814,429	\$0
SB 11-76 PERA Bill	(\$451,303)		\$0	\$0	(\$451,303)	\$0
SB 11-88 Sunset Review Direct Entry Midwives	\$3,698	-	\$0	\$0	\$3,698	\$0
SB 11-91 Sunset Board Veterinary Medicine	\$3,962	-	\$0	\$0	\$3,962	\$0
SB 11-94 Sunset Optometric Board	\$3,962	-	\$0	\$0	\$3,962	\$0
SB 11-128 Child-only Health Insurance Plans	\$2,642	-	\$0	\$0	\$2,642	\$0
SB 11-169 Sunset Physical Therapy Board	\$34,997	0.3	\$0	\$0	\$34,997	\$0
SB 11-187 Sunset Mental Health Professionals	\$158,479	1.4	\$0	\$0	\$158,479	\$0
SB 11-251 Division of Fire Safety Duties	\$6,603	-	\$0	\$0	\$6,603	\$0
HB 11-1100 Military Experience License Certificate	\$31,036	0.4	\$0	\$0	\$31,036	\$0
HB 11-1121 Bar Felons from School Employment	\$9,905	-	\$0	\$0	\$9,905	\$0
HB 11-1195 Private Investigators Voluntary License	\$6,603	-	\$0	\$0	\$6,603	\$0
HB 11-1300 Conservation Easements	\$1,216,740	9.1	\$0	\$0	\$1,216,740	\$0
	\$0	-	\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$20,500,893	237.8	\$0	\$1,659,140	\$18,841,753	\$0
<i>SB 11-88 Sunset Review Direct Entry Midwives</i>	(\$3,698)	-	\$0	\$0	(\$3,698)	\$0
<i>SB 11-91 Sunset Board Veterinary Medicine</i>	(\$3,962)		\$0	\$0	(\$3,962)	\$0
<i>SB 11-94 Sunset Optometric Board</i>	(\$3,962)		\$0	\$0	(\$3,962)	\$0
<i>SB 11-128 Child-only Health Insurance Plans</i>	(\$2,642)	-	\$0	\$0	(\$2,642)	\$0
<i>SB 11-169 Sunset Physical Therapy Board</i>	(\$22,672)	(0.2)	\$0	\$0	(\$22,672)	\$0
<i>SB 11-187 Sunset Mental Health Professionals</i>	(\$99,049)	(0.9)	\$0	\$0	(\$99,049)	\$0
<i>SB 11-251 Division of Fire Safety Duties</i>	(\$3,301)	-	\$0	\$0	(\$3,301)	\$0
<i>HB 11-1100 Military Experience License Certificate</i>	(\$31,036)	(0.4)	\$0	\$0	(\$31,036)	\$0
<i>HB 11-1121 Bar Felons from School Employment</i>	\$0	-	\$0	\$0	\$0	\$0
<i>HB 11-1195 Private Investigators Voluntary License</i>	(\$3,296)	-	\$0	\$0	(\$3,296)	\$0

DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

(2) Legal Services to State Agencies

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<i>HB 11-1300 Conservation Easements</i>	\$24,489	0.2	\$0	\$0	\$24,489	\$0
Add back in SB 11-76 PERA Bill	\$451,303		\$0		\$451,303	
Prior Year Performance-based Pay	\$0	0.0	\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$20,803,068	236.5	\$0	\$1,659,140	\$19,143,928	\$0
Fund adjustment to accommodate CF FY 11 actual revenues	\$0		\$0	\$12,822	(12,822)	\$0
Deputy Attorney General Decision Item	\$149,590	1.0	\$0	\$0	\$149,590	\$0
NP Governor's Energy Office Legal Services	\$59,281	0.5			\$59,281	
NP OIT Legal Services	\$31,500	0.3			\$31,500	
FY 12-13 November 1 Request	\$21,043,439	238.3	\$0	\$1,671,962	\$19,371,477	\$0
Operating Expenses						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$1,479,444	0.0	\$0	\$0	\$1,479,444	\$0
SB 11-88 Sunset Review Direct Entry Midwives	\$411	-	\$0	\$0	\$411	\$0
SB 11-91 Sunset Board Veterinary Medicine	\$440	-	\$0	\$0	\$440	\$0
SB 11-94 Sunset Optometric Board	\$440	-	\$0	\$0	\$440	\$0
SB 11-128 Child-only Health Insurance Plans	\$293	-	\$0	\$0	\$293	\$0
SB 11-169 Sunset Physical Therapy Board	\$3,889	-	\$0	\$0	\$3,889	\$0
SB 11-187 Sunset Mental Health Professionals	\$17,609	-	\$0	\$0	\$17,609	\$0
SB 11-251 Division of Fire Safety Duties	\$734	-	\$0	\$0	\$734	\$0
HB 11-1100 Military Experience License Certificate	\$3,448	-	\$0	\$0	\$3,448	\$0
HB 11-1121 Bar Felons from School Employment	\$1,100	-	\$0	\$0	\$1,100	\$0
HB 11-1195 Private Investigators Voluntary License	\$734	-	\$0	\$0	\$734	\$0
HB 11-1300 Conservation Easements	\$135,193	-	\$0	\$0	\$135,193	\$0
	0					
FY 2011-12 Total Appropriation	\$1,643,735	0.0	\$0	\$0	\$1,643,735	\$0

DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

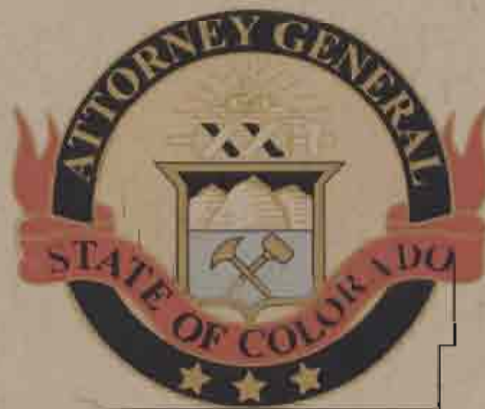
(2) Legal Services to State Agencies

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
<i>SB 11-88 Sunset Review Direct Entry Midwives</i>	(\$411)	-	\$0	\$0	(\$411)	\$0
<i>SB 11-91 Sunset Board Veterinary Medicine</i>	(\$440)	-	\$0	\$0	(\$440)	\$0
<i>SB 11-94 Sunset Optometric Board</i>	(\$440)	-	\$0	\$0	(\$440)	\$0
<i>SB 11-128 Child-only Health Insurance Plans</i>	(\$293)	-	\$0	\$0	(\$293)	\$0
<i>SB 11-169 Sunset Physical Therapy Board</i>	(\$2,519)	-	\$0	\$0	(\$2,519)	\$0
<i>SB 11-187 Sunset Mental Health Professionals</i>	(\$11,006)	-	\$0	\$0	(\$11,006)	\$0
<i>SB 11-251 Division of Fire Safety Duties</i>	(\$367)	-	\$0	\$0	(\$367)	\$0
<i>HB 11-1100 Military Experience License Certificate</i>	(\$3,448)	-	\$0	\$0	(\$3,448)	\$0
<i>HB 11-1121 Bar Felons from School Employment</i>	\$0	-	\$0	\$0	\$0	\$0
<i>HB 11-1195 Private Investigators Voluntary License</i>	(\$366)	-	\$0	\$0	(\$366)	\$0
<i>HB 11-1300 Conservation Easements</i>	\$7,687	-	\$0	\$0	\$7,687	\$0
FY 12-13 Base Request	\$1,632,132	0.0	\$0	\$0	\$1,632,132	\$0
Deputy Attorney General Decision Item	\$7,832				\$7,832	
NP Governor's Energy Office Legal Services	\$6,587				\$6,587	
NP OIT Legal Services	\$3,500				\$3,500	
FY 2012-13 November 1st Request	\$1,650,051		\$0	\$0	\$1,650,051	\$0
Indirect Costs						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$2,809,499	0.0	\$0	\$0	\$2,809,499	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2010-11 Total Appropriation	\$2,809,499	\$0	\$0	\$0	\$2,809,499	\$0
FY 11-12 Base Request	\$2,809,499	0.0	\$0	\$0	\$2,809,499	\$0
	\$125,571				\$125,571	
FY 2012-13 November 1st Request	\$2,935,070	0.0	\$0	\$0	\$2,935,070	\$0

DEPARTMENT OF LAW**FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST****(2) Legal Services to State Agenices**

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
(2) Legal Services to State Agenices						
FY 2011-12 Appropriation(Long Bill plus Special Bills)	\$24,954,127	237.8	\$0	\$1,659,140	\$23,294,987	\$0
FY 2012-13 Base Request	\$25,244,699	236.5	\$0	\$1,659,140	\$23,585,559	\$0
FY 2012-13 November 1 Request	\$25,628,560	238.3	\$0	\$1,671,962	\$23,956,598	\$0

FY 12-13
Budget
Schedules 2, 3 and 4
LSSA



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 10		Actual FY 11		Approp. FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
PERSONAL SERVICES	19,757,992	212.7	20,518,789	218.0	20,500,893	237.8	22,677,664	237.8	21,043,439	238.3
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Fund	1,659,140		1,582,388		1,659,140		1,659,140		1,671,962	
Reappropriated Funds	18,098,852		18,936,401		18,841,753		21,018,524		19,371,477	
OPERATING EXPENSES	2,109,797		2,113,222		1,643,735		2,894,345		1,650,051	
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Fund	-		-		-		-		-	
Reappropriated Funds	2,109,797		2,113,222		1,643,735		2,894,345		1,650,051	
INDIRECT COST ASSESSMENT	2,665,207		2,608,316		2,809,499		2,809,499		2,935,070	
General Fund	-		-		-		-		-	
Cash Fund	-		-		-		-		-	
Reappropriated Funds	2,665,207		2,608,316		2,809,499		2,809,499		2,935,070	
GRAND TOTAL	24,532,997	212.7	25,240,327	218.0	24,954,127	237.8	28,381,508	237.8	25,628,560	238.3
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	1,659,140		1,582,388		1,659,140		1,659,140		1,671,962	
Reappropriated Funds	22,873,857		23,657,939		23,294,987		26,722,368		23,956,598	
Federal Funds	-		-		-		-		-	

SCHEDULE 3 - PERSONAL SERVICES PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 10		Actual FY 11		Approp. FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
Deputy Attorney General	496,872	4.0	468,340	3.8			498,912	4.0	498,912	4.0
Assistant Deputy Attorney General	135,528	1.0	135,528	1.0			135,528	1.0	135,528	1.0
First Assistant Attorney General	2,437,248	24.0	2,460,212	24.1			2,509,920	25.0	2,509,920	25.0
Senior Assistant Attorney General	3,533,133	40.0	3,407,329	37.7			3,823,478	42.0	3,823,478	42.0
Assistant Attorney General	6,584,191	90.1	7,124,732	97.0			6,961,112	95.7	6,961,112	95.7
Assistant Attorney General II										
Assistant Attorney General I										
Attorney I										
Legal Assistant II	1,869,094	32.5	1,916,311	32.5			1,968,579	34.0	1,968,579	34.0
Legal Assistant I	55,068	1.0	69,064	1.3			60,398	1.2	60,398	1.2
Program Assistant I							41,400	1.0	41,400	1.0
Office Manager I	209,129	4.0	211,836	4.0			215,868	4.0	215,868	4.0
General Professional V	47,202	0.5	40,908	0.4			37,762	0.4	37,762	0.4
Temporary Aide			1,680	0.1						
IT Tech II							14,310	0.3	14,310	0.3
Administrative Assistant I			22,923	0.7			31,800	1.0	31,800	1.0
Administrative Assistant III	263,382	7.0	239,684	6.3			310,608	8.0	310,608	8.0
Administrative Assistant II	296,499	8.4	332,922	9.2			346,374	9.0	346,374	9.0
TOTAL POSITION DETAIL	15,944,564	212.7	16,431,469	218.0			16,956,049	226.6	16,956,049	226.6

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 10		Actual FY 11		Approp. FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
General Fund Exempt										
Cash Funds	1,659,140		1,582,388				1,659,140		1,671,962	
Reappropriated Funds	18,098,852		18,936,401				21,018,524		19,131,106	
(I.F.) DIFFERENCE= II-I.E.										
(I.G.) REQUEST YEAR DECISION ITEMS										
General Fund										
Cash Funds										
Reappropriated Funds										
Dec Item # Deputy AG DI									149,590	1.0
General Fund									-	
Cash Funds									-	
Reappropriated Funds									149,590	1.0
NP DI OIT Legal Services									31,500	0.3
Reappropriated Fund									31,500	0.3
NP DI Governor's Energy Office Legal Services									59,281	0.5
Reappropriated Fund									59,281	0.5
Cash Funds Exempt									-	
Cash Funds Exempt									-	
Dec Item #									-	-
Cash Funds									-	
Cash Funds Exempt									-	0.0
Cash Funds Exempt										
ROLLFORWARDS	-		-				-			
General Fund Exempt	-		-				-			
Reappropriated Funds	-		-				-			
Projected Spending Authority Shortfall							-			

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Reappropriated Funds							-			
PERSONAL SERVICES TOTAL	19,757,992	212.7	20,518,789	218.0	20,952,196	237.8	22,677,664	237.8	21,043,439	238.3
General Fund										
General Fund Exempt	-		-		-		-			
Cash Funds	1,659,140		1,582,388		1,659,140		1,659,140		1,671,962	
Reappropriated Funds	18,098,852		18,936,401		19,293,056		21,018,524		19,371,477	
Federal Funds										
II. PERSONAL SERVICES REQUEST (AGGREGATE ADJUSTMENTS TO THE BASE APPROPRIATION)										
Previous Year Long Bill									19,022,266	226.6
NP Governor's Energy Office Legal Services									59,281	0.5
NP OIT Legal Services									31,500	0.3
DI: Deputy Attorney General									149,590	1.0
\$76,752 RF to CF switch										
SPECIAL BILLS:										
Salary Survey-Classified									-	-
PBP Classified									-	-
Salary Survey Exempt									-	-
PBP -Exempt									-	-
Annualization of Special Bills									1,329,499	9.9
PERA Adjustment back to 10.15%									451,303	
Subtotal -									21,043,439	238.3
PERSONAL SERVICES RECONCILIATION										
Long Bill Appropriation	18,241,775	217.5	18,687,929	223.6			19,473,569	226.6		
Supplemental HB10-1305	218,152	1.9								
Supplemental SB11-144			806,828	6.2						
Special Bills -										
SB 11-76 PERA Bill					(451,303)		(451,303)			
SB 11-88 Sunset Review Direct Entry Midwives							3,698			
SB 11-91 Sunset Board Veterinary Medicine							3,962			
SB 11-94 Sunset Optometric Board							3,962			
SB 11-128 Child-only Health Insurance Plans							2,642			
SB 11-169 Sunset Physical Therapy Board							34,997	0.3		
SB 11-187 Sunset Mental Health Professionals							158,479	1.4		
SB 11-251 Division of Fire Safety Duties							6,603			
HB 11-1100 Military Experience License Certificate							31,036	0.4		
HB 11-1121 Bar Felons from School Employment							9,905			

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
HB 11-1195 Private Investigators Voluntary License							6,603	-		
HB 11-1300 Conservation Easements							1,216,740	9.1		
SB 10-072 Seed Potato Act			815	0						
SB 10-109 Phys Patient relationship Med. Mar			551,217	4.5						
SB 10-124 Healthcare provider disclose info			6,784	-						
SB 10-203 CO Elections After Supreme Court			4,069	-						
HB 10-1018 Regulate Waste Tire			13,568	0.2						
HB 10-1125 Regulate waste food preparation			6,784	-						
HB 10-1128 Supervision of Reg. Professional			(8,819)	-						
HB 10-1141 Mort. Co. Reg. with Div Real Estate			5,766	-						
HB 10-1148 Ren License to Practice Architecture			(11,307)	-						
HB 10-1176 Gov Overpayment of Tax Dollars			1,800	-						
HB 10-1193 Collect sales/use tax			36,000	-						
HB 10-1224 Colorado Podiatry Board			2,035	-						
HB 10-1260 Sunset Board of Med Examiners			15,536	0.1						
HB 10-1278 CO Common Interest Ownership			15,679	0.1						
HB 10-1284 Regulate Medical Marijuana			244,231	2.0						
HB 10-1365 PUC reduce air emissions			11,737	0.1						
HB 10-1415 Reg. of assiss for surgeons			3,769	0						
<i>HB09-1188 modified Skolnik Medical Transparency</i>										
SB 09-026 Athletic Trainers	21,779	0.2								
SB 09-123 Pilot prog to reduce dropout rate	751	-								
SB 09-138 Certification of Nurse Aids	3,755	-								
SB 09-163 Education Accountability	7,135	-								
SB 09-167 Regulation of Chiropractors	4,882	-								
SB 09-239 Regulation of Nurses	33,795	0.2								
HB 09-1086 Renewal of lic. For Social Workers	30,000	0.2								
HB 09-1136 Renewal of lic. of Electricians	11,265	0.1								
HB 09-1173 Enforcement of Tobacco Laws	7,510	0.1								
HB 09-1202 Regulation for funeral Est.	24,783	0.2								
HB 09-1319 Repeals enrollment in Pub Sch	10,139	-								
SB 10-065 Dept of Education	3,004									
Roll Forward from Previous FY										
Roll Forward to Subsequent FY										
Year End Transfers										
Overexpenditures (Reversions)										
Lapsed Appropriation Cash Funds										
Lapsed Appropriation Cash Funds Exempt										
Lapsed Appropriation Reappropriated Funds	(543,693)	(7.7)	(1,745,369)	(18.8)						

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Other										
Allocated POTS										
Salary POTS			-				-			
Health/Life/Dental	1,136,254		1,197,340				1,341,104			
Short Term Disability	19,985		23,981				28,297			
SB 04.257 A.E.D.	324,136		374,987				447,651			
SB 06.235 S.A.E.D.	202,585		273,429				359,719			
Pots Subtotal	1,682,960		1,869,737				2,176,771			
Reconciled Total	19,757,992	212.7	20,518,789	218.0			22,677,664	237.8		
II. PERSONAL SERVICES REQUEST TOTAL	19,757,992	212.7	20,518,789	218.0	20,500,893	237.8	22,677,664	237.8	21,043,439	238.3
General Fund	-		-		-		-			
General Fund Exempt	-		-		-		-			
Cash Funds	1,659,140		1,582,388		1,659,140		1,659,140		1,671,962	
Reappropriated Funds	18,098,852		18,936,401		18,841,753		21,018,524		19,371,477	
Federal Funds	-		-		-		-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Purchased Services - Litigation	100,522		86,367				254,942		254,942	
2170 Waste Disposal Services	4,423		5,451				4,800		4,800	
2220 Building Grounds Maintenance	14,983		24,554				15,500		15,500	
2230 Equipment Contract Maintenance	1,472		9,710				1,500		1,500	
2231 ADP Equip Maint/Repair Services	24,700		33,087				19,850		19,850	
2232 Software Upgrades	189,628		184,804				185,026		185,026	
2240 Motor Vehicle Repair/Maintenance	-		-				-		-	
2251 Rental/Lease Motor Pool Veh	18,902		21,679				21,250		21,250	
2252 Leased Vehicle - Variable	14,108		20,163				22,520		22,520	
2253 Rental of Equipment	206		218				217		217	
2254 Rental of Motor Vehicles	-		-				-		-	
2255 Rental of Building	728,073		714,125				-		-	
2258 Parking	9,597		7,670				9,850		9,850	
2259 Parking Fee Reimbursement	-		85				-		-	
2510 In State Travel	445		331				1,000		1,000	
2511 IS Common Carrier Fares	1,582		2,448				850		850	
2512 IS Personal Travel Per Diem	6,474		9,739				8,544		8,544	
2513 IS Pers Vehicle Reimbursement	1,096		965				1,245		1,245	
2514 IS State Owned Aircraft	-		-				-		-	
2515 State-Owned Vehicle Charge	-		-				-		-	
2520 IS Travel Non Employee	47		-				-		-	
2521 IS Common Carrier Non Employee	-		-				-		-	
2522 IS Non Employee Per Diem	-		-				-		-	
2523 IS Non Employee Per Veh Reimburse	25		-				-		-	
2530 Out of State Travel	553		117				650		650	
2531 OS Common Carrier Fares	2,739		1,354				3,310		3,310	
2532 OS Personal Travel Per Diem	3,897		1,267				4,200		4,200	
2533 OS Pers Vehicle Reimbursement	0		343				-		-	
2550 Out of Country Travel	18		-				-		-	
2552 OC Per Diem	65		-				-		-	
2610 Advertising	524		131				-		-	
2611 Public Relations	0		-				-		-	
2630 Comm Service Div of Telecom	129,208		137,387				150,200		150,200	
2631 Comm Svcs from Outside Sources	4,961		5,985				7,456		7,456	
2640 GGCC Billing Purch Services	0		-				-		-	
2641 Other ADP Billing	254,242		237,350				287,255		287,255	
2650 OIT Purchased Svcs			96							
2660 Insurance	27,858		28,206				29,500		29,500	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law
LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 10		Actual FY 11		Approp. FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2680 Contract Printing	74,813		69,758				79,888		79,888	
2681 Photocopy Reimbursement	-		-				-		-	
2810 Freight & Storage	0		-				-		-	
2820 Other Purchased Services	9,934		12,056				25,116		25,116	
2830 Office Moving-Pur Services	-		-				-		-	
2831 Storage-Purchase Services	-		195				-		-	
3110 Other Supplies and Materials	-		-				-		-	
3112 Automotive Supplies	-		-				-		-	
3113 Clothing and Uniform Allowance	-		-				-		-	
3114 Custodial	-		-				-		-	
3115 DP Supplies	24,121		12,200				29,850		29,850	
3116 Purchased/Leased Software	4,719		22,805				16,500		16,500	
3117 Educational	3,250		-				2,800		2,800	
3118 Food and Food Service Supplies	-		-				-		-	
3120 Books & Subscriptions	34,218		42,457				55,452		55,452	
3121 Office Supplies	37,698		44,066				45,245		45,245	
3122 Microfilming/Photo. Supplies	-		-				-		-	
3123 Postage	29,262		26,999				32,233		32,233	
3124 Printing	-		-				-		-	
3126 Repair & Maintenance Supplies	-		-				-		-	
3128 Non-Capitalized Equipment	3,170		1,949				-		-	
3131 Non-Capitalized Building Materials	88,714		43,769				55,400		55,400	
3132 Non Capitalized IT Purchases	6,100		13,908				-		-	
3139 Non - Capitalized Fixed Asset Other	-		500				-		-	
3140 Non-Capitalized IT - PC's	107,140		39,324				-		-	
3141 Non-Capitalized IT- Servers	10,217		21,019				-		-	
3143 Non-Capitalized IT Other	37,043		25,533				-		-	
3146 Non-Cap. IT Purch. Server Software	-		21,224				-		-	
3940 Electricity	-		-				-		-	
3950 Gasoline	-		-				-		-	
3970 Natural Gas	-		-				-		-	
4110 Losses	-		-				-		-	
4111 Prizes and Awards	294		1,835				-		-	
4117 Reportable Claims Against the State	-		-				-		-	
4140 Dues & Memberships	35,270		67,617				35,270		35,270	
4151 Interest - Late Payments	-		72				-		-	
4170 Miscellaneous Fees	-		-				-		-	
4180 Official Functions	1,041		4,251				1,525		1,525	
4220 Registration Fees	62,448		21,501				61,500		61,500	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 10		Actual FY 11		Approved FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
4221 Other Educational - W2 RPT	-		-						-	
6140 Leasehold Improv - Direct Purch	-		-						-	
6210 ADP Equipment	-		-						-	
6212 IT Servers - Direct Purchase	-		39,286						-	
6214 IT Other Direct Purchase	-		23,515						-	
6220 Office Furn & Equip	-		-				9,000		9,000	
6224 Other Furn & Fixtures- Direct Purch.	-		-						-	
6480 Other Cap. Equipment-Lease Furn	-		-						-	
6340 Leasehold Improvements	-		-						-	
OPERATING EXPENSE SUBTOTAL	2,109,797		2,089,472		1,479,444		1,479,444		1,479,444	
General Fund										
General Fund Exempt										
Cash Funds	-		-							
Reappropriated Funds	2,109,797		2,089,472		1,479,444		1,479,444		1,479,444	
DECISION ITEMS: Deputy Attorney General										
TF									7,832	
General Fund										
Cash Funds										
Reappropriated									7,832	
DECISION ITEMS: NP OIT Legal Services										
TF									3,500	
Reappropriated									3,500	
DECISION ITEMS: NP Gov Energy Office Legal Services										
TF									6,587	
RF									6,587	
ROLLFORWARDS			23,750						-	
General Funds Exempt			-						-	
Reappropriated Funds			23,750						-	
SPECIAL BILLS										
SB 11-88 Sunset Review Direct Entry Midwives					411		411		411	
SB 11-91 Sunset Board Veterinary Medicine					440		440		440	
SB 11-94 Sunset Optometric Board					440		440		440	
SB 11-128 Child-only Health Insurance Plans					293		293		293	
SB 11-169 Sunset Physical Therapy Board					3,889		3,889		3,889	
SB 11-187 Sunset Mental Health Professionals					17,609		17,609		17,609	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
SB 11-251 Division of Fire Safety Duties					734		734		734	
HB 11-1100 Military Experience License Certificate					3,448		3,448		3,448	
HB 11-1121 Bar Felons from School Employment					1,100		1,100		1,100	
HB 11-1195 Private Investigators Voluntary License					734		734		734	
HB 11-1300 Conservation Easements					135,193		135,193		135,193	
Subtotal:	-		23,750		164,291		164,291		164,291	
<i>Reappropriated Funds</i>	-		23,750		164,291		164,291		164,291	
Potted Operating Expenses										
Workers' Compensation							37,418			
Leased Vehicle Expense							20,024			
Capital Complex Lease Space							718,796			
Lease Space							18,857			
IT Asset Maintenance							321,177			
ADP Capital Outlay										
CLE Registration Fees							64,125			
Building Security							70,213			
Total							1,250,610			
Reappropriated Funds							1,250,610			
Annualization of Legislation										
SB 11-88 Sunset Review Direct Entry Midwives							-		(411)	
SB 11-91 Sunset Board Veterinary Medicine									(440)	
SB 11-94 Sunset Optometric Board									(440)	
SB 11-128 Child-only Health Insurance Plans							-		(293)	
SB 11-169 Sunset Physical Therapy Board							-		(2,519)	
SB 11-187 Sunset Mental Health Professionals									(11,006)	
SB 11-251 Division of Fire Safety Duties									(367)	
HB 11-1100 Military Experience License Certificate									(3,448)	
HB 11-1121 Bar Felons from School Employment									-	
HB 11-1195 Private Investigators Voluntary License									(366)	
HB 11-1300 Conservation Easements									7,687	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 10		Actual FY 11		Actual FY 12		Budget FY 13		Budget FY 14		
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	
Subtotal: <i>Reappropriated Funds</i>											
									(11,603)		
									(11,603)		
OPERATING EXPENSE TOTAL:	2,109,797		2,113,222		1,643,735		2,894,345		1,650,051		
General Fund							-		-		
General Fund Exempt							-		-		
Cash Funds	-		-				-		-		
Reappropriated Funds	2,109,797		2,113,222		1,643,735		2,894,345		1,650,051		
Operating Expense Reconciliation											
Long Bill Appropriation	1,354,987		1,445,134				1,479,444				
Supplemental HB10-1305	42,024										
Supplemental SB11-144			103,670								
Supplemental HB 10-1313 Reg Agencies	(3,755)										
Special Bills -											
SB 10-072 Seed Potato Act			90								
SB 10-109 Phys Patient relationship Med. Mar			61,246								
SB 10-124 Healthcare provider disclose info			754								
SB 10-203 CO Elections After Supreme Court			453								
HB 10-1018 Regulate Waste Tire			1,508								
HB 10-1125 Regulate waste food preparation			754								
HB 10-1128 Supervision of Reg. Professional			(980)								
HB 10-1141 Mort. Co. Reg. with Div Real Estate			641								
HB 10-1176 Gov Overpayment of Tax Dollars			200								
HB 10-1193 Collect sales/use tax			4,000								
HB 10-1224 Colorado Podiatry Board			226								
HB 10-1260 Sunset Board of Med Examiners			1,726								
HB 10-1284 Regulate Medical Marijuana			27,137								
HB 10-1365 PUC reduce air emissions			1,304								
SB 11-88 Sunset Review Direct Entry Midwives							411				
SB 11-91 Sunset Board Veterinary Medicine							440				
SB 11-94 Sunset Optometric Board							440				

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law
LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
SB 11-128 Child-only Health Insurance Plans							293			
SB 11-169 Sunset Physical Therapy Board							3,889			
SB 11-187 Sunset Mental Health Professionals							17,609			
SB 11-251 Division of Fire Safety Duties							734			
HB 11-1100 Military Experience License Certificate							3,448			
HB 11-1121 Bar Felons from School Employment							1,100			
HB 11-1195 Private Investigators Voluntary License							734			
HB 11-1300 Conservation Easements							135,193			
Allocated POTS:										
Vehicle Lease Payments	19,681		20,389				20,024			
Capital Complex Lease Space	709,085		694,715				718,796			
Lease Space	23,374		18,857				18,857			
Worker's Compensation	28,285		28,206				37,418			
IT Asset Maintenance	321,177		321,177				321,177			
Building Security	94,503		67,055				70,213			
Postage Increase										
ADP Capital Outlay										
CLE Registration Fees	64,124		64,125				64,125			
Year-End Transfer										
Rollforward from previous FY										
Rollforward to Subsequent FY	(23,750)		23,750							
Overexpenditure/(Reversion)										
Lapsed Appropriation Cash Funds Exempt										
Lapsed Appropriation Reappropriated Fund	(519,938)		(772,915)							
Other										
TOTAL	2,109,797		2,113,222				2,894,345			
OPERATING AND LITIGATION:									1,650,051	
General Fund									-	
Cash Funds									-	
Reappropriated									1,650,051	
INDIRECT COST ASSESSMENT	2,665,207		2,608,316			2,809,499	2,809,499		2,935,070	
General Fund										
Cash Funds										
Reappropriated Funds	2,665,207		2,608,316			2,809,499	2,809,499		2,935,070	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
INDIRECT COST ASSESSMENT TOTAL	2,665,207		2,608,316		2,809,499		2,809,499		2,935,070	
General Fund										
Cash Funds										
Reappropriated Funds	2,665,207		2,608,316		2,809,499		2,809,499		2,935,070	
Indirect Cost Assess. Reconciliation										
Long Bill Appropriation	2,697,806		2,608,316				2,809,499			
Lapsed Appropriation Reappropriated Fund	(32,599)		-							
Other										
TOTAL	2,665,207		2,608,316				2,809,499			
GRAND TOTALS LSSA (PS, OP, IND)	24,532,997	212.7	25,240,327	218.0	24,954,127	237.8	28,381,508	237.8	25,628,560	238.3
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	1,659,140		1,582,388		1,659,140		1,659,140		1,671,962	
Reappropriated Funds	22,873,857		23,657,939		23,294,987		26,722,368		23,956,598	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 2011	Actual FY 2012	Approved FY 2012	Estimate FY 2012	Request FY 2013
Schedule 3 Total	24,532,997	25,240,327	24,954,127	28,381,508	25,628,560
General Fund	-	-	-	-	-
General Fund Exempt	-	-	-	-	-
Cash Funds	1,659,140	1,582,388	1,659,140	1,659,140	1,671,962
Reappropriated Funds	22,873,857	23,657,939	23,294,987	26,722,368	23,956,598
Federal Funds	-	-	-	-	-
CASH FUNDS					
Various Sources of Cash				1,659,140	1,671,962
Fringe Benefits					
AIDT Receiversip and Liquidation	25,089	5,134			
Florence State Nursing Home	10,481	192			
Trinidad State Nursing Home	559	23,809			
Colo State VA Center-Homelake	5,024	1,171			
Rifle State Nursing Home	25,512				
Service Director of Nursing Homes	187	176			
PERA	2,206	115			
Colorado Student Loan Program	19,791	9,436			
Student Obligation Bond Authority					
Correctional Industries	8,908	6,864			
Auraria Higher Education Ctr-Tabor Enterp	78				
CU Health Sciences Center	9,505	2,329			
Revenue - Lottery	13,640	11,615			
Division of Wildlife-Enterprise	572,086	598,742			
Cumbres & Toltec RR	39				
Colo School Dist Self Insurance PL	3,155				
Disability Insurance Trust	27,535	17,822			
SVC-State VA Center - Fitzsimons	25,889	51,935			
AHEC	57,841	64,821			
State Board of Agriculture	82,138	68,675			
DOAG/Brand BD	3,170	6,871			
School of Mines	190,483	315,866			
UNC	29,914	12,636			
Adams State College	141,079	141,486			
Metro State College	57,007	31,156			

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual	Actual	Approp	Estimate	Request
	FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Mesa State College	45,635	45,724			
Western State College	52,620	26,575			
Ft. Lewis College	85,323	83,601			
CCCOES	62,358	35,894			
Private VOC School	66,911	48,425			
CU Boulder	6,212	826			
CSU-Global Campus	2,823				
White River Conserv		336			
Authorities - State Comp.					
Student Loan	4,042	3,062			
DOLE Petroleum storage tank	21,904	56,666			
Reversion of Excess Earnings to G/F (CF)		(89,574)			
Subtotal Cash Funds	1,659,140	1,582,388		1,659,140	1,671,962
REAPPROPRIATED FUNDS					
Various Sources of Cash Exempt Administration				26,722,368	23,956,598
Agriculture	292,034	263,014			
Colorado Horse Development Authority					
Corrections	1,392,644	1,069,055			
Education	345,494	296,578			
Governor's Office	431,223	994,893			
Governor's Office - OIT					
Energy Conservation	56,442	97,369			
Public Health and Environment	2,131,732	2,021,469			
Higher Education	8,362	5,643			
HE - Comp Resort Auth	117	115			
Arts and Humanities Council					
Historical Society	62,460	53,259			
Health Care Policy and Financing	753,052	801,945			
Human Services	1,482,484	1,332,185			
Judicial	185,579	126,825			
Law - HIPAA	3,538				
Law - POST	4,663	12,676			
General Assembly (GA)	8,296	7,164			

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

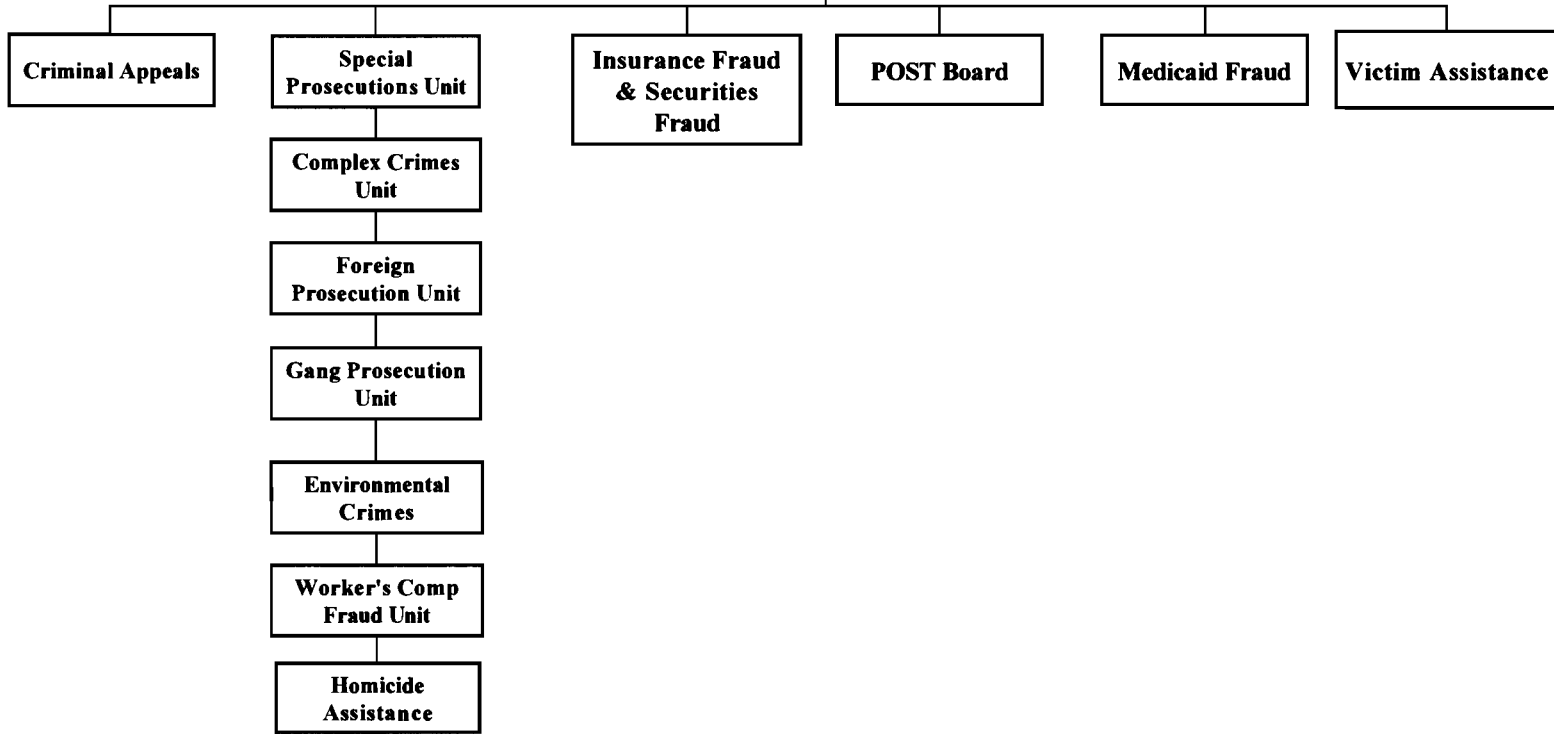
Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 2010	Actual FY 2011	Approp. FY 2012	Balance FY 2012	Request FY 2013
Labor & Employment	589,915	592,652			
Local Affairs	146,356	124,663			
Military Affairs	9,631	38,301			
Natural Resources	2,688,053	2,684,640			
Personnel	269,622	223,604			
Risk Management	2,094,331	2,331,986			
Public Safety	130,810	162,073			
Regulatory Agencies	7,546,070	7,485,354			
Revenue	827,640	1,578,581			
Revenue - Gaming	132,878	147,873			
Secretary of State	319,730	373,736			
Transportation	1,187,488	1,200,163			
Treasury	126,651				
State Fair Authority	14,528	10,713			
Rollforward	(23,750)	23,750			
Capital Construction Expenses					
Transfer to Fund Litigation Mgmt Fund	(325,000)	(325,000)			
Reversion of Excess Earnings to GF (CFE)	(19,214)	(77,338)			
Underearned Revenue					
Subtotal Reappropriated Funds	22,873,857	23,657,939		26,722,368	23,956,598
Total Revenues - CF and RA	24,532,997	25,240,327			

Criminal Justice & Appellate Section

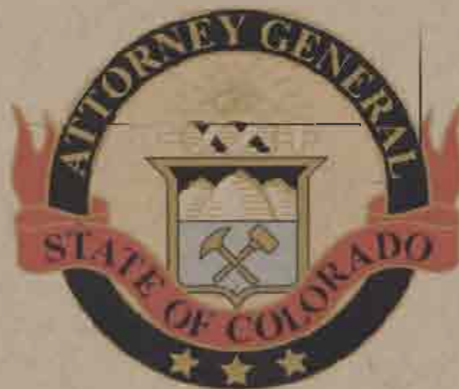
**Criminal Justice
Deputy Attorney General**



FY12-13 Reconciliation of Request

Criminal Justice & Appellate

- A. SP Unit**
- B. Auto Theft Prev Grant**
- C. Appellate**
- D. Medicaid Fraud**
- E. POST Board**
- F. Safe 2 Tell**
- G. Victim's Assistance**
- H. CJ & A Indirect Cost**



DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

(3) Special Justice and Appellate

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
(A) Special Prosecution Unit						
Special Prosecution Unit						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$2,830,320	30.5	\$1,391,287	\$879,039	\$559,994	\$0
SB 11-76 PERA Bill	(\$56,055)		(\$31,984)	(\$17,328)	(\$6,743)	\$0
FY 2011-12 Total Appropriation	\$2,774,265	30.5	\$1,359,303	\$861,711	\$553,251	\$0
Prior Year Salary Survey	\$0	0.0	\$0	\$0	\$0	\$0
Prior Year Performance-based Pay	\$0	0.0	\$0	\$0	\$0	\$0
PERA adjustment back to 10.15% from 7.65% (Accommodating for SB 11-76)	\$56,055		\$31,984	\$17,328	\$6,743	
FY 12-13 Base Request	\$2,830,320	30.5	\$1,391,287	\$879,039	\$559,994	\$0
	\$0	0.0	\$0	\$0	\$0	
	\$0		\$0	\$0	\$0	
FY 2012-13 November 1 Request	\$2,830,320	30.5	\$1,391,287	\$879,039	\$559,994	\$0
(B) Auto Theft Prevention Grant						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$239,075	2.0	\$0	\$0	\$239,075	\$0
FY 2011-12 Total Appropriation	\$239,075	2.0	\$0	\$0	\$239,075	\$0
FY 12-13 Base Request	\$239,075	2.0	\$0	\$0	\$239,075	\$0
FY 2012-13 November 1 Request	\$239,075	2.0	\$0	\$0	\$239,075	\$0
(C) Appellate Unit						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$2,666,027	32.0	\$2,278,605	\$0	\$387,422	\$0
SB 11-76 PERA Bill	(\$54,234)		(\$54,234)	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$2,611,793	32.0	\$2,224,371	\$0	\$387,422	\$0

DEPARTMENT OF LAW
FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

(3) Special Justice and Appellate

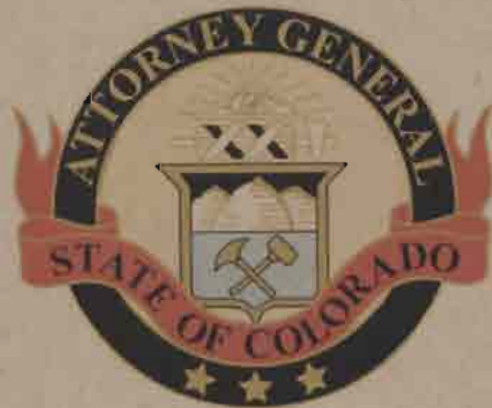
Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Reverse one time GF refinancing (not including Victims Asst and HB 10-1329)	\$0		\$311,248		(\$311,248)	
New Indirect Calculation refinance adjustment			(\$433,536)		\$433,536	
Refinance adjustment associated with actual VALE award for Victims Asst.			\$3,523		(\$3,523)	
PERA adjustment back to 10.15% from 7.65%	\$54,234	0.0	\$54,234	\$0	\$0	\$0
FY 12-13 Base Request	\$2,666,027	32.0	\$2,159,840	\$0	\$506,187	\$0
DI#5 Appellate 1.5% reduction reinstatement	\$37,428		\$37,428			
FY 2012-13 November 1 Request	\$2,703,455	32.0	\$2,197,268	\$0	\$506,187	\$0
(D) Medicaid Fraud Unit						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$1,579,511	17.0	\$394,876	\$0	\$0	\$1,184,635
SB 11-76 PERA Bill	(\$30,537)	0.0	(\$7,634)	\$0	\$0	(\$22,903)
FY 2011-12 Total Appropriation	\$1,548,974	17.0	\$387,242	\$0	\$0	\$1,161,732
PERA adjustment back to 10.15% from 7.65%	\$30,537	0.0	\$7,634	\$0	\$0	\$22,903
FY 12-13 Base Request	\$1,579,511	17.0	\$394,876	\$0	\$0	\$1,184,635
	\$0		\$0	\$0	\$0	\$0
FY 2012-13 November 1 Request	\$1,579,511	17.0	\$394,876	\$0	\$0	\$1,184,635
(E) Peace Officers Standard Training Board						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$2,683,620	7.0	\$0	\$2,683,620	\$0	\$0
SB 11-76 PERA Bill	(\$8,920)		\$0	(\$8,920)		
FY 2011-12 Total Appropriation	\$2,674,700	7.0	\$0	\$2,674,700	\$0	\$0
PERA adjustment back to 10.15% from 7.65%	\$8,920	0.0	\$0	\$8,920	\$0	\$0
FY 12-13 Base Request	\$2,683,620	7.0	\$0	\$2,683,620	\$0	\$0
	\$0			\$0		
FY 2012-13 November 1 Request	\$2,683,620	7.0	\$0	\$2,683,620	\$0	\$0

DEPARTMENT OF LAW
FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

(3) Special Justice and Appellate

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
(F) Safe2Tell						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$100,686	1.0	\$100,686	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$100,686	1.0	\$100,686	\$0	\$0	\$0
FY 12-13 Base Request	\$100,686	1.0	\$100,686	\$0	\$0	\$0
FY 2012-13 November 1 Request	\$100,686	1.0	\$100,686	\$0	\$0	\$0
(G) Indirect Cost Assessment						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$451,504	0.0	\$0	\$222,031	\$71,943	\$157,530
	\$0		\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$451,504	0.0	\$0	\$222,031	\$71,943	\$157,530
FY 12-13 Base Request	\$451,504	0.0	\$0	\$222,031	\$71,943	\$157,530
				(\$7,720)	\$726	(\$1,108)
FY 2012-13 November 1 Request	\$443,401	0.0	\$0	\$214,311	\$72,669	\$156,422
(3) Special Justice and Appellate						
FY 2011-12 Appropriation(Long Bill plus Special Bills)	\$10,400,997	89.5	\$4,071,602	\$3,758,442	\$1,251,691	\$1,319,262
FY 2012-13 Base Request	\$10,550,743	89.5	\$4,046,689	\$3,784,690	\$1,377,199	\$1,342,165
FY 2012-13 November 1 Request	\$10,580,068	89.5	\$4,084,117	\$3,776,970	\$1,377,924	\$1,341,057

Narrative Special Prosecutions



D) BACKGROUND INFORMATION: SPECIAL PROSECUTION SECTION.

The Attorney General's trial prosecution efforts are focused in multiple areas: 1) Workers' Compensation Fraud, 2) Complex Crimes, 3) Environmental Crimes, 4) Gang Prosecution, 5) Foreign Prosecutions and 6) the Homicide Assistance Team (HAT). Of these duties, the "Special Prosecutions Unit" (hereinafter SPU) dealt with all six areas in FY 10. The SPU is also involved in several outreach programs associated with mitigating gang activity, preventing school violence and responding to child abductions.

In FY 11 the SPU consisted of 14.8 FTE: seven full-time attorneys, five investigators and two legal assistants (paralegals), and .8 of the Deputy AG for Criminal Justice.

The best review of the Special Prosecutions Line Item is provided by an individual review of each of four subject areas:

1. Complex Crimes

The Complex Crimes Unit prosecutes cases that: 1) Are referred to us because of our specialized knowledge or experience or 2) Are multi-jurisdictional cases investigated through the use of the state grand jury and local District Attorneys requested we continue to prosecute the cases.

This unit derives its authority to investigate and prosecute from three sources: a) statutory authority granted directly to the Attorney General; b) appointment by a local District Attorney to act as a Special Deputy District Attorney; and c) gubernatorial order.

Complex crimes matters required the efforts of four attorneys and three investigators. Several areas of expertise include racketeering cases, domestic terrorism, identity fraud, large check fraud schemes, methamphetamine rings, mortgage fraud and tax fraud.

One of the investigators and one of the prosecutors allocate a portion of their time to gang prosecutions as needed. The remaining complex crime prosecutors focused on the financial and narcotic crimes associated with the gang activities and organized criminal enterprises.

2. Environmental Crimes Unit

The primary function of the Environmental Crimes Unit is to investigate and prosecute and assure remediation for environmental crimes occurring in the State of Colorado. The unit also provides investigative and prosecutorial expertise and support to statewide law enforcement efforts against entities committing environmental crimes in the state. The unit also coordinates a state/federal task force for the purpose of engendering an interrelated effort to contend with environmental crimes affecting Colorado. Members of the unit also work with the Colorado Department of Public Health and Environment and the United States Environmental Protection Agency to increase awareness and

recognition of environmental crimes through training programs directed at local regulators, law enforcement, and other agencies intimately related to the management of Colorado's resources.

The unit derives its authority from statutory authority granted directly to the Attorney General and special appointment by district attorneys. The Unit consists of one Attorney General Prosecutor, a Special Assistant Attorney General as needed on loan from the Environmental Protection Agency, an Attorney General Investigator, an analyst and two special agents on loan from the Environmental Protection Agency's Criminal Investigations Division. All costs associated with the EPA Attorney and Investigator are borne by the EPA. The unit investigates and prosecutes environmental crimes regardless of media (i.e. hazardous waste, hazardous substances, water and air) using existing environmental statutes and other crimes enumerated in the criminal code when applicable.

3. Gang Prosecution Unit

Gangs are a continuing problem in Colorado. The Gang Prosecutions Subunit ("GPU") began in 2000 with a mission to decrease the impact gangs have on the community. Since the inception of the unit, we have indicted over 138 gang members on over 250 felony charges. The majority gang members have been indicted on racketeering related charges. These prosecutions have all resulted in felony convictions and dozens of years in prison sentences. The GPU works to accomplish that goal through collaborative efforts with other agencies. The GPU prosecutes gang-related multi-jurisdictional crimes. Since the GPU started, many gang members have been successfully indicted and convicted under the Colorado Organized Crime Control Act ("COCCA").

The COCCA laws are similar to federal racketeering laws. Racketeering cases are complex, and demand a lot of resources to adequately investigate and prosecute. Investigations often requires months of collaborative work with numerous agencies before sufficient evidence exists to prosecute these cases. The complexity of these large, multi-jurisdictional cases demand prosecution by experienced attorneys.

In addition to investigation and prosecution, the GPU should be involved with community outreach. Until recently, an attorney from the GPU is a legal advisor to the Colorado Gang Advisory Board ("CoG"). Another attorney from the Attorney General's Criminal Justice Section is now the legal advisor to "CoG." The other COG board members are representatives from the Colorado Bureau of Investigations and Colorado law enforcement agencies. COG created and maintains a gang database that is used by law enforcement statewide. The GPU also provides educational outreach and training to prosecutors, police officers, school officials, mental health professionals, law enforcement commanders and corrections officials. Specifically, Investigator Gary Clyman continued to do law enforcement training and instruction teaching the Gang segment at two local POST training academies as well as the Terrorism block of instruction at three academies. Investigator Clyman teaches counter-terrorism courses for two federally funded (USDOJ) programs.

During most of a recent fiscal year a full time investigator was assigned to the Metro Gang Task Force (MGTF) to work a multi-agency investigation concerning a gang-motivated drug trafficking organization. This required a daily presence of the investigator at the MGTF off-site location in Aurora. The assignment included daily moving surveillance of targets in the metro Denver and Colorado Springs area, participation in planning and operation of undercover drug transactions, work in the listening post during the wiretap phase, interviewing subjects, search warrants, and informant development and management. While the specific investigation in the metro Denver and Colorado Springs area terminated, the relationship between the GPU and MGTF continues.

4. Foreign Prosecutions

Each year fugitives flee Colorado after committing homicides. State records reveal 226 active homicide arrest warrants. Nearly 20% of these warrants reveal that the murder fugitive fled to Mexico to avoid prosecution in Colorado. The CBI database indicates 43 murder fugitives believed to be Mexican nationals returned to their country of origin and currently are residing in the Republic of Mexico.

There are two avenues available to states when attempting to prosecute fugitives that have fled to Mexico. First, the state may attempt to extradite the fugitive back to the United States for prosecution. Second, is the option to prosecute the fugitive in Mexico under Article IV of the Mexican Federal Penal Code. Extradition treaties exist between Mexico and the U.S. However, the Government of Mexico has been reluctant to extradite Mexican nationals back to the United States. There have been limited extraditions of Mexican nationals for serious drug offenses and certain aggravated murders.

The other option available in prosecuting fugitives in Mexico is prosecution in Mexico under Article IV of the Mexican Penal Code. This option, provided by the government of Mexico, is to try their citizens in Mexico for crimes committed in the U.S. If convicted, the offenders serve their sentence in a Mexican prison. In 2001, the General Assembly granted funding for a bilingual investigator at the Attorney General's Office to be the coordinator for Colorado Article IV prosecutions. Mexico's Article IV requires the case be submitted by either the State or Federal Attorney General. The FPU investigator works both with the Mexican Attorney General's Office (PGR), and Colorado law enforcement, to facilitate appropriate Article IV filings and prosecutions of Colorado cases.

During FY 2010-11 the Attorney General's Foreign Prosecution Unit (of one investigator) prepared and filed two murder cases. A total of two Mexican Federal Warrants for homicide were obtained in 2010 for murders that occurred in Adams County, Colorado. This unit also assisted Aurora, Castle Rock, Colorado Springs, Evans, Montrose and Commerce City Police Departments as well as Adams, Arapahoe, Boulder, and Weld County Sheriff Offices with witness and/or persons of interest in criminal investigations. In addition, FPU receives requests from Mexico to locate and detain murder fugitives

seeking refuge in Colorado. With the cooperation of ICE and other law enforcement, three homicide suspects and one sexual assault on a child perpetrator were apprehended and returned to Mexico and are no longer a threat to Colorado citizens.

5. Worker's Compensation

The primary function of the Workers' Compensation Fraud Unit is to provide investigative and prosecutorial expertise for statewide law enforcement efforts against employees and employers who perpetrate workers' compensation fraud on the Colorado Compensation Insurance Authority d/b/a Pinnacol Assurance. Cases are acted upon after the Special Investigation Unit at Pinnacol completes an initial investigation of possibly criminal behavior and refers the case to the Attorney General's Office for potential prosecution. The Workers' Compensation Fraud Unit reviews the case, performs additional investigation where necessary, and files appropriate criminal charges if warranted.

There are various types of workers' compensation fraud, including individuals who falsely claim injuries, individuals who are actually working while collecting benefits, individuals who are malingering in their injuries, subcontractors who falsely document having the required workers' compensation insurance and businesses which misrepresent the scope and nature of their business operations to avoid higher insurance premiums.

6. Homicide Assistance Team

The Homicide Assistance Team (HAT) is a two-attorney, one-investigator unit. HAT was created by the Legislature in fiscal year 1994-1995 to assist District Attorneys by providing additional investigative and prosecutorial resources in their active, cold-case, and death-penalty-eligible homicides and to more effectively analyze and prosecute these cases. In addition to providing legal assistance in the prosecution of cases, the Unit has provided investigator assistance as well. HAT's work load is dictated by the incidence of homicides, as well as District Attorney requests for assistance.

The team has handled capital appeals in both the state and federal appellate courts, and post-conviction proceedings involving death row inmates. HAT has performed a primary role in responding to legal and logistical needs during the execution process and is the only prosecutorial entity in Colorado, which provides expertise on capital cases from initial investigation through execution.

The HAT attorneys and investigator only become involved in a case upon the request of the local District Attorney and the approval of the Attorney General. As anticipated, requests by state prosecutors to HAT for consultation or other assistance was greater than the assistance that could be provided.

II) PRIOR YEAR LEGISLATION

1) N/A

III) HOT ISSUES:

1) Ongoing investigation of the Peggy Hettrick homicide by Order of the Governor.

In early 2008, Governor Ritter ordered the Criminal Justice Section to undertake the investigation of the 1987 murder of Peggy Hettrick. This office is now tasked with a renewed investigation of that murder. Apart from the resources required to rework the entire investigation from the beginning in an effort to objectively consider all of the available evidence, the advent of modern DNA procedures and the costs associated with that science are significant factors in this renewed effort to solve this crime. One of the key developments in 2011 was that the Office of the Attorney was able to announce that Timothy Masters was being exonerated because a review of all of the available led this office to conclude that Mr. Masters had no role in the homicide of the Ms. Hettrick. This investigation continues to be a highly intensive effort that is using significant amounts of office resources and personnel time.

IV) WORKLOAD MEASURE:

WORKLOAD INDICATORS

1. Complex Crimes

Objective: To utilize the Statewide Grand Jury to a greater extent and obtain at least 10 felony indictments.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Grand Jury investigations initiated in FY. (individuals)		105	93		
Indictments obtained in FY (individuals)		93	47		

Objective: To open 40 new investigation files, file 25 new cases in court and obtain at least 15 felony convictions.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Total new investigations opened (individual)		169	120		
Total new cases filed (individuals)		141	81		
Felony convictions obtained		86	101*		
Misdemeanor convictions obtained		5	2		
Cases Closed		95	110		

***Numbers for felony convictions may appear higher due to cases being filed in the prior fiscal year.**

Objective: To obtain restitution, fines and cost recoveries in appropriate cases.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Fines, costs and restitution ordered.		\$1,955,613.02	\$4,195,039.40		

Objective: To participate in multi-jurisdictional case-driven task forces and information exchanging work groups.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Intergovernmental Cooperation		25	15		

Objective: To continue in multi-jurisdiction case-driven task forces and information exchanging work groups.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Training sessions given.		31	33		

2. Environmental Crimes Unit

Objective: Maintain the effort of the Environmental Crimes Prosecution Unit to work in collaborative effort with local law enforcement, local emergency response personnel, District Attorneys, the Colorado Department of Public Health and Environment and the US Environmental Protection Agency.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Draft proposal to secure federal funding or support of a cooperative criminal enforcement effort to combat environmental crimes within the borders of the State of Colorado		50%	40%		

Objective: To enforce compliance with existing environmental laws and regulations through investigation and prosecution of environmental crimes.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
New investigations opened		32	30		
New cases filed		12	10		
Felony convictions obtained		6	5		
Cases closed		6	7		
Jury trials		0	0		
Court trials		0	0		

Objective: To increase the State of Colorado's participation in cohesive state and federal effort to combat environmental crimes.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Increase membership participation in state/federal task forces and unified state environmental programs		3	4		

Objective: To increase awareness of environmental criminal activity within the State of Colorado by conducting statewide training.

Workload Measure	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Conduct local/state/federal awareness training to entities concerned with Colorado's environment	15	14		

3. Gang Prosecution Unit*

Objective: To prosecute gang members, with the State Grand Jury, for multi-jurisdictional criminal activities.

Workload Measure	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Gang members investigated	77	87		
Gang members indicted	77	55		
Felony convictions obtained for gang members	49	66		
Number of years Department of Corrections**	237	35		
Trials	0	1		

* A "Gang" means a group of three or more individuals with a common interest, bond and whose activity is characterized by criminal or delinquent conduct.

** The timing of individual being convicted of a felony usually does not occur at the same time that the individual is sentenced. For example, if a defendant is convicted of a felony crime in May or June (end of a Fiscal Year) then the sentence will likely be imposed during the beginning of the next Fiscal Year. Therefore, the number of years in

the Department of Corrections that will be imposed by trial courts for offenders who plead guilty in that later part of FY 11 will likely be higher in the FY 12 report.

4. Foreign Prosecution

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Active Cases		13	12	14	
Article IV cases filed in Mexico		2	2	2	
Extraditions/assists		7	9	12	

5. Worker's Compensation

Objective: To utilize the state grand jury, search warrants, audits and other criminal investigative tools to investigate potential worker's compensation fraud cases including, but not limited to: false statement to obtain worker's compensation benefits, forgery, theft, perjury and offering a false instrument for recording.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Conduct investigations and increase the number of cases referred	Target				
	Actual	17	15		
To decrease the number of cases declined	Target				
	Actual	3	2		

Objective: To vigorously prosecute defendants under applicable Colorado statutes and obtain criminal convictions, jail sentences, restitution, fines and penalties.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
To increase the number of active filed cases	Target				
	Actual	10	9		
To obtain orders for restitution cost savings and fines	Target				
	Actual	11	10		

To obtain orders for restitution cost savings and fines	Target				
	Actual	\$355,865	\$433,784.00		
To bring at least one case to trial	Target				
	Actual	0	0		

Objective: To reduce the loss of revenues to the State Compensation Insurance Authority resulting from fraud by employers through the deterrent effect of prosecuting violators.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
To increase the number of cases of fraud by employers	Target				
	Actual	6	3		

Objective: To reduce the victimization of employees who may be injured while working for non-complying employers and who consequently do not receive benefits they would be entitled to through the deterrent effect of prosecuting violators.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
To increase the number of cases of intentional false representation of employers	Target				
	Actual	2	3		

Objectives: To create a more equitable business environment for law-abiding employers who are injured as a result of the unfair competition created by those employers whose business costs do not include the payment of premiums.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 11 Estimate	FY 12 Request
To increase the number of cases of false certificate of insurance cases	Target				
	Actual	1	2		

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Number of case referrals	Target				
	Actual	21	13		
Number of active investigations increased	Target				
	Actual	21	15		
Number of filed cases increased	Target				
	Actual	10	9		

*Instead of straight deferrals, cases are not staffed prior to referral to achieve better quality cases for prosecution and to reduce declinations. This has resulted in a significant reduction in the number of cases referred to us by Pinnacol Assurance.

6. Homicide Assistance Team

Objectives: The objective of the Unit is to assist local District Attorneys in the investigation, evaluation, and prosecution of homicides. If the death penalty is sought, the prompt and effective assistance to the local District Attorney in filing and arguing motions, and trying cases, as requested by the local jurisdiction.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Cold Case and Active Homicide Assistance		13	7	30	40
Death Penalty Case Assistance		3	4	3	3

Narrative Insurance Fraud



I) BACKGROUND INFORMATION: INSURANCE FRAUD UNIT

The Insurance Fraud Unit comprises 7.5 FTE positions, which are funded by an industry assessment through the Division of Insurance of the Colorado Department of Regulatory Agencies. The Insurance Fraud Unit provides investigative and prosecutorial resources for combating insurance fraud statewide. The general goals of the Insurance Fraud Program are: (a) to utilize the State Grand Jury, search warrants, and other criminal investigative tools to investigate potential insurance fraud cases; (b) to vigorously prosecute defendants under applicable Colorado statutes and obtain criminal convictions, incarceration of offenders where appropriate, to seek restitution, fines, and penalties; and, (c) to protect consumers and to minimize losses through the deterrent effect of prosecuting violators.

The cases handled by the Unit embrace the entire spectrum of insurance fraud, including, but not limited to: insurance agent fraud; claimant fraud; bail bondsman violations; workers compensation fraud; and false claims of casualty and property loss.

II) PRIOR YEAR LEGISLATION

The Insurance Fraud Unit did not sponsor or promote any legislation in FY 2010-2011.

III) HOT ISSUES

Major fraud cases

Through a joint effort with the Attorney General's Auto Theft Unit, Mikel Mewbourn and five codefendants were indicted by the statewide grand jury in March of 2011 on charges ranging from theft and motor vehicle theft to violations of the Colorado Organized Crime Control Act. The charges were the result of a lengthy investigation into several years of criminal activity. Mewbourn was the orchestrating force behind a series of schemes to defraud several insurance companies for staged automobile accidents, staged motor vehicle thefts, and intentionally manufactured property damage. Insurance companies paid approximately \$280,000 on fraudulent claims and had several remaining unresolved when the indictment was filed. Cases are currently pending against six defendants.

In April of 2011, the Unit also successfully indicted 2 individuals for theft, forgery and violation of the Colorado Organized Crime Control Act (a class 2 felony) relating to a glass company's practices of fraudulent billing in two different schemes. The first scheme involved false claims to the insurance

companies (through third party administrators), indicating that glass installation had been done in Buena Vista, Colorado, when in fact none of the work was done in Buena Vista, and the vast majority of the work was done in the Denver, Colorado area and did not extend beyond Colorado's Front Range. The second scheme was related to the types of vehicle glass that was installed. Insurance companies pay more money for vehicle glass such as side, back, side, vent, and quarter, and less money for windshields. The defendants knew this, and directed Smart Glass employees to submit false claims to the insurance companies (through third party administrators) indicating that glass other than windshields was being installed, when in fact the vast majority of the glass being installed were windshields, and only windshields.

In the past few fiscal years, the Unit has seen an increase in the number of staged accidents of motor vehicles. The Unit has been attempting to coordinate investigation of staged accident rings with the dozens of insurance companies affected. By working with the National Insurance Crime Bureau, the Unit has been attempting to follow patterns of crime that have not been noticed by the individual insurance companies because the losses have been so spread out among different companies.

More recently, the Unit is seeing an increase in referrals relating to roofing claims where the suspected fraud involves a roofing company employee causing damage to create hail damage claims. The Unit is attempting to coordinate such reports in attempt to identify patterns of such fraud.

The Unit received 404 referrals from insurers in FY09, 839 in FY10 and 575 in FY11. The vast majority of these referrals were submitted for reporting purposes only as insufficient evidence existed to prosecute. The Unit's paralegal and investigators meet throughout the year with the insurers' Special Investigation Units to answer questions and give suggestions on presenting claims for prosecution.

IV) WORKLOAD MEASURE:

WORKLOAD INDICATORS

Workload Measures		Actual FY10	Actual FY11	Estimate FY12	Request FY13
Measure 1.1 Criminal Investigation Opened	Target	60	60	60	60
	Actual	16	81		
Measure 1.2. Criminal Cases Filed	Target	30	30	30	30
	Actual	31	19		
Measure 1.3 Jury trials	Target	2	2	2	2
	Actual	1	0		
Measure 1.4 Convictions Obtained	Target	22	22	22	22
	Actual	12	13		
Measure 1.4 Restitution Ordered	Target	\$450,000	\$450,000	\$450,000	\$450,000
	Actual	\$947,472	\$164,386		
Measure 1.6 Publicize convictions obtained	Target	5	5	5	5
	Actual	6	3		

Performance Measures

1. Complex and/or multi-jurisdictional fraud investigations and prosecutions

Objective: To conduct a statewide program for investigating and prosecuting violations of applicable state laws pertaining to fraud relating to insurance which local jurisdictions would be unable to effectively handle.

Performance Measures		Actual FY10	Actual FY11	Estimate FY12	Request FY13
Measure 1.1 investigate multi-jurisdictional insurance fraud cases in the grand jury, and obtain indictment where appropriate.	Target	4	4	4	4
	Actual	3	2		
Measure 1.2. Restitution actually collected pursuant to court order	Target	\$100,000	\$100,000	100,000	100,000
	Actual	\$115,288	\$92,872		

Strategy: The Unit receives referrals from numerous sources. Fraud referrals often require substantial investigation, and some investigations take months or years. Many of the fraud referrals, once investigated, do not result in criminal charges. This is due to various reasons including lack of provable criminal intent, and inconsistencies or vagueness of applicable rules.

The Unit endeavors to be as quick and responsive as possible in reviewing referrals, opening investigations, and bringing cases through the court system. When cases are not appropriate for investigation, the Unit occasionally refers them to other agencies or informs the referring entity or person of alternative avenues that may allow their concerns to be addressed.

Evaluation of Prior Year Performance: The Unit's performance was a little down this year, the Unit experienced turnover of 3.5 of the 7.5 FTE (two of which were investigators) which resulted in some lower numbers.

Key Workload Indicators: Workload indicators are consistent with the results in the Performance Measure table. Indicators show that the Unit has the ability to handle both routine cases and the more complex cases that are highly demanding of employee time.

2. Case openings, assignments, and processing

Objective: To quickly process referrals once they are received in Unit and, after initial review, continue the procedure of assigning the responsibility of each case to a team of at least one investigator and one prosecutor, and holding periodic status meetings and preparing reports on each case.

Performance Measures		Actual FY10	Actual FY11	Estimate FY12	Request FY13
Measure 2.1 Assign an investigator and attorney at the time of case opening	Target	60	60	60	60
	Actual	16	81		
Measure 2.2 Update case status reports monthly and provide reports to Division of Insurance	Target	12	12	12	12
	Actual	12	12		

Strategy: As the Unit's case load has varied in simple to more complex cases, it has become increasingly important for the Unit to promptly assign cases to the assigned investigators and attorneys, and to monitor and assess the progress of each case on at least a quarterly basis. Due to the multiple defendant grand jury indictments, more resources were put towards working larger, more complex cases.

Evaluation of Prior Year Performance: Assignments and monitoring have proceeded according to the standards set, and this has assisted the Unit in keeping its cases progressing satisfactorily.

Key Workload Indicators: Workload indicators are consistent with the results in the Performance Measure table.

The first step in the process of identifying a problem is to determine the nature of the problem. This involves a thorough analysis of the situation and the identification of the key issues involved. Once the problem has been identified, the next step is to develop a plan of action to address the problem.

The second step in the process is to implement the plan. This involves putting the plan into action and monitoring the progress. It is important to be flexible and to be prepared to make adjustments as needed. The final step is to evaluate the results and to determine whether the problem has been solved.

Problem Solving Process

Step	Description
1. Identify the problem	Determine the nature of the problem and the key issues involved.
2. Develop a plan	Develop a plan of action to address the problem.
3. Implement the plan	Put the plan into action and monitor the progress.
4. Evaluate the results	Evaluate the results and determine whether the problem has been solved.

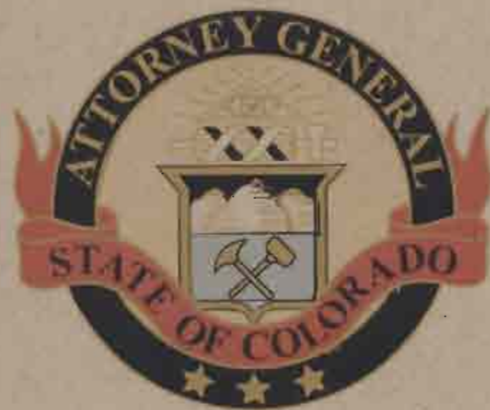
The problem solving process is a continuous one. It is important to be open to new ideas and to be willing to try different approaches. The key to successful problem solving is to stay focused on the goal and to be persistent in the face of setbacks.

Effective problem solvers are able to identify the problem, develop a plan, implement the plan, and evaluate the results. They are also able to adapt to changing circumstances and to learn from their experiences.

Problem solving is a skill that can be developed through practice. It is important to seek out opportunities to solve problems and to learn from the experience.

Narrative

Securities Fraud



I) BACKGROUND INFORMATION: SECURITIES FRAUD UNIT

The Securities Fraud Unit comprises 5.5 FTE positions, which are funded by an industry assessment through the Division of Securities of the Colorado Department of Regulatory Agencies. The Attorney General's Office has original jurisdiction to both investigate and prosecute crime relating to securities, and the Securities Fraud Unit provides investigative and prosecutorial resources for combating securities fraud statewide. The general goals of the Securities Fraud Program are: (a) to utilize the State Grand Jury, search warrants, and other criminal investigative tools to investigate potential Securities fraud cases; (b) to vigorously prosecute defendants under applicable Colorado statutes and obtain criminal convictions, incarceration of offenders where appropriate, to seek restitution, fines, and penalties; and (c) to protect consumers and to minimize losses through the deterrent effect of prosecuting violators. The Unit also strives to assist and support other agencies in investigating and prosecuting securities fraud violations.

The cases handled by the Unit generally involve the prosecution of individuals who solicit and receive investor money for investment schemes that are not regulated. Often times these schemes target groups of people such as the elderly or church members who either know or know of the person soliciting their money. Many of these cases are "Ponzi" schemes, where earlier investors are paid returns with the contributions of later investors to maintain a façade of success and legitimacy.

II) PRIOR YEAR LEGISLATION

The Securities Fraud Unit did not sponsor or promote any legislation in FY 2010-2011.

III) HOT ISSUES

Major fraud cases:

William Walters, through his two companies, Mana Trading and Samurai Capital, collected over \$12 million dollars from investors from August 2003 through July 2006. Walters promised high rates of return on investments that he represented would be used for day trading. In fact, Walters used most of the investor funds to pay for his (and his wife's) personal expenses and to make interest payments and payouts to earlier investors. In May 2007, the State Grand Jury indicted Walters, charging him with nine counts of Securities Fraud and seven counts of Theft. Extradited from Argentina in August 2010, he pleaded guilty in Douglas County District Court to three counts of Securities Fraud and one count of Theft (all class-3 felonies) in April 2011. On June 1, 2011, Walters was sentenced to forty years in the

Department of Corrections – 12 years on each of the Securities Fraud counts and 4 years on the Theft count, all to be served consecutively. He owes over \$9.5 million dollars in restitution to twenty-two victims. Walters' conviction is his first.

The State Grand Jury charged Jeremy Hart (and co-defendant Richard Novaria) with twenty-nine counts of Securities Fraud and one count of Theft in May 2010. The indictment, filed in Larimer County, stems from the defendants' solicitation during the period of July 2006 through May 2008 from investors - many of whom had a pre-existing business relationship with Hart as clients of his insurance business. Primarily through Novaria's Dreamweaver Foundation, Hart solicited money for a variety of investments, including real estate, small business loans, bank products, and bond funds. Promised high rates of return and given unsecured promissory notes as evidence of their investment, investors were never told of any risks. Early investors were paid back with later investor money. Hart, a first-time offender, pleaded guilty to one count of Securities Fraud and one count of Theft in November 2010. Each is a class-3 felony. Sentenced on January 21, 2011, to nine years in the Department of Corrections (served concurrently), Hart owes almost \$3.5 million dollars in restitution to thirty-three victims.

From March 2007 through December 2008, Adam Hirschfeld solicited more than \$4 million dollars for "pooled equity vehicles" from more than 100 investors who believed their investments were being used for either foreign currency trading or oil and gas projects. He failed to inform investors of prior losses in the currency trading, misrepresented investor updates to hide the true nature and performance of the various enterprises, and created investor account statements that portrayed erroneous gains. In the Complaint filed in Douglas County in June 2009, Hirschfeld was charged with two counts of class-3 felony Securities Fraud; he pled guilty to both counts in January 2011. On June 1, 2011, Hirschfeld, as a first-time offender, received a sentence of four years in the Department of Corrections for the first count, and, consecutive to the first, twelve years probation for the second count. Hirschfeld's probation will be supervised by the Economic Crime Unit. He owes over \$4.6 million dollars restitution to 117 victims.

This Unit has especially benefitted by the addition of a forensic auditor to aid in both the investigation and prosecution of securities fraud. The Unit can move faster on investigating cases with the added expertise of a C.P.A. to help both investigate and to explain how money was used.

IV) WORKLOAD MEASURE:

WORKLOAD INDICATORS

Workload Measures		Actual FY 10	Actual FY11	Estimate FY12	Request FY13
Measure 1.1 Criminal Investigations Opened	Target	12	12	12	12
	Actual	10	6		
Measure 1.2. Criminal Cases Filed	Target	10	10	12	12
	Actual	8	4		
Measure 1.3 Jury trials	Target	2	2	2	2
	Actual	0	0		
Measure 14. Convictions Obtained	Target	10	10	10	10
	Actual	7	8		
Measure 1.5. Restitution Ordered	Target	\$2,500,000	\$4,000,000	\$5,000,000 0	\$5,000,000
	Actual	\$8,151,322	\$20,680,887		
Measure 1.6. Media items published	Target	10	12	15	15
	Actual	26	24		

Statistics kept by the Unit indicate that the workload of the Unit is changing in some degree toward a trend of investigating and prosecuting fewer, but larger, or more significant cases. This trend is most obvious in the "Restitution Ordered" and "Media Items published" measures in the above table. The Unit's restitution orders were made on behalf of 303 victims this year.

PERFORMANCE MEASURES

1. Complex and/or multi-jurisdictional fraud investigations and prosecutions

Objective: To conduct a statewide program for investigating and prosecuting violations of applicable state laws pertaining to securities fraud which local jurisdictions would be unable to effectively handle.

Performance Measures		Actual FY 10	Actual FY11	Estimate FY12	Request FY13
Measure 1.1 Investigate multi-jurisdictional Securities fraud cases in the grand jury, and obtain indictment where appropriate.	Target	8	8	6	6
	Actual	7	3		
Measure 1.2. Restitution actually collected pursuant to court order.	Target	\$150,000	\$150,000	\$250,000	\$250,000
	Actual	\$216,708	\$394,821		

Strategy: The Unit receives referrals from numerous sources. The Division of Securities refers approximately 50% of the Unit's cases to our office. Private attorneys, law enforcement and private citizens also refer cases to the Unit. Fraud referrals often require substantial investigation, and most investigations take months or years. Some of the fraud referrals, once investigated, do not result in criminal charges. This is due to various reasons, including lack of provable criminal intent, inconsistencies or uncooperative victims and witnesses, or statute of limitations problems when cases are brought to our attention years after the criminal behavior. The Unit had a total of 34 referrals for the year.

Evaluation of Prior Year Performance: The unit's numbers were fairly similar for the past two years; while the case numbers are low, the sentences and restitution figures reflect the complexity and size of the cases prosecuted. Additionally, Colorado victims across the Front Range are well represented in that cases prosecuted this year involve Larimer, Arapahoe, Adams, Jefferson, Douglas and El Paso counties.

Key Workload Indicators: Workload indicators are consistent with the results in the Performance Measure table. Indicators show that the Unit has the ability to handle the more complex cases that are highly demanding of employee time.

2. Case openings, assignments, and processing

Objective: To quickly process referrals once they are received in Unit and, after initial review, continue the procedure of assigning the responsibility of each case to a team of at least one investigator and one prosecutor, and holding periodic status meetings and preparing reports on each case.

Performance Measures		Actual FY10	Actual FY11	Estimate FY12	Request FY13
Measure 2.1 Assign an investigator and attorney at the time of case opening	Target	12	12	12	12
	Actual	13	6		
Measure 2.2 Update case status reports monthly and provide reports to Division of Securities	Target	12	12	12	12
	Actual	12	12		

Strategy: As the Unit's case load and referrals is often fluctuating, monthly reports are created and sent to the Division of Securities and the Unit meets routinely to discuss ongoing investigations and cases to ensure cases keep moving forward.

Evaluation of Prior Year Performance: The Unit did not receive as many referrals this fiscal year, from either the Division of Securities or from other sources.

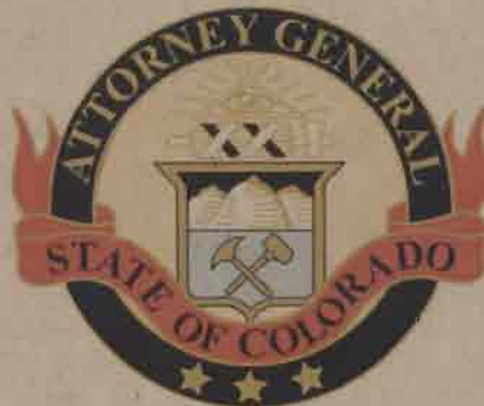
Key Workload Indicators: Workload indicators are consistent with the results in the Performance Measure table.

FY 12-13

Budget

Schedules 2, 3 and 4

CJ & A - Auto Theft Prevention Grant



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

Auto Theft Prevention Grant

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Auto Theft	57,463	0.5	227,976	2.0	239,075	2.0	239,075	2.0	239,075	2.0
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	57,463		227,976		239,075		239,075		239,075	
Federal Funds	-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

Auto Theft Prevention Grant

Item	Actual FY-10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
Senior Asst Attorney General	23,759	0.3	98,004	1.0			98,004	1.0	98,004	1.0
Criminal Investigator II	19,200	0.3	76,800	1.0			76,800	1.0	76,800	1.0
TOTAL POSITION DETAIL	42,959	0.5	174,804	2.0			174,804	2.0	174,804	2.0
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by position) Continuation Salary Subtotal	42,959	0.5	174,804	2.0			174,804	2.0	174,804	2.0
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	4,284		12,900				13,373		17,743	
Medicare on Continuation Subtotal	612		2,443				2,535		2,535	
Non-Base Building Performance Awards										
Contractual	-		-				-		-	
Furlough Days	-		-				-		-	
Other	99		821							
SUBTOTAL	4,995		16,164				15,907		20,277	
(I.C.) PERSONAL SERVICES SUBTOTAL= A+B										
	47,953	0.5	190,968	2.0			190,711	2.0	195,081	2.0
(I.D.) POTS EXPENDITURES										
Health/Life Dental	2,801		15,908				16,583		16,583	
Salary Survey							-			
Performance Awards										
Short Term Disability	55		297				309		309	
SB 04.257 A E D	928		4,043				4,895		5,594	
SB 06.235 S A E D	633		2,949				3,933		4,807	
Other										
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL= C+D										
	52,370	0.5	214,164	2.0			216,431	2.0	222,374	2.0
(I.F.) DIFFERENCE= II- I.E.										
									-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

Auto Theft Prevention Grant

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.G.) REQUEST YEAR DECISION ITEMS										
General Fund										
Cash Funds										
Reappropriated Funds										
II. PERSONAL SERVICES REQUEST TOTAL	52,370	0.5	214,164	2.0			216,431	2.0	222,374	2.0
General Fund										
Cash Funds	-		-							
Reappropriated Funds	52,370		214,164							
Federal Funds							216,431		222,374	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Auto Theft Prevention Grant

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation			370				5,387		2,698	
2210 Bldg Maintenance/Repair Svcs			-							
2230 Equipment Maintenance/Repair Svcs	-		-				-			
2231 ADP Equip Maint/Repair Services	-		190				-			
2252 Motor Pool Mileage Charge	-		73				250		250	
2254 Rental of Motor Vehicles	-		-							
2255 Rental of Buildings	-		3,967				6,344		6,344	
2258 Parking Fees	-		-				0		0	
2559 Parking Fee Reimbursement	-		-				26		26	
2510 In State Travel	-		-				843		843	
2258 Parking Fees	-		-							
2512 IS Personal Travel Per Diem	-		457				600		600	
2513 IS Personal Vehicle Reimbursement	-		-							
2530 Out of State Travel	-		136				150		150	
2531 OS Common Carrier Fares	-		198				325		325	
2532 OS Personal Travel Per Diem	-		359				350		350	
2533 OS Personal Vehicle Reimbursement	-		-							
2630 Comm Svcs Div of Telecom	43		1,186				1,214		1,214	
2631 Comm Svcs from Outside Sources	137		513				650		650	
2641 Other ADP Billings - Purchase Services	-		-							
2660 Insurance	-		-							
2680 Contract Printing	-		-				182		182	
2681 Photocopy Reimbursement	-		-							
2810 Freight & Storage	-		-				-		-	
2820 Other Purchased Services	-		-				657		657	
2830 Office Moving/Purchased Services	-		-							
3110 Other Supplies and Materials	-		-				-		-	
3112 Automotive Supplies	-		-							
3114 Custodial	-		-							
3115 DP Supplies	11		265				250		250	
3116 Purchase/Leased Software	-		-							
3117 Educational	-		52							
3120 Books & Subscriptions	125		560				475		475	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Auto Theft Prevention Grant

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
3121 Office Supplies	295		172				212		212	
3122 Microfilming/Photo. Supplies	-		-							
3123 Postage	-		44				266		266	
3124 Printing	-		-				458		458	
3126 Repair & Maintenance/Supplies	-		-				50		50	
3128 Non-Capitalized Equipment	-		-							
3132 Non-Capitalized Furn/Office Sust	-		-							
3140 Non-Capitalized IT - PCs	2,487		3,528				-		-	
3141 Non-Capitalized IT - Servers	-		-							
3143 Non-Capitalized IT - Other	-		1,091							
3146 Non-Capitalized IT Purchased Server SW	-		-				3,255			
4100 Other Operating Expenses	-		-							
4140 Dues & Memberships	20		450				450		450	
4170 Miscellaneous Fees	-		-							
4180 Official Functions	-		-							
4220 Registration Fees	1,975		200				250		250	
Operating Expense Subtotal:	5,092		13,812				22,644		16,701	
Decision Item										
Cash Funds Exempt										
OPERATING EXPENSE TOTAL:	5,092		13,812				22,644		16,701	
General Fund										
General Funds Exempt										
Cash Funds	5,092		13,812							
Reappropriated Funds	-		-				22,644		16,701	
Potted Operating Expenses										
Workers' Compensation							-			
Leased Vehicle Expense										
Leased Space Allocation							-			
IT Asset Maintenance										
ADP Capital Outlay										
Building Security										
Total							-			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Auto Theft Prevention Grant

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
General Fund							-			
Cash Funds Exempt							-			
Base Refinancing									-	
General Fund										
Reappropriated Funds										
FY010 Refinancing									-	
General Fund										
Reappropriated Funds										
FY11 DECISION ITEMS									-	
General Fund										
Projected Shortfall							-			
Reappropriated Funds							-			
TOTAL Auto Theft Grant	57,463	0.5	227,976	2.0	239,075	2.0	239,075	2.0	239,075	2.0
General Fund										
General Fund Exempt										
Cash Funds	-		-							
Reappropriated Funds	57,463		227,976		239,075		239,075		239,075	
Federal Funds						2.0			-	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	-		246,976				239,075	2.0	239,075	
Supplemental HB 10-1305	72,083		-							
PERA, AED, SAED adjustments										
Removal of one time equipment purchases										
Classified Salary POTS										
Health/Life/Dental										
Short Term Disability										
SB 04.257 A E D										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Auto Theft Prevention Grant

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
SB 06 235 S.A.E.D.										
Capital Complex Lease Space										
Workers Compensation										
Vehicle Lease Allocation										
IT Asset Maintenance										
ADP Capital Outlay Allocation										
Building Security										
Rollforward from Previous FY year										
Restriction										
Overexpenditure/(Reversion) - GF										
Lapsed Appropriation Reappropriated Fund	(14,620)		(19,000)							
Lapsed Appropriation Federal Funds	-		-							
TOTAL RECONCILIATION	57,463	0.0	227,976	0.0			239,075	2.0	239,075	
GRAND TOTAL	57,463	0.5	227,976	2.0	239,075	2.0	239,075	2.0	239,075	2.0
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	57,463		227,976		239,075		239,075		239,075	
Federal Funds	-		0				-			

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

Auto Theft Prevention Grant

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2009	FY 2010	FY 2011	FY 2011	FY 2012
Schedule 3 Total		57,463	227,976	239,075	239,075	239,075
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		-	-	-	-	-
Reappropriated Funds		57,463	227,976	239,075	239,075	239,075
Federal Funds		-	-	-	-	-
Reappropriated Funds						
Auto Theft Prevention Grant		57,463	227,976	239,075	239,075	239,075
Federal Funds						
Federal VOCA Grant		-	-	-	-	-

FY 12-13
Budget
Schedules 2, 3 and 4
CJ & A - Special Prosecutions



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
SPECIAL PROSECUTIONS UNIT	3,081,876	29.1	3,130,538	28.5	2,774,265	30.5	3,193,057	30.5	2,830,320	30.5
General Fund	1,676,788		1,741,166		1,359,303		1,540,967		1,391,287	
General Fund Exempt	-		-		-		-		-	
Cash Funds	240,718		942,404		861,711		1,003,386		879,039	
Reappropriated Funds	1,164,370		446,968		553,251		648,704		559,994	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Actual FY 10		Actual FY 11		Y 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
Deputy Attorney General	122,652	1.0	121,075	1.0			124,728	1.0	124,728	1.0
First Assistant Attorney General	211,164	2.0	211,164	2.0			211,164	2.0	211,164	2.0
Senior Assistant Attorney General	734,604	8.0	719,532	7.8			646,488	7.0	646,488	7.0
Assistant Attorney General	101,520	1.0	98,976	1.2			175,980	2.0	175,980	2.0
Criminal Investigator II	820,604	10.8	803,214	10.2			843,528	11.0	843,528	11.0
Criminal Investigator III	88,200	1.0	88,200	1.0			88,200	1.0	88,200	1.0
Legal Assistant I	87,264	2.0	99,854	2.2			131,794	2.8	131,794	2.8
Legal Assistant II	55,776	1.0	55,776	1.0			55,776	1.0	55,776	1.0
Auditor IV			55,494	0.8			72,504	1.0	72,504	1.0
Program Assistant I	47,616	1.0	19,840	0.4					0	0.0
Administrative Assistant III	48,352	1.3	39,711	1.0			73,464	1.7	73,464	1.7
Administrative Assistant II										
TOTAL POSITION DETAIL	2,317,752	29.1	2,312,836	28.5			2,423,626	30.5	2,423,626	30.5
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by Position) Continuation Salary Subtotal	2,317,752	29.1	2,312,836	28.5			2,423,626	30.5	2,423,626	30.5
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	225,113		176,223				185,407		245,998	
Medicare on Continuation Subtotal	29,736		31,664				35,143		35,143	
Non-Base Building Performance Awards							-			
Part-Time/Temporary Salaries	-		2,987							
Contractual Services	16,595		16,972				15,525		15,525	
Furloughs	(26,800)		-							
Leave	23,709		5,788							
Forced Vacancy							(41,024)		(9,592)	
Overtime	-		-							
Unemployment Compensation										
Other	8,567		10,292							
SUBTOTAL	276,911	29.1	243,926	28.5			195,051	30.5	287,074	30.5
(I.C.) PERSONAL SERVICES SUBTOTAL= A+B	2,594,662		2,556,762				2,618,677		2,710,700	
(I.D.) POTS EXPENDITURES										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation	5,695		9,605				5,623		5,623	
2150 Custodial Services	-		-							
2160 Janitorial Service	-		-							
2170 Waste Disposal Services	123		-				10		10	
2210 Bldg Maintenance/Repair Svcs	-		-							
2220 Building Grounds Maintenance	-		-							
2230 Equipment Contract Maintenance	176		657				20		20	
2231 ADP Equip Maint/Repair Services	3,414		5,172				700		700	
2232 Software Upgrades	11,757		9,813				4,580		4,580	
2240 Motor Veh Maint/Repair Svcs	-		-							
2251 Lease Motor Pool Vehicle	20,667		25,016						-	
2252 Motor Pool Mileage Charge	14,449		20,143				14,521		14,521	
2253 Equipment Rental	-		-				-		-	
2254 Rental of Motor Vehicles	-		-				-		-	
2255 Rental of Buildings	100,230		96,164				-		-	
2258 Parking Fees	10,945		11,040				10,645		10,645	
2559 Parking Fee Reimbursement	-		-							
2510 In State Travel	13		169				150		150	
2511 In State Common Carrier Fares	-		795				-		-	
2512 IS Personal Travel Per Diem	7,529		15,496				7,620		7,620	
2513 IS Personal Vehicle Reimbursement	114		375				150		150	
2520 IS Travel/Non Employee	-		-							
2521 IS Common Carrier Non Employee	-		-							
2522 IS Non-Emp - Pers Per Diem	-		-							
2523 IS/Non-Emp - Pers Veh Reimb	-		-							
2530 Out of State Travel	126		1,093				179		179	
2531 OS Common Carrier Fares	882		5,051				980		980	
2532 OS Personal Travel Per Diem	2,049		5,121				2,150		2,150	
2533 OS Personal Vehicle Reimbursement	-		-							
2540 OS Travel Non-Employee	-		-							
2541 OS Non Emp Common Carrier Fares	-		-							
2542 OS/Non Emp - Pers Per Diem	-		-							
2550 Out of Country Travel	45		40				-		-	
2551 Out of Country Common Carrier Fares	723		476				750		750	
2552 OC Pers Travel Reimbursement	674		706				561		561	
2610 Advertising	-		-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2630 Telephone	20,896		21,918				21,541		21,541	
2631 Comm Svcs from Outside Sources	7,872		8,792				7,872		7,872	
2641 Other ADP Billings - Purchase Services	5,314		6,512				5,400		5,400	
2650 OIT Purchased Svcs			6							
2660 Insurance	3,829		3,965							
2680 Contract Printing	15,440		-				-		-	
2681 Photocopy Reimbursement	-		-							
2710 Purchase Medical Services	-		46				-		-	
2810 Freight & Storage	-		-							
2820 Other Purchased Services	322		1,462				320		320	
2830 Office Moving/Purchased Services	-		-							
2831 Storage Purch Svcs			13							
3110 Other Supplies and Materials	-		-							
3112 Automotive Supplies	-		21							
3113 Clothing and Uniform Allowance	-		-							
3114 Custodial	-		-							
3115 DP Supplies	2,634		-				-		-	
3116 Purchase/Leased Software	4,475		1,225				1,475		1,475	
3117 Educational	157		2,592				532		532	
3120 Books & Subscriptions	7629.3		7,030				7,629		7,629	
3121 Office Supplies	5,935		5,006				6,254		6,254	
3122 Microfilming/Photo. Supplies	-		1,558							
3123 Postage	2,724		2,675				2,850		2,850	
3124 Printing	-		-							
3126 Repair & Maintenance/Supplies	-		-							
3128 Non-Capitalized Equipment	1,901		26,644				-		-	
3131 Non-Capitalized Building Mat'ls	-		-							
3132 Non-Cap Office Furn/Office Systems	432		1,505							
3140 Non-Capitalized IT - PC's	4,229		6,429				-		-	
3141 Non Capitalized IT Servers	298		1,398				-		-	
3143 Non-Capitalized IT - Other	638		1,993				-		-	
3146 Non Capitalized IT	-		1,437				-		-	
3940 Electricity	-		-							
3950 Gasoline	-		-							
4100 Other Operating Expenses	-		-							
4140 Dues & Memberships	10,897		16,944				10,850		10,850	
4151 Interest Late Payments	-		-							

SCHEDULE 3 - OPER NG PROGRAM DETAIL

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
4170 Miscellaneous Fees	-		-							
4180 Official Functions	207		629				200		200	
4111 Prizes and Awards			1,300							
4220 Registration Fees	6,185		4,107				6,058		6,058	
6140 Buildings and Improves. to Bldg.	-		-							
6210 Other Capital Equipment	-		-							
6212 IT Servers - Direct Purchase	-		2,660							
6213 IT PC SW - Direct Purchase	-		-							
6214 IT Other Direct Purchase			1,592							
6280 Other Cap Equipment Direct Purchase			5,595							
Operating Expense Subtotal:	281,623		341,991				119,620		119,620	
FY13 DECISION ITEMS										
Total Funds										
General Fund										
Cash Funds										
Cash Funds Exempt										
OPERATING EXPENSE TOTAL:	281,623		341,991				119,620		119,620	
General Fund	187,254		161,955				56,221		56,221	
General Funds Exempt										
Cash Funds	18,390		131,207				55,853		55,853	
Reappropriated Funds	75,979		48,828				7,546		7,546	
Potted Operating Expenses										
Workers' Compensation							5,037			
Vehicle Leased Expense							24,638			
Capital Complex Lease Space							96,749			
Lease Space							2,742			
IT Asset Maintenance							21,745			
ADP Capital Outlay							-			
Communication Service Payments							4,553			
Building Security							9,451			
CLE Registration Fees							3,750			
Total							168,665			
General Fund							68,950			
Cash Funds							67,020			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Salary POTS							-			
Health/Life/Dental	130,797		101,188				129,753			
Short Term Disability	3,374		3,601				4,103			
SB 04.257 A.E.D.	46,223		55,851				64,576			
SB 06.235 S.A.E.D.	28,612		39,824				51,695			
Worker's Compensation	3,882		3,965				5,037			
Capital Complex Lease Space	97,419		97,627				96,749			
Lease Space	3,399		2,742				2,742			
Vehicle Lease Allocation	30,082		27,237				24,638			
IT Asset Maintenance	21,745		21,745				21,745			
ADP Capital Outlay Allocation	6,882									
Communication Service Payments	3,547		4,224				4,553			
Building Security	15,506		9,422				9,451			
CLE Registration Fees	4,501		3,750				3,750			
Roll Forward from Previous FY							-			
Rollforward to Subsequent FY										
Overexpenditure/(Reversion) - GF	(2,829)		(7,625)							
Lapsed Appropriation Cash Fund	(67,669)	(1.9)	(77,978)	(2.5)						
Lapsed Appropriation Reappropriated Funds	(18,011)		(1)							
TOTAL RECONCILIATION	3,081,876	29.1	3,130,538	28.5			3,193,057	30.5	2,830,320	31.0
DIFFERENCE=										
GRAND TOTAL	3,081,876	29.1	3,130,538	28.5	2,774,265	30.5	3,193,057	30.5	2,830,320	30.5
General Fund	1,676,788		1,741,166		1,359,303		1,540,967		1,391,287	
General Fund Exempt	-		-		-		-		-	
Cash Funds	240,718		942,404		861,711		1,003,386		879,039	
Reappropriated Funds	1,164,370		446,968		553,251		648,704		559,994	
Federal Funds							-		-	

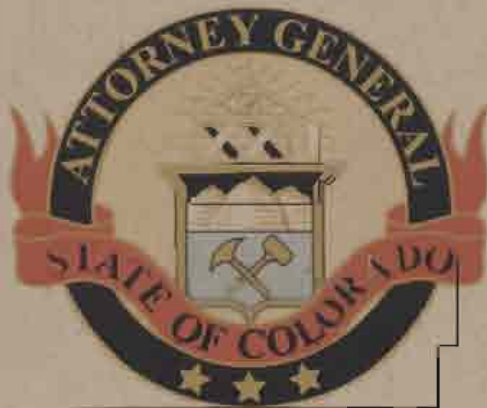
SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		3,081,876	3,130,538	2,774,265	3,193,057	2,830,320
General Funds		1,676,788	1,741,166	1,359,303	1,540,967	1,391,287
General Funds Exempt		-	-	-	-	-
Cash Funds		240,718	942,404	861,711	1,003,386	879,039
Reappropriated Funds		1,164,370	446,968	553,251	648,704	559,994
Cash Funds						
State Compensation Insurance Authority		240,718	253,603	208,640	240,777	212,840
Fund #16Z			688,801	653,071	762,609	666,199
Reappropriated Funds		1,164,370	446,968	553,251	648,704	559,994
Special Prosecution Custodial		-	-	-	-	-
DORA Division of Insurance Cash Fund		735,994	-	-	-	-
DORA Division of Securities		428,376	446,968	553,251	648,704	559,994

Narrative Appellate



D) BACKGROUND INFORMATION: APPELLATE DIVISION

Structure: The Appellate Division consists of a total of 31 employees (28 attorney FTE), and 3 support staff. It is a general fund unit headed by the Deputy Solicitor General.

Primary duties. The Appellate Division represents the prosecution when defendants challenge their felony convictions before the state appellate courts or the federal courts.

A case is officially "activated" in the Appellate Division when the Division receives an opening brief from the defense, or an order to show cause from the federal district court. In FY 2011, the Division activated 1050 new appeals. These were filed by the State Public Defender (35.7%), private attorneys (including ADC) (33.4%), and pro se defendants (30.9%).

Most of the cases handled by the Appellate Division are in the Colorado Court of Appeals; the remainder is in the Colorado Supreme Court and the federal courts. For each case, an Appellate Division attorney must review the trial court record and the brief filed by the defense, do legal research into the defendant's claims, and file a response. In some cases, the Appellate attorney will be filing the first (or opening) brief rather than a response. In FY 2011, Appellate Division attorneys filed 1021 briefs. On some appeals, the attorney must also argue the case before an appellate court; appellate attorneys did 117 such arguments in FY 2011.

In order to do the best job possible, appellate and trial prosecutors must keep current on ongoing developments in criminal law and procedure. Division attorneys condense the critical principles embodied in each published case, and classify and incorporate them into a digest that is transmitted weekly to the division's attorneys and to the Offices of the State's District Attorneys. This digest is available to state prosecutors through a web site posting that is updated monthly.

Critical issues. For the most part, the Division responds to appeals that are brought on behalf of convicted criminals and therefore cannot control the size of its caseload. It must provide effective and ethical representation in every case and handle whatever issues are presented in as timely a manner as possible. At times, however, it must take the offensive and seek certiorari review in the Supreme Court when (1) the court of appeals issues an opinion that appears to be contrary to established law and/or would have an adverse impact on law enforcement; or (2) conflicting decisions from the court of appeals emphasize the need for clarification in particular areas of the law.

The outcome of any given case may significantly affect how law enforcement authorities conduct searches and arrests; influence criminal trials and sentencing hearings throughout the state; or impact the state's Department of Corrections, and probation, parole, and county Community Corrections programs. As such, each case must be given thorough and careful attention.

This obligation must be balanced with the need to process cases as quickly and efficiently as possible, which has proven to be a daunting task. Although the number of incoming

cases decreased last year, the Division was severely impacted by huge incoming numbers for several years in a row, exacerbated by inadequate resources to generate an equal output. As a result, the backlog of cases needing attention grew significantly, along with the time it takes for Division lawyers to process appeals. In FY 2011, thanks to smaller incoming numbers, Division lawyers managed to reduce the backlog by 8%. We hope to make further inroads in the backlog in FY 2012.

II) PRIOR YEAR LEGISLATION:

None

III) HOT ISSUES:

Appellate’s biggest challenge has always been how to keep pace with an unpredictable incoming caseload, while also trying to pare down the pending caseload. The state appellate courts (and particularly the Court of Appeals) have traditionally recognized the difficulties posed by our workload and have been generous in granting extra time to file our briefs. However, the Court of Appeals is catching up on its caseload thanks to the addition of more judges, and has indicated that it wants to reduce the amount of time it takes for cases to pass through the appellate system. As such, Appellate will be required to do an even more delicate balancing act between processing appeals quickly while giving those appeals the attention they deserve. We can expect to see continuing pressure by the Courts for a faster turnaround on our appeals.

IV) WORKLOAD MEASURE:

Work on these appeals involves additional activities that vary by case, including monitoring case files; writing and responding to motions; conducting legal research; filing supplemental pleadings such as petitions for rehearing and petitions for certiorari; and preparing for and orally arguing the merits of the appeal before an appellate court(s). Oral arguments involve significant prep time, so an increase in arguments directly impacts brief production.

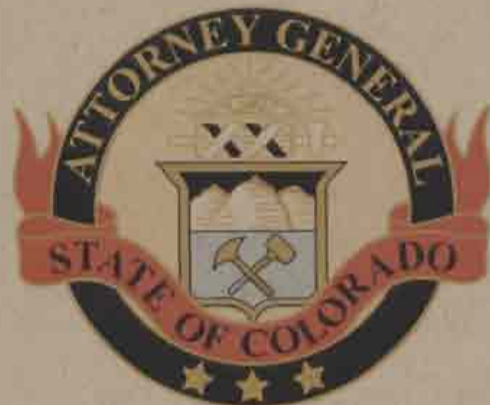
Workload Measure		FY 10 Actual	FY 11Actual	FY 12 Estimate	FY13 Request
Incoming cases		1152	1050	1100	1200
Oral arguments		95	117	130	145

CORE OBJECTIVES AND PERFORMANCE MEASURES

Objective: Produce quality briefs appropriately tailored to the seriousness of the offense/appellate challenge while maintaining or improving success rate. As a performance measure, the most quantifiable indicator may be "Cases Resolved," which reflects the number of briefs filed plus the cases decided by the Court of Appeals via its expedited docket (which issues opinions in simple cases without the need for an AG response) or otherwise resolved.

Performance Measure	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY13 Request
Briefs filed	1054	1021	1060	1100
Cases resolved (i.e. total of briefs filed and cases decided via expedited docket or otherwise resolved)	1116	1087	1100	1150
Percentage of cases with a successful outcome on appeal	93%	90%	90%	90%

FY 12-13
Budget
Schedules 2, 3 and 4
CJ & A - Appellate



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

APPELLATE UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
APPELLATE UNIT	2,888,866	30.7	2,984,650	31.6	2,611,793	32.0	3,029,611	32.0	2,703,455	32.0
General Fund	2,635,890		2,787,785		2,224,371		2,642,189		2,197,268	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	252,976		196,865		387,422		387,422		506,187	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

APPELLATE UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
Deputy Attorney General	122,016	1.0	122,016	1.0			122,016	1.0	122,016	1.0
First Assistant Attorney General	287,172	3.0	287,172	3.0			287,172	3.0	287,172	3.0
Senior Assistant Attorney General	318,416	4.0	321,516	4.0			321,516	4.0	321,516	4.0
Assistant Attorney General	1,318,896	19.8	1,312,446	19.9			1,370,640	20.0	1,370,640	20.0
Assistant Attorney General II										
General Prof IV			68,256	1.0			68,256	1.0	68,256	1.0
Program Assistant I	49,260	1.0	36,945	0.8			49,260	1.0	49,260	1.0
Administrative Assistant II	66,274	1.9	69,183	2.0			72,000	2.0	72,000	2.0
Administrative Assistant I										
TOTAL POSITION DETAIL	2,162,035	30.7	2,217,534	31.6			2,290,860	32.0	2,290,860	32.0
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by Position)										
Continuation Salary Subtotal	2,162,035	30.7	2,217,534	31.6			2,290,860	32.0	2,290,860	32.0
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	202,495		166,691				175,251		232,522	
Medicare on Continuation Subtotal	28,619		29,961				33,217		33,217	
Non-Base building Performance Award							-		-	
Furlough	(25,278)		-							
Part-Time/Temporary Salaries	-		-							
Contractual Services	10,276		9,927						-	
Leave	-		25,790							
Overtime	-		-							
Other	7,523		18,953							
SUBTOTAL	223,635	30.7	251,321	31.6			208,468	32.0	265,739	32.0
(I.C.) PERSONAL SERVICES										
SUBTOTAL= A+B	2,385,670	30.7	2,468,854	31.6			2,499,328	32.0	2,556,599	32.0
Difference										
(I.D.) POTS EXPENDITURES										
Health/Life Dental	149,337		165,684				173,763			
Salary Survey							-			
Performance Awards							-			

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

APPELLATE UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Short Term Disability	3,269		3,729				4,055			
SB 04.257 A.E.D.	44,418		51,203				64,144			
SB 06.235 S.A.E.D.	27,597		37,328				51,544			
Other										
[] Indicates a Non-add										
(I.E) BASE PERSONAL SERVICES TOTAL= C+D	2,610,291	30.7	2,726,798	31.6			2,792,834	32.0	2,556,599	32.0
(I.F.) DIFFERENCE= II-I.E.										
(I.G.) REQUEST YEAR DECISION ITEMS										
General Fund										
Cash Funds										
Reappropriated Funds										
II. PERSONAL SERVICES REQUEST TOTAL	2,610,291	30.7	2,726,798	31.6			2,792,834	32.0	2,556,599	32.0
General Fund	2,357,315		2,529,933				2,405,412		2,050,412	
Cash Funds										
Reappropriated Funds	252,976		196,865				387,422		506,187	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

APPELLATE UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation	1,565		1,419				1,425		1,425	
2210 Bldg Maintenance/Repair Svcs	-		-				-		-	
2220 Building Grounds Maintenance	15,437		-				-		-	
2230 Bldg Maintenance/Repair Svcs	-		-				-		-	
2231 ADP Equip Maint/Repair Services	700		2,130				650		650	
2232 Software Upgrades	-		-				-		-	
2240 Motor Veh Maint/Repair Svcs	-		-				-		-	
2251 Lease Motor Pool Vehicle	-		-				-		-	
2252 Motor Pool Mileage Charge	-		-				-		-	
2255 Rental of Buildings	101,587		101,588				-		-	
2258 Parking Fees	90		-				-		-	
2559 Parking Fee Reimbursement	-		-				-		-	
2510 In State Travel	-		-				-		-	
2512 IS Personal Travel Per Diem	551		984				920		920	
2513 IS Personal Vehicle Reimbursement	-		-				303		303	
2520 IS Travel/Non Employee	-		-				-		-	
2521 IS Common Carrier Non Employee	-		-				-		-	
2522 IS Non-Emp - Pers Per Diem	-		-				-		-	
2523 IS/Non-Emp - Pers Veh Reimb	-		-				-		-	
2530 Out of State Travel	-		-				-		-	
2531 OS Common Carrier Fares	-		-				-		-	
2532 OS Personal Travel Per Diem	-		-				118		118	
2533 OS Personal Vehicle Reimbursement	-		-				-		-	
2550 Out of Country Travel	-		-				-		-	
2552 OC Pers Travel Reimbursement	-		-				-		-	
2630 Telephone	15,746		15,053				15,545		15,545	
2631 Comm Svcs from Outside Sources	1,635		1,425				1,600		1,600	
2641 Other ADP Billings - Purchase Services	62,169		47,729				49,877		49,877	
2660 Insurance	3,956		4,092				-		-	
2680 Contract Printing	6,607		6,476				6,345		6,345	
2681 Photocopy Reimbursement	-		-				-		-	
2810 Freight & Storage		0.0								
2820 Other Purchased Services	256		13,645				5,264		5,949	
2830 Office Moving/Purchased Services	-		-				-		-	
3110 Other Supplies and Materials	-		-				-		-	
3115 DP Supplies	1,820		961				1,256		1,256	
3116 Purchase/Leased Software	-		-				-		-	
3117 Educational	-		-				20		20	
3120 Books & Subscriptions	2,168		1,983				1,874		1,874	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

APPELLATE UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
3121 Office Supplies	3,272		4,180				4,100		4,100	
3122 Microfilming/Photo. Supplies	-		-						-	
3123 Postage	3,085		4,363				4,421		4,421	
3124 Printing	-		-						-	
3126 Repair & Maintenance/Supplies	-		-						-	
3128 Non-Capitalized Equipment	-		-						-	
3131 Non-Capitalized Building Materials	36,525		33,838				-		-	
3132 Non-Cap Office Furn/Office Systems	1,009		2,227				-		-	
3139 NONCAPITLIZD FIXED ASSET OTHER			386							
3140 Non-Capitalized IT - PC's	-		-						-	
3141 Non-Capitalized IT - Servers	-		-						-	
3143 Non-Capitalized IT Other	7,500		47				-		-	
3146 Non-Capitalized Purchased Server SW	-		-						-	
3950 Gasoline	-		-						-	
4100 Other Operating Expenses	-		-						-	
4140 Dues & Memberships	6,326		14,360				14,700		14,700	
4151 Interest Late Payments	-		-						-	
4170 Miscellaneous Fees	-		-						-	
4180 Official Functions	-		641				-		-	
4220 Registration Fees	6,570		325				325		325	
6140 Buildings and Improves. to Bldg.	-		-						-	
6210 Other Capital Equipment	-		-						-	
6212 IT PC SW - Direct Purchase	-		-				-		-	
6213 IT Servers Direct Purchase	-		-				-		-	
6220 Office Furn & Equip	-		-						-	
6224 Other Furn & Fixtures- Direct Purchase	-		-						-	
6410 ADP Equipment-Lease Purchase	-		-						-	
Underfunded GF for base										
Operating Expense Subtotal:	278,575		257,851				108,743		109,428	
OPERATING EXPENSE TOTAL:	278,575		257,851				108,743		109,428	
General Fund	278,575		257,851				108,743		109,428	
General Funds Exempt							-			
Reappropriated Funds										
Rollforwards							-			
General Fund Exempt							-			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

APPELLATE UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Special Bills										
HB07-1054 Increasing Judges General Fund									-	-
Potted Operating Expenses										
Workers' Compensation							4,092			
Leased Vehicle Expense							-			
Capital Complex Lease Space Lease Space							101,507 894			
IT Asset Maintenance							-			
ADP Capital Outlay										
CLE Registration Fees							11,825			
Building Security							9,916			
Total							128,034			
General Fund							128,034			
General Fund Exempt										
Cash Funds										
Reappropriated Funds										
DECISION ITEMS										
DI #5 Reinstate 1.5% Reduction									37,428	
General Fund									37,428	
Cash Funds										
Cash Funds Exempt										
TOTAL APPELLATE UNIT	2,888,866	30.7	2,984,650	31.6			3,029,611	32.0	2,703,455	32.0
General Fund	2,635,890		2,787,785				2,642,189		2,197,268	
General Fund Exempt							-		-	
Cash Funds							-		-	
Reappropriated Funds	252,976		196,865				387,422		506,187	
RECONCILIATION OF FUNDS/REQUEST										
Long Bill Appropriation	2,583,983	31.0	2,648,687	32.0	2,666,027		2,666,027	32.0	2,611,793	
DI #5 Reinstate 1.5% Reduction									37,428	
SB 11-76 PERA Reduction					(54,234)		(54,234)		54,234	
10-1329-Solid Waste User Fees GF to RF (\$41,384)			41,384			0				
Supplemental HB 10-1305	(228)									
Reverse one time RF (Indirect) to GF (\$82,830)										
FY 13 VALE refinance of \$3,523 from RF to GF									-	
Additional Indirect allocation									-	
Salary POTS							-			
Health/Life/Dental	129,738		120,629				173,763			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

APPELLATE UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Short Term Disability	2,883		3,229				3,948			
SB 04.257 A.E.D.	42,181		49,852				61,683			
SB 06.235 S.A.E.D.	25,916		36,969				49,198			
Worker's Compensation	4,016		4,092				5,284			
Capital Complex Lease Space	100,690		100,775				101,507			
Lease Space	1,108		894				894			
Vehicle Lease Allocation							-			
IT Asset Maintenance							-			
CLE Registration Fees	11,625		11,625				11,625			
Building Security	15,512		9,727				9,916			
ADP Capital Outlay Allocation										
Rollforward from Previous FY year										
Rollforward to Subsequent FY										
Overexpenditure/(Reversions) - GF										
Lapsed Appropriation RF	(28,558)	-0.3	(1,829)	(0.5)						
TOTAL RECONCILIATION	2,888,866	30.7	2,984,650	31.5			3,029,611		2,703,455	
GRAND TOTAL	2,888,866	30.7	2,984,650	31.6	2,611,793	32.0	3,029,611	32.0	2,703,455	32.0
General Fund	2,635,890		2,787,785		2,224,371		2,642,189		2,197,268	
General Fund Exempt							-		-	
Cash Funds							-		-	
Reappropriated Funds	252,976		196,865		387,422		387,422		506,187	
Federal Funds							-		-	

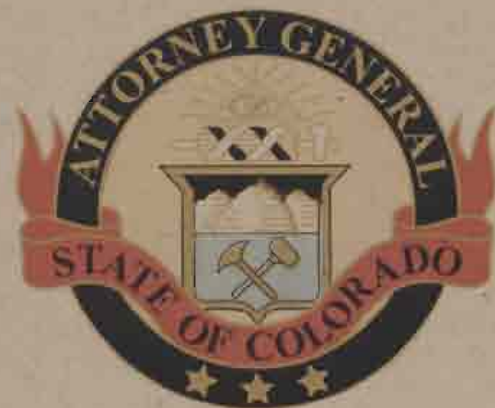
SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

APPELLATE UNIT

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2009	FY 2010	FY 2011	FY 2011	FY 2012
Schedule 3 Total		2,888,866	2,984,650	2,611,793	3,029,611	2,703,455
General Funds		2,635,890	2,787,785	2,224,371	2,642,189	2,197,268
General Funds Exempt				-	-	-
Cash Funds				-	-	-
Reappropriated Funds		252,976	196,865	387,422	387,422	506,187
Reappropriated Funds	100					
Indirect Cost Recoveries		252,976	82,830	311,248	311,248	433,536
Haz Waste HB 10-1329			41,384			
Victim's Assistance			72,651	76,174	76,174	72,651

Narrative Medicaid Fraud



D) BACKGROUND INFORMATION: MEDICAID FRAUD UNIT

The Medicaid Fraud Control Unit ("MFCU"), authorized for 17 FTE positions, defends the financial integrity of the state's Medicaid program and the safety of patients in Medicaid-funded facilities. The MFCU investigates and prosecutes fraud by providers against the Medicaid program and patient abuse in Medicaid-funded facilities throughout the state. It also pursues civil recoveries and damages against providers under the Colorado Medicaid False Claims Act, which became law on May 26, 2010. By law, the Unit is separate from and independent of the state agency (Colorado Department of Health Care Policy and Financing, HCPF) that administers Colorado's Medicaid program. By federal law and State Executive Order D1787, the Unit has statewide investigation and prosecution authority, which occurs with the cooperation and assistance of the 22 local District Attorneys across the state.

The Colorado Medical Assistance Program (Medicaid) provides medical assistance to low income, disabled individuals, and children and families in Colorado, paying approximately \$4.6 billion each fiscal year to over 10,000 participating Colorado Medicaid providers (such as nursing homes, doctors, psychiatrists, psychologists and mental health therapists, dentists, pharmacies, laboratories, hospitals, clinics and durable medical equipment companies) on behalf of over 700,000 recipients enrolled in the Integrated Care Management (485,000 enrolled), Children's Basic Health Plan (70,000 enrolled), Medically and Colorado Indigent Care (198,000 enrolled) and the Medical Homes (includes 236,000 Medicaid and Children's Basic Health Plan children) Programs. Accordingly, Medicaid is one of the two largest items in the current Colorado state budget.

Colorado Medicaid is jointly funded by the federal and state governments at a 50/50 split. The MFCU receives 75% of its funding from the federal government, but in most cases a full 50% of the monies recovered by the Unit are returned to the state. Over the last three years, the MFCU has returned **\$14,659,121.05** in restitution and other recoveries to the Medicaid program in Colorado (**\$5,312,041.40** in 2008-2009, **4,149,928.01** in 2009-2010, **\$5,197,151.64** in 2010-2011). Recoveries are accomplished through criminal restitution orders, settlements with providers, and participation with other state MFCUs in civil and criminal litigation, termed "global" cases, over alleged fraud against state Medicaid programs nationwide.

This past fiscal year, under the new False Claims Act, the MFCU began civil fraud recoveries to supplement its criminal authority. In FY 2011, the MFCU recovered **\$114,168.00** in civil recoveries for local fraud and overpayments unrelated to the global cases, far in excess of the \$69,145.00 of state money appropriated for its new civil unit. Of this amount, approximately \$50,000 was recovered from cases that were initiated within the MFCU.

A large majority of health care providers deliver reasonable and honest services, and bill appropriately. Fraud, waste and abuse are estimated nationally at **9.4%**, although in 1999 it was estimated in Colorado at **1.8%**. Recognizing that any amount is too much, it is the

goal of the MFCU to effectively investigate, prosecute and to recover overpayments. Modern Medicaid fraud is typically a complex, multi-party (and sometimes multistate) white-collar crime which requires sophisticated investigative and prosecution personnel, who are well-trained and experienced in the white-collar crime arena.

II) PRIOR YEAR LEGISLATION

This fiscal year, the MFCU added three positions and organized a civil group to respond to new duties added by the Colorado Medicaid False Claims Act, a *qui tam* (whistleblower) act that passed on May 26, 2010. This act permits the MFCU to pursue civil recoveries against providers, resulting in additional opportunities for monetary recovery. These recoveries may come from state whistleblower cases in court, or simply from the MFCU's expanded power to review, investigate, and prosecute under civil laws. Under federal law, if Colorado's false claims act is approved by the Department of Health and Human Services' Inspector General's Office as being compliant with the Deficit Reduction Act (DRA), Colorado would be entitled to retain a greater portion of its civil Medicaid recoveries than its approximately 50% share. However, this past fiscal year Colorado's law was turned down for approval. Therefore, while the law continues in full force, Colorado will not be able to retain the extra portion of the recoveries. It should be noted that all states applying for DRA approval were rejected at the same time as Colorado was, and that the Inspector General has further decided to prospectively reject some other states' laws that had previously been approved.

III) HOT ISSUES

Major fraud cases: In the past fiscal year, the MFCU has continued to prosecute medical supply and equipment cases with significant losses, and more such cases are under investigation.

Growing funding for health care fraud investigation: The federal legislation noted above represents only some of the ways in which both the federal and the State governments are paying increasing attention to the problem of fraud against the government in the health care arena. As fraud-fighting programs grow, the MFCU expects to see further growth in the number of cases referred for criminal investigation. The CMS has predicted that the growth in Medicaid spending will outpace the growth of the economy in the United States in the next decade (CMS Press Release, October 17, 2008).

False Claims: With the passage of the Medicaid False Claims Act, the State of Colorado has been named as a party plaintiff in approximately 89 global cases, resulting in a sharp increase in the MFCU's case load and activity level. As mentioned above, the MFCU has also recovered substantial funds from local civil cases, some of which were generated within the MFCU and some of which were the result of referrals from outside sources.

Initiatives and directions: The MFCU has begun initiatives to combat certain types of frauds that are prominent in Colorado. These frauds include overbilling in home health and Home and Community Based Services (HCBS), upcoding of services by physicians and other professionals, and expense reporting in nursing home cost reports. The MFCU will be proposing legislation to the Deputy Attorney General for consideration by the Legislature; the proposed bill would enhance existing elder protection statutes by requiring mandatory reporting of elder abuse, both physical and financial, by health professionals and people in certain other occupations.

IV) WORKLOAD MEASURE:

WORKLOAD INDICATORS

Workload Measures		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Measure 1.1. Criminal Investigation Opened	Target	45	45	45	45
	Actual	51	55		
Measure 1.2. Criminal Investigations Pending	Target	55	55	55	55
	Actual	78	63		
Measure 1.3. Criminal Cases Filed	Target	12	12	12	12
	Actual	6	20		
Measure 1.4. Convictions	Target	12	12	12	12
	Actual	6	10		
Measure 1.8. Total fines / Costs / Restitution Recovered	Target	\$450,000	\$450,000	\$450,000	\$450,000
	Actual	\$4,149,928.01	\$5,197,151.64		
Measure 1.9. Medicaid program exclusions (Providers / years)	Target	12/60	12/60	12/60	12/60
	Actual	8/Pending	8/Pending		
Measure 1.10. Cases closed	Target	45	45	45	45
	Actual	41	65		
Measure 1.11. Patient Incident Reviews	Target	1,000	1,000	1,000	1,000
	Actual	2,707	2,994		
Measure 1.12. Intergovernmental Cooperation (open non-global cases investigated jointly w/other agencies)	Target	2	22	22	22
	Actual	14	6		

Statistics kept by the MFCU indicate that the workload of the MFCU has increased gradually but steadily over the fiscal years.

A comparatively dramatic increase in the MFCU caseload is anticipated for FY11 with the addition of new personnel.

PERFORMANCE MEASURES

1. Fraud investigations and prosecutions

Objective: To conduct a statewide program for investigating and prosecuting violations of applicable state laws pertaining to fraud in the administration of the Medicaid program, the provision of medical assistance, or the activities of providers of medical assistance under the State Medicaid plan.

Performance Measure	Outcome	FY 10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
1.1 Open fraud investigations with substantial potential for criminal prosecution.	Benchmark	35		35		35		35	
	Actual	78	5	56	21				
1.2 Identify, collect overpayments or refer the matter to appropriate state agency for collection.	Benchmark	\$450,000		\$450,000		\$450,000		\$450,000	
	Actual	\$4,149,928	(\$1,209,550)	\$5,197,151	\$1,047,2223				
1.3 To prosecute and convict providers who violate the criminal law by defrauding the Medicaid program.	Benchmark	9		9		9		9	
	Actual	6	1	13	7				
*Probation sentences (years)	Benchmark	10		10		10		10	
	Actual	15	(5.5)	10	(5)				
*Jail / prison sentences(days)	Benchmark	180		180		180		180	
	Actual	6,570		1,460					
*Useful public service (hours)	Benchmark	100		100		100		100	
	Actual	144		144					

Strategy: The Unit receives referrals from numerous sources. Fraud referrals often require substantial investigation, and some investigations take months or years. Many of the fraud referrals, once investigated, do not result in criminal charges. This is due to various reasons including lack of provable criminal intent, and inconsistencies or vagueness of applicable rules.

The Unit endeavors to be as quick and responsive as possible in receiving referrals, opening investigations, and bringing cases through the court system. When cases are not appropriate for criminal investigation, the Unit refers them promptly for consideration of civil recoveries or refers them to other agencies and/or delivers information or assistance to the referring entity or person to assure that their concerns may be addressed.

The MFCU's case load increased sharply with the addition of the civil unit, both from new local civil cases and from the service upon the state of scores of civil *qui tam* cases based in federal courts throughout the country.

Evaluation of Prior Year Performance: The MFCU held roughly steady in criminal convictions in FY10.

Key Workload Indicators: Workload indicators are consistent with the results in the Performance Measure table, and reflect an increasing Unit. Indicators show that the Unit has the ability to handle both routine cases and those that are highly demanding of employee time.

2. Abuse Investigations and Prosecutions

Objective: To review complaints alleging abuse of patients in health care facilities receiving payments under the State Medicaid plan and in board and care facilities regardless of funding; and complaints of the misappropriation of patients' private funds in such facilities.

Performance Measure	Outcome	FY 10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
2.1 Open abuse investigations with a substantial potential for criminal prosecution or refer to appropriate government agency	Benchmark	6		6		6		6	
	Actual	3	(3)	6	3				
2.2 Criminally prosecute and convict those who violate the criminal law, particularly the "Wrongs to At-risk Adults" statute.	Benchmark	1		1		1		1	
	Actual	0	0	1	1				

Strategy: The Unit investigates thousands of occurrences of injury, endangerment, and wrongdoing in nursing homes and other facilities. These cases can be investigated and prosecuted by the Unit, but a substantially greater number are tracked through the system as they are prosecuted by other agencies. As with fraud referrals, the Unit endeavors to be as quick and responsive as possible. Abuse cases are coordinated with the local agency and assistance is given as needed. In rare cases, a local agency will not accept an abuse case but the Unit is able to prosecute it independently.

Evaluation of Prior Year Performance: The Unit did not independently gain any criminal convictions this year for physical or sexual abuse cases. As mentioned, these cases are typically prosecuted by the local agencies, with the MFCU providing assistance as needed. This year, the Unit reviewed 2,707 allegations of abuse and other incidents in long-term care facilities.

Key Workload Indicators: Workload indicators are consistent with the results in the Performance Measure table, and reflect an increasing overall Unit caseload. The indicators do not demonstrate the number of cases for which the Unit provided expert assistance or consultation.

3. Case openings, assignments, and processing

Objective: Process cases quickly in Unit and, where applicable, in court system by continuing the procedure of assigning the responsibility of each case to a team of at least one investigator and one prosecutor, and holding periodic status meetings and preparing reports on each case.

Performance Measure	Outcome	FY 10 Actual		FY 11 Estimate		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
3.1 Assign an investigator, auditor and attorney at the time of case opening.	Benchmark	35		35		35		35	
	Actual	51		51					
3.2 Update case status report monthly and do case review of each case at least quarterly.	Benchmark	12/4		12/4		12/4		12/4	
	Actual	12/4		12/4	0				

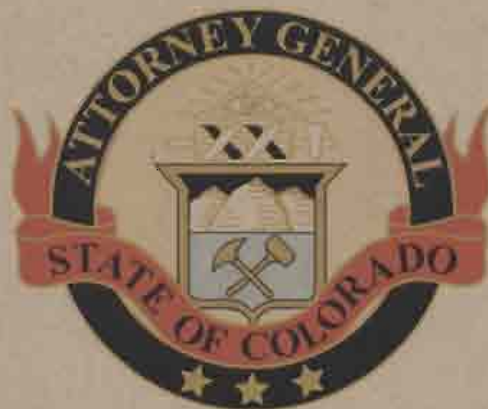
Strategy: As the Unit's case load has increased steadily, it has become increasingly important for the Unit to promptly assign cases to the respective investigators and attorneys, and to monitor and assess the progress of each case on at least a quarterly basis. The addition of the False Claims Act has resulted in a sharp increase in the

number of open cases. This should level out because during the past fiscal year, Colorado was added to numerous pre-existing civil cases as well as being served with new ones as they were filed.

Evaluation of Prior Year Performance: Assignments and monitoring have proceeded according to the standards set, and this has assisted the Unit in keeping its cases progressing satisfactorily.

Key Workload Indicators: Workload indicators are consistent with the results in the Performance Measure table, and reflect an increasing overall Unit caseload.

FY 12-13
Budget
Schedules 2, 3 and 4
CJ & A - Medicaid Fraud



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

MEDICAID FRAUD GRANT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
MEDICAID FRAUD CONTROL GRANT	1,453,632	13.9	1,660,872	15.0	1,548,974	17.0	1,756,406	17.0	1,579,511	17.0
General Fund	363,408		415,218		387,242		438,764		394,876	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	-		-		-		-		-	
Federal Funds	1,090,224		1,245,654		1,161,732		1,317,642		1,184,635	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

MEDICAID FRAUD GRANT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
First Assistant Attorney General	106,452	1.0	105,000	1.0			105,000	1.0	105,000	1.0
Senior Assistant Attorney General	82,730	0.9	98,400	1.0			98,400	1.0	98,400	1.0
Assistant Attorney General			73,648	0.8			90,000	1.0	90,000	1.0
Criminal Investigator III	99,036	1.0	99,036	1.0			99,036	1.0	99,036	1.0
Criminal Investigator II	549,790	7.0	620,189	7.9			689,724	9.0	689,724	9.0
Auditor IV	85,200	1.0	85,200	1.0			85,200	1.0	85,200	1.0
Program Assistant I	41,400	1.0	41,400	1.0			41,400	1.0	41,400	1.0
Health Professional IV	75,072	1.0	23,534	0.3			63,472	1.0	63,472	1.0
Legal Assistant I	42,408	1.0	14,136	0.3						
Legal Assistant II			32,696	0.7			49,044	1.0	49,044	1.0
TOTAL POSITION DETAIL	1,082,088	13.9	1,193,239	15.0			1,321,276	17.0	1,321,276	17.0
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by position) Continuation Salary Subtotal	1,082,088	13.9	1,193,239	15.0			1,321,276	17.0	1,321,276	17.0
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	106,290		89,191				101,078		134,111	
Medicare on Continuation Subtotal	15,184		17,002				19,159		19,159	
Non-Base building Performance Award			5,000				-		-	
Part-Time/Temporary Salaries	-		-				-		-	
Professional Contractual Services	8,024		17,007				12,670		40,950	
Sick Leave Payouts	24,225		78				-		-	
Annual Leave Payouts	6,729		7,198				-		-	
Leave Payouts							-		-	
Furloughs	(12,510)		-				-		-	
Overtime	-		-				-		-	
Other	447		657				-		-	
SUBTOTAL	148,389	13.9	136,133	15.0			132,906	17.0	194,219	17.0
(I.C.) PERSONAL SERVICES SUBTOTAL=										
A+B	1,230,477	13.9	1,329,372	15.0			1,454,182	17.0	1,515,495	17.0

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

MEDICAID FRAUD GRANT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.D.) POTS EXPENDITURES										
Health/Life Dental	67,830		79,449				97,983			
Salary Survey							-			
Performance Awards							-			
Short Term Disability	1,645		1,998				2,388			
SB 04.257 A.E.D.	20,946		28,060				36,996			
SB 06.235 S.A.E.D.	13,093		20,502				29,729			
Other										
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL=C+D	1,333,992	13.9	1,459,381	15.0			1,621,278	17.0	1,515,495	17.0
(I.F.) DIFFERENCE- II.-I.E.										
(I.G.) REQUEST YEAR DECISION ITEMS										
General Fund										
Cash Funds										
Reappropriated Funds										
II. PERSONAL SERVICES REQUEST TOTAL	1,333,992	13.9	1,459,381	15.0			1,621,278	17.0	1,515,495	17.0
General Fund	333,498		364,845				405,405		378,873	
Cash Funds										
Reappropriated Funds	-		-							
Federal Funds	1,000,494		1,094,536				1,215,874		1,136,622	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

MEDICAID FRAUD GRANT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation	1,923		553				750		750	
2220 Building Grounds Maintenance	220		-				-		-	
2230 Equipment Contract Maintenance	123		42				-		-	
2231 ADP Equip Maint/Repair Services	422		314				450		450	
2232 Software Upgrades	6,685		1,688				1,212		1,212	
2240 Motor Veh Maint/Repair Svcs	-		-				-		-	
2251 Lease Motor Pool Vehicle	6,227		6,419				-		-	
2252 Motor Pool Mileage Charge	2,871		2,815				2,845		2,845	
2253 Equipment Rental	-		-				-		-	
2254 Rental of Motor Vehicles	-		-				-		-	
2255 Rental of Buildings	45,689		44,284				-		-	
2258 Parking Fees	4,781		4,725				4,715		4,715	
2259 Parking Fee Reimbursement	-		6				-		-	
2510 In State Travel	-		-				-		-	
2511 In State Common Carrier Fare	-		-				-		-	
2512 IS Personal Travel Per Diem	1,289		1,019				988		988	
2513 IS Personal Vehicle Reimbursement	20		181				50		50	
2520 IS Travel/Non Employee	-		-				-		-	
2522 IS Non-Emp - Pers Per Diem	-		-				-		-	
2523 IS/Non-Emp - Pers Veh Reimb	-		-				-		-	
2530 Out of State Travel	151		481				500		500	
2531 OS Common Carrier Fares	982		1,710				1,200		1,200	
2532 OS Personal Travel Per Diem	2,635		6,338				3,500		3,500	
2533 OS Personal Vehicle Reimbursement	-		-				-		-	
2550 Out of Country Travel	-		-				-		-	
2552 OC Pers Travel Reimbursement	-		-				-		-	
2610 Advertising	-		-				-		-	
2630 Telephone	9,770		10,640				10,640		10,640	
2631 Comm Svcs from Outside Sources	4,687		10,412				10,544		10,544	
2641 Other ADP Billings - Purchase Services	3,164		5,080				250		250	
2650 OIT Purchased Svcs	-		0				-		-	
2660 Insurance	1,786		1,791				-		-	
2680 Contract Printing	1,540		469				450		450	
2981 Photocopy Reimbursement	-		-				-		-	
2810 Freight & Storage	-		-				-		-	
2820 Other Purchased Services	51		241				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

MEDICAID FRAUD GRANT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2830 Office Moving/Purchased Services	-		-						-	
2831 Storage Purch Svs			1							
3110 Other Supplies and Materials	-		-						-	
3112 Automotive Supplies	-		-						-	
3113 Clothing & Uniform Allowance	-		-						-	
3114 Custodial	-		-						-	
3115 DP Supplies	712		527				-		-	
3116 Purchase/Leased Software	368		1,797							
3117 Educational	104		524				827		827	
3120 Books & Subscriptions	4,932		7,149				5,125		5,125	
3121 Office Supplies	2,453		4,675				3,524		3,524	
3122 Microfilming/Photo Supplies	-		-						-	
3123 Postage	1,223		813				778		778	
3124 Printing	-		-						-	
3126 Repair & Maintenance/Supplies	-		-						-	
3128 Non-Capitalized Equipment	-		1,915				-		-	
3131 Non-Capitalized Building Materials	-		53,248						-	
3132 Non-Capitalized Furn/Office Systems	1,110		2,623						-	
3139 Non-Capitalized Fixed Asset Other	-		-						-	
3140 Non-Capitalized IT - PC's	269		8,652				-		-	
3141 Non-Capitalized IT - Servers	19		89				-		-	
3143 Non-Capitalized IT Other	271		1,955				-		-	
3146 Non-Capitalized IT Purch Servers SW	-		91				-		-	
3940 Electricity	-		-						-	
3950 Gasoline	-		-						-	
4100 Other Operating Expenses	-		-						-	
4105 Bank Card Fees	-		-						-	
4111 Prizes and Awards	-		125						-	
4140 Dues & Memberships	11,348		15,791				14,868		14,868	
4151 Interest Late Payments	-		-						-	
4170 Miscellaneous Fees	-		-						-	
4180 Official Functions	-		1,327						-	
4220 Registration Fees	1,817		709				800		800	
6140 Buildings and Improves. to Bldg.	-		-						-	
6210 Other Capital Equipment	-		-						-	
6212 IT Servers Direct Purchase	-		169				-		-	
6214 IT Other - Direct Purchase	-		101				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

MEDICAID FRAUD GRANT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Operating Expense Subtotal:	119,641		201,491				64,016		64,016	
OPERATING EXPENSE TOTAL:	119,641		201,491				64,016		64,016	
General Fund	29,910		50,373				16,004		16,003	
Federal Funds	89,730		151,118				48,012		48,013	
Potted Operating Expenses										
Workers' Compensation							2,807			
Leased Vehicle Expense							3,747			
Capital Complex Lease Space							53,925			
Leased Space Allocation							216			
IT Asset Maintenance							1,726			
Communication Service Payments							2,672			
ADP Capital Outlay										
CLE Registration Fees							751			
Building Security							5,268			
Total							71,112			
General Fund							17,355			
Cash Funds										
Reappropriated Funds										
Federal Funds							53,757			
FY 13 Decision Item:										
Med Fraud FTE										
General Funds									-	
Federal Funds									-	
Vacancy Savings										
General Funds									-	
Federal Funds									-	
TOTAL MEDICAID FRAUD	1,453,632	13.9	1,660,872	15.0			1,756,406	17.0	1,579,511	17.0
General Fund	363,408		415,218				438,764		394,876	
General Fund Exempt	-		-				-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	-		-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

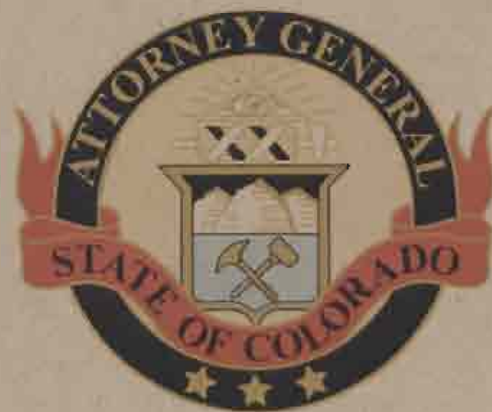
MEDICAID FRAUD GRANT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Federal Funds	1,090,224		1,245,654				1,317,642		1,184,635	
RECONCILIATION OF FUNDS/REQUEST										
Long Bill Appropriation	1,368,866	14.0	1,341,607	14.0	1,579,511		1,579,511	17.0	1,548,974	17.0
Supplemental SB09-192	(39,280)									
SB 10-167 False Claims Act			276,580	3.0						
SB 11-76 PERA					(30,537)		(30,537)		30,537	
PERA adjustment back to 10.15% from 7.65%										
DPA NP Printing Statewide Warrants and Mainframe Docs										
Salary POTS							-			
Health/Life/Dental	78,732		57,022				80,104			
Short Term Disability	1,397		1,618				1,915			
SB 04.257 A.E.D.	21,802		25,868				30,299			
SB 06.235 S.A.E.D.	13,626		18,861				24,347			
Worker's Compensation	1,813		1,791				2,807			
Leased Space Allocation	268		216				216			
Capital Complex Lease Space	45,473		44,089				53,925			
Vehicle Lease Allocation	6,245		6,419				3,747			
IT Asset Maintenance	1,726		1,381				1,381			
ADP Capital Outlay Allocation										
Communication Service Payments	2,069		2,464				2,672			
CLE Registration Fees	751		751				751			
Building Security	7,005		4,256				5,268			
Rollforward from Previous FY										
Rollforward to Subsequent FY										
Overexpenditure/(Reversion) - GF	(14,248)	(0.1)	(30,513)	(0.5)						
Lapsed Appropriation Reappropriated Funds										
Lapsed Appropriation Federal Funds	(42,613)	0.0	(91,538)	(1.5)						
TOTAL RECONCILIATION	1,453,632	13.9	1,660,872	15.0			1,756,406	17.0	1,579,511	17.0
GRAND TOTAL	1,453,632	13.9	1,660,872	15.0	1,548,974	17.0	1,756,406	17.0	1,579,511	17.0
General Fund	363,408		415,218		387,242		438,764		394,876	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	-		-		-		-		-	
Federal Funds	1,090,224		1,245,654		1,161,732		1,317,642		1,184,635	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law		MEDICAID FRAUD GRANT				
Item	Fund Numl	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		1,453,632	1,660,872	1,548,974	1,756,406	1,579,511
General Funds		363,408	415,218	387,242	438,764	394,876
General Funds Exempt		-	-	-	-	-
Cash Funds		-	-	-	-	-
Reappropriated Funds		-	-	-	-	-
Federal Funds		1,090,224	1,245,654	1,161,732	1,317,642	1,184,635
Federal Funds						
Medicaid Fraud Federal Funds		1,090,224	1,245,654	1,161,732	1,317,642	1,184,635

Narrative POST Board



D) BACKGROUND INFORMATION: P.O.S.T. UNIT

Structure: The Colorado Peace Officer Standards and Training Board (P.O.S.T.) was established as a result of the enactment of federal legislation requiring equal protection by jurisdictions receiving federal funding (Title VII of the Rehabilitation Act of 1973).

The P.O.S.T. Board is composed of 20 members, of which three are statutory members: the Attorney General (Chairperson); the FBI Special Agent in Charge of the Denver Division of the Federal Bureau of Investigation; and the Executive Director of the Colorado Department of Public Safety. Seventeen members are appointed to 3-year terms by the Governor, and include one local government representative; one member of the general public; 6 active sheriffs; 6 active chiefs of police; and 3 line-level peace officers serving at the rank of sergeant and below.

The P.O.S.T. Staff consists of seven (7) classified staff members.

Primary Duties: The P.O.S.T. Board is statutorily responsible for the approval, inspection, and regulation of all basic and reserve peace officer training academy programs: to include the development of the basic, reserve peace officer, refresher academy curriculums program curriculums; instruction methodology training programs; skills training programs (arrest control tactics, firearms, and law enforcement driving) and skills instructor programs. The Board's responsibilities also include enforcement of statutes and rules related to peace officer academy enrollment; ensuring peace officer applicants are not convicted criminals; reviewing variance applications; and taking timely revocation action against any certified peace officer convicted of a felony or certain misdemeanors. P.O.S.T. is required to establish the standards for the renewal of expired Colorado peace officer certificates.

P.O.S.T. Staff members work with the four (4) Subject Matter Expert (SME) Committees, which include the Curriculum SME Committee, and three skills disciplines (Firearms, Arrest Control Tactics, and Law Enforcement Driving), to improve training delivery, administer practical examinations to individuals seeking Colorado peace officer certification under reciprocity. Over the years, Colorado P.O.S.T. has joined with its counterparts from other states to develop a reciprocity process for the evaluation for out-of-state peace officer applicants.

P.O.S.T. also participates in the Peace Officer Certification Information System (POCIS), a service provided through the International Association of International Association of Directors of Law Enforcement Standards and Training (IADLEST) and enters revocation data into the National Decertification Index (NDI). P.O.S.T. enters the personal data of individuals whose peace officer authority and peace officer certificates have been revoked by the P.O.S.T. Board. NDI can be accessed by all states and serves as a national clearing house which maintains the names of individuals who have been revoked and/or prohibited to serve as peace officers in other states.

During the 2003 Legislative Session, Senate Bill 03-103 was passed. The legislative intent of SB03-103 was to re-establish a statewide peace officer training program and to enable the P.O.S.T. Board to provide substantial training for certified peace officers. Since implementation, a twenty-five cent fee was collected on motor vehicle registrations and transferred to the P.O.S.T. Board Cash Fund pursuant to § 42-3-

134(32), C.R.S.. These revenues are used to provide funding for peace officer training programs as determined by the P.O.S.T. Board. Early on, P.O.S.T. established 10 training regions, which are based upon the state's 22 judicial districts. Law enforcement agencies within each training region are encouraged to work collaboratively and each region is required to develop training programs through the use of regional law enforcement planning groups and multi-agency collaborative efforts. The regions then annually submit a grant application on behalf of their region to P.O.S.T. Applications are reviewed by the P.O.S.T. Peace Officer Training Project Sub-committee, which then makes grant award recommendations to the P.O.S.T. Board.

The first five years of the P.O.S.T. Peace Officer Training Project were an overwhelming success (over 600,000 hours of training), and the project is still growing in participation. Prior to its implementation, advanced officer training had been in many cases sporadic, inconsistent and driven by the available financial resources of the communities our officer's serve. Now thousands of officers have received training that was previously unavailable prior to the P.O.S.T. grant program. P.O.S.T. had incurred an increase in operating costs, indirect and personnel costs from FY 01 to FY 09. In FY09, P.O.S.T. awarded grants totaled \$720,000. In FY10, without additional revenues, P.O.S.T. awarded grants totaled \$1,579,853. In FY11, without additional revenues, P.O.S.T. awarded grants totaled \$1,720,707.

The Department of Law and the Peace Officer Standards and Training Board (P.O.S.T.) pursued legislation during the 2009 Legislative Session. HB09-1036, was offered to increase the vehicle registration fee (from \$.25/vehicle to \$.60/vehicle) to provide additional training grant funds and pay program costs for the peace officer training board. This was approved. This fee is the Primary Funding Source for the P.O.S.T. Peace Officer Training Project.

The mission and goals of the Board has always been to set priorities to ensure monies are awarded to *assist the smaller and rural agencies* to develop and receive training that they might not be able to afford, but need in order to maintain or improve the proficiencies of their peace officers. The successful passage of HB09-1036 ensures the services it will provide for will have a real and identifiable impact on every county, city, town and neighborhood in the state and is directly related to the public safety of the citizens of Colorado.

Critical Issues: Since 2001, sixteen (16) new academies have applied for and have received approval from P.O.S.T. to conduct basic, reserve, and refresher academy training programs. This process requires the P.O.S.T. Investigator to accept, review and process the academy applications, course descriptions and schedules, lesson plans, site depiction, and instructor credentials. The investigator forwards all skills training course and instructor information to each of the Subject Matter Expert (S.M.E.) Committees for review and approval. The P.O.S.T. investigator is also responsible for all academy and program inspections, which requires travel to each of the 31 training academies. The P.O.S.T. Investigator and S.M.E. Committee members are regularly and routinely required to travel to the numerous academies located in Alamoña, Buena Vista, Colorado

Springs (3 academies), Delta, Durango, Fort Collins, Glenwood Springs, Grand Junction, Greeley (2 academies), La Junta, Pueblo (2 academies), Teller County and numerous Denver Metro area locations.

P.O.S.T. Staff electronically maintains the peace officer certification record and data for approximately 13,554+- active peace officers. P.O.S.T. is also responsible for the maintenance of the certification records of many thousands of individuals who were at one time appointed as active peace officers, but who no longer serve as peace officers.

In February 2001, the Colorado Peace Officer Standards and Training Board (P.O.S.T.) and Anti Defamation League (ADL) formed a partnership to develop a training program to specifically address 4th Amendment, Ethics and Anti-Bias Training for Colorado peace officers. The P.O.S.T./ADL partnership has produced the very successful "*Anti-Bias Training for Law Enforcement Officers*". This quality program was tailored to the unique culture of law enforcement and developed with input from both officers and citizens. The training has been well received by peace officers and law enforcement agencies throughout the State of Colorado and the communities they serve. Additionally, in 2005 the P.O.S.T. Board adopted an 8-hour Anti-Bias and Ethics Standard for every student attending a P.O.S.T. approved basic peace officer or reserve peace officer training program. The standard ensures that all new officers will receive anti-bias training. As a result, P.O.S.T. and ADL created an academy version of the "*Anti-Bias Training for Law Enforcement Officers*" curriculum and conducted several train-the-trainer sessions for law enforcement academy instructors. This new curriculum provides these instructors with the skills and materials needed to train their academy students in the required anti-bias and ethics standards.

In 2008, P.O.S.T./ADL received state and federal training grants allowing development of a multimedia (internet) training program and full implementation of our successful "*Anti-Bias Training for Law Enforcement Officers*" curriculum. This multimedia program addresses the same core competencies and student outcomes as the in-class program. The program is available in multimedia format to any officer, for use at their convenience and at any computer.

The DNA Bill (HB08-1397) has generated additional training costs for the Peace Officer Standards and Training (POST) Board because the bill requires the board to certify the curriculum regarding the proper techniques, practices, and protocols for peace officers to collect and retain DNA and biological evidence from crime scenes. A contract employee needed in the first year was hired to develop, certify, and implement the training course and to provide training seminars for instructors at the 27 law enforcement training academies located throughout the state. Persons who enrolled in a training academy on or after March 1, 2009 receive the training required within HB08-1397. The statutory requirement of August 1, 2009, was accomplished on December 5, 2008.

1. P.O.S.T. has developed a specialized a "*P.O.S.T. DNA Internet Training Course*" (similar to P.O.S.T.'s "*Anti-Bias Training for Law Enforcement Officers*" *Internet Program*) and certification program that concentrates on the proper techniques, practices, and protocols for evidence collection and retention with emphasis on

evidence that may contain biological or DNA evidence. The program has allowed access to Colorado Peace Officers certified by the P.O.S.T. Board, with a launch date of September 1, 2009. Tuition costs for the peace officers accessing the internet training will be absorbed by P.O.S.T. from within the Peace Officer Training Project, beginning on September 1, 2009, ending June 30, 2011.

II) HOT ISSUES:

P.O.S.T.'s responsibility for the certification and training of Colorado Peace Officers is a critical link between federal agencies, state agencies, and local government agencies. P.O.S.T. will continue to review the educational requirements and certification needs of Colorado peace officers. Currently, P.O.S.T. is working with several state associations to assess the issue of decertification of Police officers who depart from the truth.

III) WORKLOAD MEASURE:

At its periodic meetings, the P.O.S.T. Board considers appealed variance requests and may hold hearings of appealed suspension, revocation, or denial rulings made by the P.O.S.T. Director.

The Board also reviews applications for program approval. Additionally, the P.O.S.T. Board conducts Rule Making Hearings to modify or implement P.O.S.T. Rules as a result of changes made during the legislative session, at the request of Staff, or to coincide with case law.

Staff also reviews the certification records of peace officers from bordering states applying for Colorado peace officer certification or involved in temporary assignment to law enforcement agencies in Colorado (see § 29-1-206, C.R.S.).

The Staff conducted in FY 2010-2011 143 certification exams at the twenty-four (24) basic training academy sites. Within that testing process, the P.O.S.T. Staff members regularly travel to the academies in Alamosa, Buena Vista, Colorado Springs (3 academies), Delta, Durango, Glenwood Springs, Grand Junction, Greeley (2 academies), La Junta, Pueblo (2 academies) and at numerous Denver Metro locations.

Recent Legislative Actions Affecting P.O.S.T. Workload

- During the 1995 Legislative Session, the Colorado Legislature extended P.O.S.T. Board responsibilities for the development of training curriculum and the certification of all inspectors of vehicle identification numbers (VIN inspector training).
- In 1997, the legislature passed legislation extending the P.O.S.T. Board's responsibility for the office of elected county sheriff. The legislative requirements include basic peace officer certification and specific training requirements. Each

newly elected sheriff must attend a P.O.S.T. approved 80-hour training academy, as approved by P.O.S.T., prior to entering the elected office and all active sheriffs must attend 20-hours of annual training.

- During the 1999 Legislative Session, the legislature passed requirements for the P.O.S.T. Board to develop training objectives and curriculum for Bail Recovery Training programs.
- In 2001, the Colorado Legislature passed **HB01-1114** *Concerning Profiling in Connection with Traffic Stops*, legislation requiring P.O.S.T. Board certification of a statewide anti bias training curriculum for law enforcement officers and approval (certification) of agency conducted training programs that prevent racial profiling. Since the effective date of this legislation, certified Colorado peace officers have completed Anti Bias training facilitated or approved by P.O.S.T.
- In 2003, the Colorado Legislature enacted four Bills having a direct workload impact on the P.O.S.T. Board and Staff. **SB03-103** *Concerning Peace Officer Training Programs*, created a cash fund in the state treasury for the awarding of peace officer training grants. The program provides training grant funding for peace officers, particularly for peace officers serving in rural and small law enforcement agencies. **SB03-242** *Concerning P.O.S.T. Board Membership*, added the three (3) previously noted rank and file law enforcement members to the P.O.S.T. Board. **HB03-1266** *Concerning the Recodification of Statutes Related to Peace Officers*, clarified the authority of peace officer groups/positions and causes P.O.S.T. Staff to provide more service and explanation to peace officer applicants and law enforcement agencies. P.O.S.T. Staff must now determine the statutory recognition and category status of all peace officer appointments. **HB03-1352** *Concerning Fingerprint-Based Criminal History Record Checks*, requires the submittal of P.O.S.T. fingerprint cards for all peace officer applicants and requires P.O.S.T. to qualify each student prior to the student's first day of instruction at an approved basic or reserve peace officer academy.
- During the 2004 Legislative Session, **SB04-224** *Concerning the Sunrise Review of Peace Officer Status*, was passed. The Bill requires P.O.S.T. to conduct a sub-committee review and hold a hearing with group/position applicants seeking statutory peace officer authority, provide a report to the P.O.S.T. Board for action and present a final P.O.S.T. Board recommendation to the Senate and House Judiciary Committees.
- During the 2005 Legislative Session, **HB05-1076**, *Concerning Peace Officer Certification Granted by the Peace Officer Standards and Training Board*, was passed. The Bill modifies the definitions of peace officers; adds two additional misdemeanors to the list of disqualifying misdemeanors; allows exclusion of individuals released or discharged from the armed forces of the United States under dishonorable conditions; authorizes P.O.S.T. to approve peace officer training

programs; and authorizes P.O.S.T. to grant "Conditional Peace Officer Authority" to any person who successfully completes the required training program.

- During the 2006 Legislative Session, **HB06-1027**, *Concerning Persons Authorized as Peace Officers in Colorado*, was passed. The Bill modifies the definitions of peace officers, and added two additional peace officer positions/groups (Municipal Court Marshals and Public Transit Officer) to the statutes and authorizes P.O.S.T. to approve peace officer certification applicants and grant "Peace Officer Certification" to persons who successfully meet the required training requirements/standards.
- During the 2006 Legislative Session, **HB06-1179**, *Concerning Peace Officers Officer Authority in Colorado for Federal Law Enforcement Officers*, was passed. The Bill modifies the definitions of peace officers; adds Federal Agents from the Federal Bureau of Investigation and Bureau of Alcohol, Tobacco and Firearms to the peace officer statutes.
- During the 2006 Legislative Session, **HB06S-1023**, *Concerning the Immediate Implementation of Restrictions on Public Benefits as Defined in Article 8 of the United States Code for Persons Eighteen Years of Age or Older Effective August 1, 2006*, was passed. The Bill requires and authorizes P.O.S.T. to verify the lawful presence of all certification applicants before granting "Peace Officer Certification" to any person who successfully demonstrates meeting the required training requirements.
- During the 2008 Legislative Session, **HB08-1106**, *Concerning Persons Employed by Institutions of Higher Education*, was passed. The Bill modifies the definitions of peace officers; adds additional peace officer positions/groups (Police Officer or Reserve Peace Officers Employed by the institutions of higher education) to the statutes and authorizes P.O.S.T. to approve peace officer certification applicants and grant "Peace Officer Certification" to any person who successfully demonstrates meeting the required training requirements.
- During the 2008 Legislative Session, **HB08-1147** *Concerning a Report Regarding Witness Protection Training*, was passed. The bill requires that any Witness Protection Curriculum developed by the Witness Protection Board shall be provided to the P.O.S.T. Board and shall be distributed and made available to Colorado law enforcement agencies.
- During the 2008 Legislative Session, **HB08-1348**, *Concerning the Authorization of Officers of the Federal Protective Service to act as Peace Officers in Colorado*, was passed. The Bill modifies the definitions of the statute for federal agents/peace officers; adds Federal Protective Service Officers to the statute for Federal Agents from the Federal Bureau of Investigation and Bureau of Alcohol, Tobacco and Firearms to the peace officer statute(s).
- During the 2008 Legislative Session, **HB08-1397**, *Concerning the Disposition of Evidence Collected in Criminal Cases*, was passed. The bill requires the preservation

of evidence collected during the investigation of a class 1 felony or a sex crime for indeterminate sentencing that resulted in a sentence for the life of the offender. Creates a process whereby all other evidence may be disposed of after notice to the district attorney and defendant or his or her counsel of record with an opportunity to file an objection with the court. Additionally, the Bill requires that P.O.S.T. create training for new peace officer cadets to receive training at the training academy and to develop a separate training program for existing certified peace officers on proper DNA evidence collection and preservation. P.O.S.T. is also authorized to develop other specialized certification programs that concentrate on the proper techniques, practices and protocols for evidence collection with emphasis on evidence that may contain biological or DNA evidence.

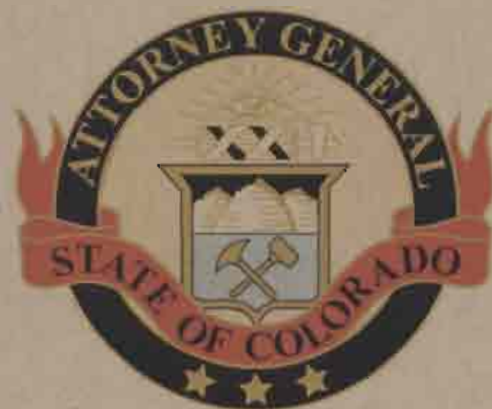
- During the 2009 Legislative Session, **SB09-097** was passed pertaining to *Concerning Clarifying Changes to Provisions Pertaining to Institutional Peace Officers*. This Bill clarified provisions pertaining to institutional peace officers.
- During the 2009 Legislative Session, **HB09-1036**, *Concerning Increasing the Amount Deposited into the Peace Officer Standards and Training Board Cash Fund by Increasing the Registration Fee for Certain Classes of Personal Property, and Making an Appropriation in Connection Therewith*, was passed. This Bill increases the registration fee for certain classes of personal property from twenty-five cents to sixty cents to be credited to the P.O.S.T. Board cash fund.
- During the 2010 Legislative Session, **HB10-1284**, *Concerning Regulation of Medical Marijuana, and Making an Appropriation Therefore*, was passed. This Bill amends Title 12, Colorado Revised Statutes, by adding a new article that shall be known and may be cited as the "Colorado Medical Marijuana Code." This Bill also recognizes the Director of marijuana enforcement and medical marijuana enforcement investigator as peace officers.

WORKLOAD INDICATOR

Workload Measure	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY13 Request
Coordination and delivery of the peace officer certification examination and skills test-outs	853	902	1050	1075
Inspection of training programs	16	16	12	12
Peace officers certified under reciprocity	46	35	70	70
Annual documentation of training funded by POST	189,139	191,257	195,500	200000

and attended by peace officers (SB03-103 / HB09-1036)					
Peace Officer Revocation Actions		23	23	25	25
DNA and Anti-Bias Internet Training Program(s) Documentation		8,175	2493	2200	2000

FY 12-13
Budget
Schedules 2, 3 and 4
CJ & A - POST Board



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
POST Board	2,168,606	6.5	2,565,711	6.5	2,674,700	7.0	2,780,028	7.0	2,683,620	7.0
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	2,168,606		2,565,711		2,674,700		2,780,028		2,683,620	
Reappropriated Funds	-		-		-		-		-	
Federal Funds										

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Actual FY 10		Actual FY 11		Appro. 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
General Professional VI	84,697	0.9	98,760	1.0			98,760	1.0	98,760	1.0
General Professional V	69,300	1.0	52,300	0.7			80,400	1.0	80,400	1.0
Compliance Investigator II	66,876	1.0	66,876	1.0			66,876	1.0	66,876	1.0
Data Specialist	36,000	1.0	35,723	1.0			36,000	1.0	36,000	1.0
Technician III			37,708	0.8			44,736	1.0	44,736	1.0
General Profesional II	42,750	0.9					-		-	
Program Assistant II	38,950	0.8	49,200	1.0			49,200	1.0	49,200	1.0
Program Assistant I	36,185	0.9	43,200	1.0			43,200	1.0	43,200	1.0
TOTAL POSITION DETAIL	374,758	6.5	383,767	6.5			419,172	7.0	419,172	7.0
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by Position) Continuation Salary Subtotal	374,758	6.5	383,767	6.5			419,172	7.0	419,172	7.0
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	38,409		28,925				32,067		42,546	
Medicare on Continuation Subtotal	5,487		5,493				6,078		6,078	
Non-Base building performance Award							-		-	
Part Time/Temporary Services	3,541		7,695				-	0.0	-	
Contractual Services	49,447		62,317				62,858		62,858	
Overtime Payments	-		-				-		-	
Termination/Retirement Payouts							-		-	
Furlough	(4,643)		-				-		-	
Leave Payout	13,701		558				-		-	
Sick Leave Payout	1,657		-				-		-	
Indirect Cost							-		-	
SUBTOTAL	107,599		104,989				101,003		111,482	
(I.C.) PERSONAL SERVICES										
SUBTOTAL= A+B	482,357	6.5	488,756	6.5			520,175	7.0	530,654	7.0
(I.D.) POTS EXPENDITURES										
Health/Life Dental	31,416		39,478				49,285			
Salary Survey										
Performance Awards										
Short Term Disability	559		623				742			

7-95

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
2170 Waste Disposal Services	-		-				-		-	
2230 Equipment Contract Maintenance	1,155		1,399				1,250		1,250	
2231 ADP Equip Maint/Repair Services	2,424		1,876				2,250		2,250	
2232 Software Upgrades	7,348		5,899				-		-	
2240 Motor Veh Maint/Repair Svcs	-		-				-		-	
2250 Misc Rentals	-		-				-		-	
2251 Lease Motor Pool Vehicle	792		2,483				-		-	
2252 Motor Pool Mileage Charge	952		3,114				3,215		3,215	
2253 Equipment Rental	-		-				-		-	
2254 Rental of Motor Vehicles	-		-				-		-	
2255 Rental of Buildings	19,887		22,043				-		-	
2258 Parking Fees	347		1,320				-		-	
2259 Parking Fee Reimbursement	227		639				400		400	
2510 In State Travel	34		-				-		-	
2512 IS Personal Travel Per Diem	3,863		3,995				3,886		3,886	
2513 IS Personal Vehicle Reimbursement	-		170				-		-	
2514 State Owned Aircraft	-		-				-		-	
2520 IS Travel/Non Employee	-		-				-		-	
2523 IS/Non-Emp - Pers Veh Reimb.	96		-				-		-	
2530 Out of State Travel	-		149				150		150	
2531 OS Common Carrier Fares	-		-				-		-	
2532 OS Personal Travel Per Diem	-		597				225		225	
2533 OS Personal Vehicle Reimbursement	-		-				-		-	
2542 OS/Non Employee Pers Per Diem	-		-				-		-	
2550 Out of Country Travel	-		-				-		-	
2552 OC Pers Travel Reimbursement	-		-				-		-	
2630 Telephone	2,985		4,135				4,214		4,214	
2631 Comm Svcs from Outside Sources	115		266				275		275	
2641 Other ADP Billings - Purchase Services	263		59				215		215	
2650 OIT Purchased Services	-		3				-		-	
2660 Insurance	766		895				-		-	
2680 Contract Printing	5,166		5,713				8,700		8,700	
2681 Photocopy Reimbursement	-		-				-		-	
2690 Other Pur Services - Legal	4,663		12,676				11,532		11,532	
2810 Freight & Storage	-		-				-		-	
2820 Other Purchased Services	11		16				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2830 Office Moving/Purchased Services	-		-						-	
2831 Storage - Purch Svs			5							
3110 Other Supplies and Materials	-		-						-	
3112 Automotive Supplies	-		-						-	
3113 Clothing & Uniform Allowance	-		-						-	
3114 Custodial	-		-						-	
3115 DP Supplies	459		200				189		189	
3116 Purchase/Leased Software	36		431				-		-	
3117 Educational	60		-				75		75	
3120 Books & Subscriptions	22		882				212		212	
3121 Office Supplies	4,183		5,471				4,360		4,360	
3122 Microfilming/Photo Supplies	27		33				39		39	
3123 Postage	4,389		4,159				4,250		4,250	
3124 Printing	-		-						-	
3126 Repair & Maintenance/Supplies	-		-						-	
3128 Non-Capitalized Equipment	368		2						-	
3131 Non-Capitalized Building Materials	-		-						-	
3132 Non-Capitalized Furn/Office Systems	715		1,460						-	
3140 Non-Capitalized IT PC's	1,663		3,519				-		-	
3141 Non-Capitalized IT - Servers	117		550				-		-	
3143 Non-Capitalized IT Other	126		864				-		-	
3146 Non-Capitalized IT Purchased Server	-		565				-		-	
3940 Electricity	-		-						-	
3950 Gasoline	-		-						-	
4100 Other Operating Expenses	-		-						-	
4111 Prizes and Awards	-		-						-	
4140 Dues & Memberships	1,783		1,585				1,475		1,475	
4151 Interest Late Payments	-		-						-	
4170 Miscellaneous Fees	-		-						-	
4180 Official Functions	1,100		1,351				1,200		1,200	
4220 Registration Fees	1,518		800						-	
5110 Grants to Cities	-		-						-	
5120 Grants to Counties	-		-						-	
5776 State Grant - Interfund	100,000		46,668				100,000		100,000	
5781 Grants to NonGov/Organizations	1,473,064		1,882,233				2,004,092		2,004,855	
6140 Buildings and Improves. to Bldg.	-		-						-	
6210 Other Capital Equipment	-		-						-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 13		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
6212 IT PC SW Direct Purchase	-		1,046				-		-	
6213 IT Servers Direct Purchase	-		-				-		-	
6214 IT Other Direct Purchase			626							
6220 Office Furn & Equip	-		-						-	
6280 Other Capital Equipment (direct purchase)	-		-						-	
6410 ADP Equipment-Lease Purchase	-		-						-	
7520 Intra Fund Transfer-Other	-		-						-	
Operating Expense Subtotal:	1,640,722		2,019,896				2,152,204		2,152,967	
OPERATING EXPENSE TOTAL:	1,640,722		2,019,896				2,152,204		2,152,967	
General Fund									-	
General Funds Exempt										
Cash Funds	1,640,722		2,019,896				2,152,204		2,152,967	
Reappropriated Funds										
Potted Operating Expenses										
Workers' Compensation							1,156			
Leased Vehicle Expense							2,375			
Capital Complex Lease Space							22,205			
Leased Space							-			
IT Asset Maintenance							8,550			
ADP Capital Outlay							-			
Building Security							2,169			
Total							36,455			
General Fund							-			
Cash Funds							36,455			
Reappropriated Funds										
FY13 DECISION ITEM REQUEST										
General Fund							-		-	
Cash Funds							-		-	
TOTAL POST BOARD	2,168,606	6.5	2,565,711	6.5	2,683,620	7.0	2,780,028	7.0	2,683,620	7.0

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
General Fund							-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	2,168,606		2,565,711		2,683,620		2,780,028		2,683,620	
Reappropriated Funds							-		-	
Federal Funds										
RECONCILIATION OF FUNDS/REQUEST										
Long Bill Appropriation	1,246,975	6.0	2,681,744	7.0	2,683,620		2,683,620	7.0	2,674,700	7.0
Salary Survey-Classified									-	
PBP - Classified									-	
SB 11-76 PERA Reduction					(8,920)		(8,920)		-	
PERA change back to 10.15%									8,920	
<i>DPA NP Printing Statewide Warrants and Mainframe Docs</i>										
<i>Special Bill - HB08-1397</i>										
<i>Supplemental HB 10-1305</i>	(50,367)									
<i>HB 09-1036 Increase Motor Veh. Reg Fees</i>	1,494,995	1.0								
Salary POTS							-			
Health/Life/Dental	17,747		33,176				49,285			
Short Term Disability	440		394				663			
SB 04 257 A.E.D.	7,045		6,561				10,493			
SB 06 235 S.A.E.D.	4,403		4,784				8,432			
Workers Compensation	777		895				1,156			
Capital Complex Lease Space	19,488		22,044				22,205			
Leased Space Allocation										
Vehicle Lease Allocation			1,676				2,375			
Building Security	3,002		2,128				2,169			
IT Asset Maintenance	8,550		8,550				8,550			
ADP Capital Outlay Allocation										
Rollforward from Previous FY							-			
Rollforward to Subsequent FY										
Overexpenditure/(Reversion) - GF										
Lapsed Appropriation Cash Fund	(584,449)	(0.5)	(196,241)	(0.5)						
Lapsed Appropriation Cash Fund Exempt										
TOTAL RECONCILIATION	2,168,606	6.5	2,565,711	6.5			2,780,028	7.0	2,683,620	7.0
GRAND TOTAL	2,168,606	6.5	2,565,711	6.5	2,674,700	7.0	2,780,028	7.0	2,683,620	7.0
General Fund					-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	2,168,606		2,565,711		2,674,700		2,780,028		2,683,620	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Reappropriated Funds	-		-				-		-	
Federal Funds	-		-							

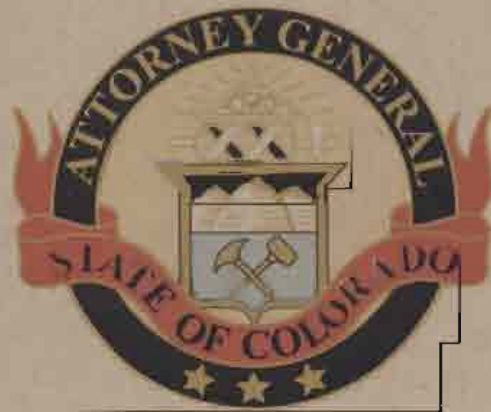
SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		2,168,606	2,565,711	2,674,700	2,780,028	2,683,620
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		2,168,606	2,565,711	2,674,700	2,780,028	2,683,620
Reappropriated Funds		-	-	-	-	-
Cash Funds	296					
POST Board Fund		2,168,606	2,565,711	2,674,700	2,780,028	2,683,620
Reappropriated Funds	296					
POST Board Fund Reserve		-	-	-	-	-

Narrative Safe 2 Tell



I) BACKGROUND INFORMATION: SAFE2TELL

Safe2Tell is a 501c3 not-for-profit organization based on the Colorado Prevention Initiative for School Safety. The state augments these efforts through state resources associated with the 1.0 FTE, who serves as the Executive Director. This position was transferred to the Department of Law from the Department of Public Safety, starting in FY 2010-11.

The program is an anonymous reporting system/mechanism for use by Colorado school children, administrators and teachers, parents and others in the community. The Safe2Tell hotline is manned by the Colorado State Patrol Denver Communications Center. Tips are anonymous and cover a wide variety of topics related to the broad goals of protecting student safety both in schools and in their communities.

The executive director manages the hotline and responses to Safe2Tell tips; provides training for students and teachers; speaks to community groups; seeks support of state and local law enforcement and education officials; and generally encourages students to report unsafe, unhealthy behaviors by their peers. Established as a private non-profit organization, Safe2Tell has a volunteer board and employs three other staff who report to the executive director and whose activities further Safe2Tell's mission.

For the first five years of its existence, Safe2Tell operated in conjunction with the Colorado Attorney General's Office. The program grew out of the Columbine tragedy in 1999 and was promoted by the Attorney General and other leaders as the only vehicle dedicated to anonymous reporting of school shooting threats. Follow up is done at the community law enforcement-level and affected schools are made aware of threats or problems that could impact their student body.

II) PRIOR YEAR LEGISLATION

The Safe2Tell program did not sponsor or promote any legislation in FY 2010-11. However, SB 11-20 "Concerning the Authorization of Certain Employees of the Department of Law as Peace Officers", authorizes the Attorney General to designate certain other employees of the department as peace officers that may be certified by the Peace Officers Standards and Training Board (POST). This bill allowed the Executive Director of Safe2Tell to receive such designation.

III) WORKLOAD MEASURES

Since the 2004-5 school year, students across Colorado have filed more than X reports concerning bullying, gangs, and other problems through Safe2Tell. These tips and

reports have helped local school and law enforcement to intervene and put a halt to problems before they grow and have potentially disastrous consequences.

As of March 2011, there have been over 9,750 information and educational calls, with 3,596 Safe2Tell reports resulting in investigation, early intervention and prevention. Of those 3,596 reports there have been calls from 163 cities and 59 counties throughout the state of Colorado. Safe2Tell reports are investigated by school officials and law enforcement.

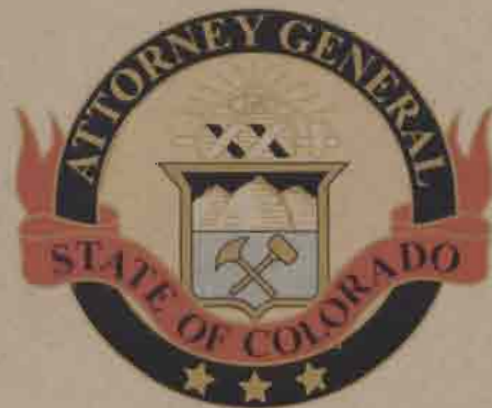
REPORT CONTENT INCLUDES THE FOLLOWING:

- 150 Assaults
- 234 Harassment
- 891 Bullying
- 220 Guns /Weapon
- 212 Child Abuse
- 118 Cutting
 - 33 Domestic Violence
- 243 Sexual Misconduct
- 561 Drugs/Alcohol
- 372 Suicide Preventions
- 126 Fights
 - 40 Thefts
- 398 Threats
 - 52 Gang-Related
 - 43 Vandalism
 - 13 Animal Cruelty
 - 28 Prevented School Attacks

Some Specific Outcomes Are:

- 343 School Disciplinary Actions
- 857 Increased Awareness / Monitoring
 - 84 Arrests
- 382 Counseling / Referrals
- 457 Investigations
- 328 Prevention / Intervention Plans

FY 12-13
Budget
Schedules 2, 3 and 4
Safe 2 Tell



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

Safe2Tell

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Safe2Tell	0	0.0	109,946	1.0	100,686	1.0	106,876	1.0	100,686	1.0
General Fund	-		109,946		100,686		106,876		100,686	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	0		0		0		-		0	
Federal Funds	-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

Safe2Tell

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
General Professional VI			93,384				93,384	1.0	93,384	1.0
TOTAL POSITION DETAIL			93,384	-			93,384	1.0	93,384	1.0
(I.A.) CONTINUATION FTE SALARY COSTS			93,384	1.0			93,384	1.0	93,384	1.0
(Permanent FTE by position)										
Continuation Salary Subtotal										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal			7,549				7,144		9,478	
Medicare on Continuation Subtotal			1,354				1,354		1,354	
Non-Base Building Performance Awards			-							
Contractual			304							
Furlough Days			-							
Other			-							
SUBTOTAL			9,207				8,498		10,833	
(I.C.) PERSONAL SERVICES SUBTOTAL= A+B			102,591	1.0			101,882	1.0	104,217	1.0
(I.D.) POTS EXPENDITURES										
Health/Life Dental			113				113			
Salary Survey							-			
Performance Awards							-			
Short Term Disability			158				165			
SB 04.257 A.E.D.			2,210				2,615			
SB 06.235 S.A.E.D.			1,595				2,101			
Other										
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL= C+D			106,666	1.0			106,876	1.0	104,217	1.0
(I.F.) DIFFERENCE= II- I.E.										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Safe2Tell

Item	Actual FY 10		Actual FY 11		prop FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
2230 Equipment Maintenance/Repair Svcs			-				-			
2231 ADP Equip Maint/Repair Services			-				-			
2232 Software Upgrades			-				-			
2254 Rental of Motor Vehicles			-							
2255 Rental of Buildings			3,149							
2258 Parking Fees			-							
2512 IS Personal Travel Per Diem			-							
2513 IS Personal Vehicle Reimbursement			-							
2532 OS Personal Travel Per Diem			-							
2630 Telephone			-							
2631 Comm Svcs from Outside Sources			-							
2641 Other ADP Billings - Purchase Services			-							
2660 Insurance			128							
2680 Contract Printing			-							
3115 Data Processing Supplies			-							
3116 Purchase/Leased Software			-							
3117 Educational			-							
3120 Books & Subscriptions			-							
3121 Office Supplies			3							
3122 Microfilming/Photo. Supplies			-							
3123 Postage			-							
3140 Non-Capitalized IT - PCs			-							
3141 Non-Capitalized IT - Servers			-							
3143 Non-Capitalized IT - Other			-							
3146 Non-Capitalized IT Purchased Server SW			-							
4140 Dues & Memberships			-							
4220 Registration Fees			-							
6212 IT Servers - Direct Purchase			-							
6213 IT PC SW - Direct Purchase			-							
Operating Expense Subtotal:			3,280				-		-	
OPERATING EXPENSE TOTAL:			3,280				-		-	
General Fund										
Reappropriated Funds	0		3,280				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Safe2Tell

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Potted Operating Expenses										
Workers' Compensation							-			
Leased Space Allocation							-			
IT Asset Maintenance							-			
ADP Capital Outlay							-			
Building Security							-			
Total							-			
General Fund							-			
General Fund							-			
Reappropriated Funds							-			
Projected Shortfall										
GF									(3,531)	
TOTAL SAFE2TELL			109,946	1.0	100,686	1.0	106,876	1.0	100,686	1.0
General Fund					100,686		106,876		100,686	
Reappropriated Funds					-		-		-	
Federal Funds									-	
RECONCILIATION OF FUNDS/REQUEST										
Long Bill Appropriation			98,351				100,686	1.0	100,686	1.0
Federal Grant										
Classified Salary POTS										
Health/Life/Dental			4,600				4,819			
Short Term Disability										
SB 04 257 A E D			4,000				1,371			
SB 06 235 S A E D			3,000							
Capital Complex Lease Space			3,149				-			
Workers Compensation			128				-			
Vehicle Lease Allocation										
IT Asset Maintenance										
ADP Capital Outlay Allocation										
Building Security			304				-			
Rollforward from Previous FY year										
Restriction										
Overexpenditure/(Reversion) - GF			(3,586)							

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Safe2Tell

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Lapsed Appropriation Reappropriated Funds										
Lapsed Appropriation Federal Funds										
TOTAL RECONCILIATION			109,946	1.0			106,876	1.0	100,686	1.0
GRAND TOTAL			109,946	1.0	100,686	1.0	106,876	1.0	100,686	1.0
General Fund			109,946		100,686		106,876		100,686	
General Fund Exempt			-		-		-		-	
Cash Funds			-		-		-		-	
Reappropriated Funds			-		-		-		-	
Federal Funds							-			

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

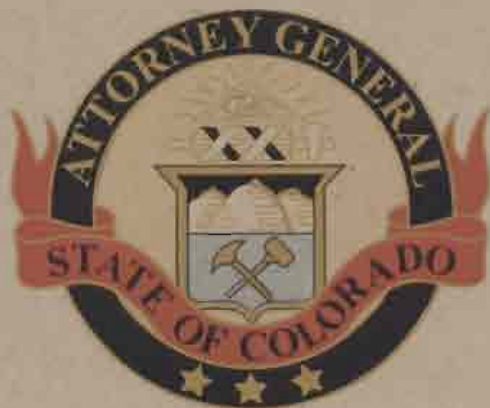
Department of Law

Safe2Tell

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		-	109,946	100,686	106,876	100,686
General Funds		-	109,946	100,686	106,876	100,686
General Funds Exempt		-	-	-	-	-
Cash Funds		-	-	-	-	-
Reappropriated Funds		-	-	-	-	-
Federal Funds		-	-	-	-	-
Reappropriated Funds						
Victim Assistance & Law Enforcement Fund		-	-	-	-	-
Federal Funds						
Federal VOCA Grant		-	-		-	-

Narrative

Victims Assistance



I) BACKGROUND INFORMATION: VICTIM ASSISTANCE UNIT.

Under Colo. Const. Art. II, § 16a and Colo. Rev. Stat. §§ 24-4.1-302, *et seq.*, victims of certain crimes have the right to be informed of and present for each critical stage of the criminal justice process. To this end, law enforcement agencies are required to provide certain services to all victims of crime against persons. The Department of Law Victim Services is provided by 1 FTE, the Victim Services Coordinator. The Victim Services Coordinator carries out these duties for both the (Criminal) Appellate Division and the trial prosecutions within the Criminal Justice Section in the Attorney General's office. The Coordinator helps over 1200 victims each year. These duties entail providing status information, explanations, court accompaniment, referral, and liaison services to crime victims in Appellate, Special Prosecutions, Medicaid fraud, and, occasionally, capital cases. Also, under Sec. 18-3-417, when there is a disciplinary case involving a licensed professional who is accused of a sex offense, the Victim Services Coordinator advises the victim of the alleged offense of their right to pursue criminal and civil action and provides the victim with information about the Colorado Victim Rights Act.

The Coordinator provides status information, explanations, court accompaniment, referral, and liaison services to the victim as his or her case progresses through the "critical stages" of the criminal justice process. Depending on whether the case is an appellate or trial-level proceeding, the critical stages and nature of additional services vary. These services are non-duplicative of any other services in the state. The VSC enables crime victims and their families to keep informed about the legal events in their cases.

II) PRIOR YEAR LEGISLATION

The Victim Assistance Unit did not sponsor or promote any legislation in FY 2011-2012.

III) HOT ISSUES

People v. Nathan Dunlap

In 1996, an El Paso County jury sentenced Nathan Dunlap to death for the 1993 execution murders of four employees--three of whom were teenagers--of an Aurora Chuck E Cheese's children's restaurant.

During the years between the 1996 conviction and death sentence and this fiscal year, the Attorney General's office has prosecuted the appeals of multiple state level appeals, in the Court of Appeals and the Colorado Supreme Court. There have been motions before the Federal Court and the U.S. Supreme Court.

The Victim Services Coordinator has kept 17 family members informed of the legal events on appeal, and has communicated with Arapahoe County District Court when the motions are at the District Court.

Most recently, Assistant Attorney General Paul Koehler filed our answer to order to show cause in federal district court on March 21, 2011.

People v. Dominic Dale Duran

This is a case involving two men who came uninvited to a house party in Jefferson County. The house was crowded with teenagers. The two men became confrontational, shouted that they had a gun, and were told to leave. As they left the house and moved towards their car, each of the co-defendants used the same gun to fire five shots each at the house. As a result of their conduct, a 17-year-old girl inside the house was shot in the head, and died. Tried together on charges of first-degree murder-extreme indifference, both the defendant and co-defendant were convicted of the lesser offenses of attempted first-degree murder-extreme indifference, and reckless manslaughter.

In April of 2011, the Court of Appeals reversed the defendant's attempted murder conviction because of an erroneous jury instruction, and it vacated the reckless manslaughter conviction on sufficiency grounds.

The Victim Services Coordinator has kept the family of the victim informed of the legal events, has accompanied them to oral argument in the Court of Appeals, and is continuing to provide support and information while the Attorney General files a motion with the Colorado Supreme Court for Certiorari.

IV) WORKLOAD MEASURE:

Objective: To provide statutorily mandated services to all crime victims whose cases will open on appeal in the Appellate Division or are litigated by the special prosecutions, Medicaid Fraud and as determined, the Capital Crimes Unit of the Criminal Justice Section.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
To provide service to all victims of violent crime whose cases will open on appeal or prosecuted within the Attorney General's Office this year.	Target	1250	1250	1250	1250
	Actual	1300	1450		

Objective: To play an active role in the statewide coordination of victim services.

Workload Measure		FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Participate on a number of ongoing statewide victim services boards, task forces, and committees.	Target	6	6	6	6
	Actual	7	7	6	

VICTIMS ASSISTANCE CORE OBJECTIVES AND PERFORMANCE MEASURES

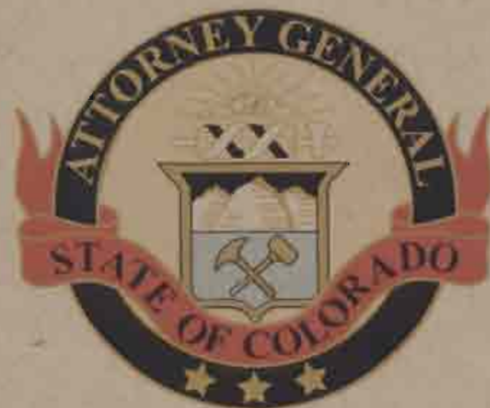
Performance Measure	Outcome	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Phone calls received, answered, or initiated to victims concerning events in cases	Target	600	600	700	700
	Actual	700	700		

Performance Measure	Outcome	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Mailed substantive notifications to victims concerning critical stages in their cases.	Target	1,250	1,250	1,300	1,300
	Actual	1,350	1,450		

Performance Measure	Outcome	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY 13 Request
Accompany victims to oral arguments to the Court of Appeals and the Colorado Supreme Court	Target	24	24	24	24
	Actual	24	24		

Similar or Cooperating Programs: The Victim Services Coordinator works cooperatively with the Victim Assistance Coordinators in all of the District Courts in Colorado, with Victim Compensation, with the Victim Advocates in the Departments of Correction, Probation, Parole, and with community-based victim programs throughout the state.

FY 12-13
Budget
Schedules 2, 3 and 4
CJ & A - Victims Assistance



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

VICTIMS ASSISTANCE

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
VICTIM'S ASSISTANCE	86,846	1.0	0	0.0	0	0.0	-	0.0	-	0.0
General Fund	14,195		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	72,651		0		0		-		0	
Federal Funds	-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law VICTIMS ASSISTANCE

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
General Professional III	68,256	1.0								
TOTAL POSITION DETAIL	68,256	1.0								
(I.A.) CONTINUATION FTE SALARY COSTS	68,256	1.0					-	0.0	-	0.0
(Permanent FTE by position)										
Continuation Salary Subtotal										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	5,942						-		-	
Medicare on Continuation Subtotal	878						-		-	
Non-Base Building Performance Awards	-									
Furlough	(788)									
Contractual	331									
Other	360									
SUBTOTAL	6,724						-		-	
(I.C.) PERSONAL SERVICES SUBTOTAL= A+B	74,980	1.0					-	0.0	-	0.0
(I.D.) POTS EXPENDITURES										
Health/Life Dental	4,559									
Salary Survey										
Performance Awards										
Short Term Disability	96									
SB 04.257 A E D.	1,324									
SB 06.235 S.A.E.D.	829									
Other										
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL= C+D	81,789	1.0					-	0.0	-	0.0
(I.F.) DIFFERENCE= II- I.E.										

ORG ID	ORG NAME	SCH
LAA	LAW	092



DEDUCTION WORKSHEET

EMPLOYEE NAME	EMPLOYEE ID	BATCH TYPE	GTN	BAL. CODE	AMOUNT	GTN	BAL. CODE	AMOUNT	GTN	BAL. CODE	AMOUNT
Stine, Bradley	997094452	DU	111	G	17.50						
Stine, Bradley	997094452	DU	111		35.00						
		DU									
		DU									
		DU									
		DU									
		DU									
		DU		G							
		DU		G							
		DU		G							
		DU		G							
		DU		G							
		DU		G							
		DU		G							
		DU									
		DU									

BALANCE CODES
 G - DEDUCTION/CONTRIBUTION
 D - DECLINING BALANCE

PREPARED BY
 Terrie Sandoval

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

VICTIMS ASSISTANCE:

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
2220 Building Grounds Maintenance	-									
2230 Equipment Maintenance/Repair Svcs	-						-			
2231 ADP Equip Maint/Repair Services	-						-			
2232 Software Upgrades	-						-			
2240 Motor Veh Maint/Repair Svcs	-									
2251 Lease Motor Pool Vehicle	-									
2252 Motor Pool Mileage Charge	-									
2253 Equipment Rental	-									
2254 Rental of Motor Vehicles	-									
2255 Rental of Buildings	3,248									
2258 Parking Fees	3									
2559 Parking Fee Reimbursement	-									
2510 In State Travel	-									
2512 IS Personal Travel Per Diem	-									
2513 IS Personal Vehicle Reimbursement	45									
2520 IS Travel/Non Employee	-									
2523 IS/Non-Emp - Pers Veh Reimb	-									
2530 Out of State Travel	-									
2531 OS Common Carrier Fares	-									
2532 OS Personal Travel Per Diem	28									
2533 OS Personal Vehicle Reimbursement	-									
2550 Out of Country Travel	-									
2552 OC Pers Travel Reimbursement	-									
2630 Telephone	85									
2631 Comm Svcs from Outside Sources	-									
2641 Other ADP Billings - Purchase Services	-									
2660 Insurance	127									
2680 Contract Printing	172									
2681 Photocopy Reimbursement	-									
2810 Freight & Storage	-									
2820 Other Purchased Services	-									
2830 Office Moving/Purchased Services	-									
3110 Other Supplies and Materials	-									
3112 Automotive Supplies	-									
3114 Custodial	-									

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

VICTIMS ASSISTANCE

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
ADP Capital Outlay										
Building Security										
Total							-			
General Fund							-			
General Fund										
Reappropriated Funds										
Projected Shortfall										
Reappropriated Funds										
TOTAL VICTIMS ASSISTANCE	86,846	1.0			-	0.0	-	0.0	-	0.0
General Fund	14,195						-		-	
Reappropriated Funds	72,651						-		-	
Federal Funds									-	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	76,086	1.0								
Federal Grant										
Classified Salary POTS	-									
Health/Life/Dental	4,672									
Short Term Disability	89									
SB 04.257 A.E.D.	1,342									
SB 06.235 S.A.E.D.	825									
Capital Complex Lease Space	3,248									
Workers Compensation	132									
Vehicle Lease Allocation										
IT Asset Maintenance										
ADP Capital Outlay Allocation										
Building Security	4,500									
Rollforward from Previous FY year										
Restriction										
Overexpenditure/(Reversion) - GF	(943)									
Lapsed Appropriation Reappropriated Fund	(3,105)									
Lapsed Appropriation Federal Funds										
TOTAL RECONCILIATION	86,846	1.0					-	0.0		

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

VICTIMS ASSISTANCE

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
GRAND TOTAL	86,846	1.0			-	0.0	-	0.0	-	0.0
General Fund	14,195				-		-		-	
General Fund Exempt	-				-		-		-	
Cash Funds	-				-		-		-	
Reappropriated Funds	72,651				-		-		-	
Federal Funds							-			

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

VICTIMS ASSISTANCE

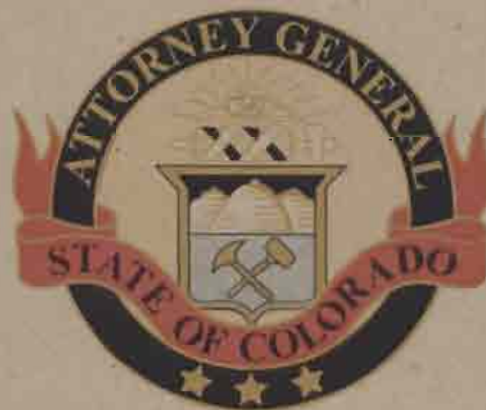
Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		86,846		-	-	-
General Funds		14,195		-	-	-
General Funds Exempt		-		-	-	-
Cash Funds		-		-	-	-
Reappropriated Funds		72,651		-	-	-
Federal Funds		-		-	-	-
Reappropriated Funds						
Victim Assistance & Law Enforcement Fund		72,651		-	-	-
Federal Funds						
Federal VOCA Grant		-			-	-

FY 12-13

Budget

Schedules 2, 3 and 4

CJ & A - Indirect Cost Assessment



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

INDIRECT COST ASSESSMENT - CRIMINAL JUSTICE & APPELLATE

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Criminal Justice & Appellate Indirect	328,276		382,767		451,504		451,504		443,401	
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	77,430		205,732		222,031		222,031		214,311	
Reappropriated Funds	138,920		46,101		71,943		71,943		72,669	
Federal Funds	111,926		130,934		157,530		157,530		156,422	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

INDIRECT COST ASSESSMENT - CRIMINAL JUSTICE & APPELLATE

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Criminal Justice & Appellate Indirect	328,276		382,767		451,504		451,504		443,401	
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	77,430		205,732		222,031		222,031		214,311	
Reappropriated Funds	138,920		46,101		71,943		71,943		72,669	
Federal Funds	111,926		130,934		157,530		157,530		156,422	
RECONCILIATION OF FUNDS										
Long Bill Appropriation Supplemental	374,591		375,994							
Rollforward from Previous FY										
Rollforward to Subsequent FY										
Lapsed Appropriation Cash Funds	(28,001)		0							
Lapsed Appropriation Federal Funds	(18,313)		6,785							
Lapsed Appropriation Reappropriated Funds	(1)		(12)							
TOTAL RECONCILIATION	328,276		382,767							

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

INDIRECT COST ASSESSMENT - CRIMINAL JUSTICE & APPELLATE

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		328,276	382,767	451,504	451,504	443,401
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		77,430	205,732	222,031	222,031	214,311
Reappropriated Funds		138,920	46,101	71,943	71,943	72,669
Federal Funds		111,926	130,934	157,530	157,530	156,422
Cash Funds		77,430	205,732	222,031	222,031	214,311
State Compensation Insurance Authority		3,008	131,310	38,452	38,452	30,792
POST Board Cash Fund		74,422	74,422	86,828	86,828	86,217
Insurance Fraud Cash Fund				96,751	96,751	97,302
Reappropriated Funds		138,920	46,101	71,943	71,943	72,669
DORA Division of Insurance Cash Fund		94,268	94,268			-
DORA Division of Securities		44,652	44,652	71,943	71,943	72,669
Federal Funds						
Medicaid Federal Grant		111,926	130,934	157,530	157,530	156,422

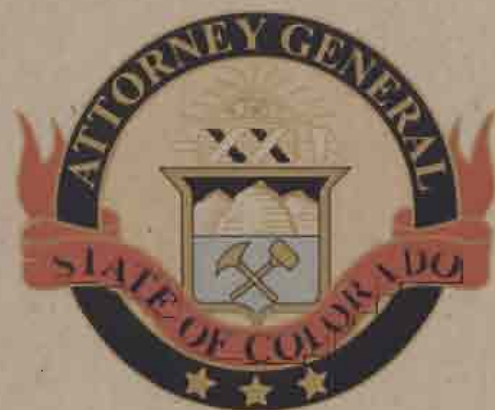
Natural Resources & Environment



Narratives

Natural Resources &

Water Rights



D) BACKGROUND INFORMATION: NATURAL RESOURCES AND ENVIRONMENT UNIT (Non-Legal Services to State Agencies).

Introduction to the Natural Resources and Environment Section

The Natural Resources and Environment Section currently has 55 dedicated employees who work to protect and defend the interests of the State and its citizens in all areas of natural resources law and environmental law. The Section represents and advises state agencies and boards that regulate and oversee the development, use and conservation of Colorado's natural resources and protect the quality of Colorado's environment.

Federal and Interstate Water Unit

This Unit protects the State's interests in the waters of interstate rivers, with respect to both interstate water allocation and federal environmental requirements, including the Endangered Species Act. The Unit also works with state water users to protect the state's interests in the timely and reasonable resolution of federal claims for water rights, including reserved water rights and claims for instream flows.

Defense of the Colorado River Compact

This Unit provides legal counsel and representation to the Department of Natural Resources ("DNR"), the Colorado Water Conservation Board, and the State Engineer on issues pertaining to the Colorado River and the Colorado River Compacts. The Unit's major tasks include researching issues relevant to potential litigation, preparing a litigation database of the voluminous documents relevant to the Colorado River, and assisting the State Engineer in preparing rules for any in-state curtailment of water rights resulting from a Colorado River Compact call. These activities also prepare the State of Colorado to fully participate in ongoing negotiations with the other Colorado River basin states that are signatories to the Colorado River Compact various Federal agencies and the Republic of Mexico.

CERCLA Litigation Unit

This Unit handles the legal work for ten seriously contaminated sites – known as Superfund sites – most of which are being cleaned up under consent decrees by those who contaminated them. The Unit works to recover the state's costs for overseeing these cleanups from the responsible parties to the greatest extent possible. The Unit works with CDPHE to ensure cleanup work progresses at these sites as required.

In addition, the Unit recovers Natural Resources Damages (sometimes called NRDs) on behalf of the State's Natural Resource Trustees to compensate for injuries caused by hazardous substances to the State's natural resources. The Trustees are the Directors of CDPHE & DNR, and the Attorney General. The Unit serves the Trustees by assisting with the identification of injuries and negotiating or litigating to recover damages. Once recovered, the Unit assists the Trustees in determining how to allocate the NRDs funds to

restore or replace the injured natural resources such as ground water, wildlife habitat, and fish populations.

II) PRIOR YEAR LEGISLATION

None

III) HOT ISSUES

Interstate Waters

The Federal and Interstate Unit and Colorado River Unit continue to provide the necessary highly specialized consul to state agencies and leaders. During FY 2010, the Unit began work on promulgating rules and regulations to better administer the Rio Grande River and Arkansas River Compacts, continued to work with the Republican River Water Conservation District to assure Compact compliance, continued to collect and code thousands of documents related to the Colorado River Compact, including representing the State in Arbitration hearings, negotiations, and litigation regarding the Colorado's proposed Compact Compliance Pipeline and worked with State agencies and state and federal elected officials to protect Colorado's water and water users through negotiation, litigation and legislation.

California Gulch Settlement

Over FY 2011, the CERCLA Litigation Unit will continue to assist CDPHE in overseeing cleanup of various Operable Units at the Cal Gulch site. Once engineering and institutional controls are in place, much of the site will be eligible for delisting from the National Priorities List of hazardous sites. The natural resources damages settlement also made \$10.5 million from Resurrection/ Newmont and \$10 million from Asarco available for natural resources damages. Natural resource projects are being identified and approved for funding by a committee that includes the State Natural Resource Trustees.

Rocky Mountain Arsenal Natural Resources Damages Settlement

The Natural Resources Trustees, in cooperation with local entities, will solicit and select suitable projects funded by the \$34 million recovered from litigation against Shell Oil and the United States Army.

Natural Resources Damages Claim at Lowry Landfill CERCLA Site

The CERCLA Litigation Unit finalized settlement with the City and County of Denver, Waste Management, Inc., and generator responsible parties regarding a claim for damages to State groundwater at Lowry Landfill. Some of the damages were pre-allocated for a sewer hook-up fund, but most are being allocated through a traditional

request for proposal process, to be approved by the Trustees with assistance from the Unit and colleagues at CDPHE & DNR.

ASARCO Bankruptcy

The Unit recovered approximately \$127 million in bankruptcy from Asarco. The Unit now assists in oversight of a total of \$20 million in remediation funding recovered for two larger ASARCO contaminated sites in Colorado, as well as approximately \$5.8 million in natural resources damages allocations at other sites, and \$1.2 million for past and future costs at these sites.

Remediation of Idarado Mine Tailings on Telluride Valley Floor

The Town of Telluride annexed and condemned the Valley Floor property with title transferring to the Town in 2008. The State is now working with the Town and Idarado to improve the remedy set forth in the Consent Decree. The parties are currently working on a proposed access agreement required for the Valley Floor remediation. In addition, the State anticipates that an environmental covenant will be placed on the remediated portions of the Valley Floor to ensure the protection of human health and the environment.

Implementation of Central City/Clear Creek Superfund Remedy and Black Hawk Water Rights Application Opposition

This CERCLA Remedial Project will collect contaminated mine tunnel discharges, place them into a pipe (in CDOT's right-of-way), transport the waters to a newly constructed water treatment plant also located on CDOT property, and discharge treated water into North Clear Creek. Interagency coordination on contracting may result in cleanup cost savings as the Agencies simultaneously address major capital projects. Casinos' objections to project timing delayed construction but should not affect outcome. We will continue to work with US EPA and the State Water Engineer to oppose application for water treated by site remedy.

IV) WORKLOAD MEASURES

Federal and Interstate Water Unit

The primary purpose of the Federal and Interstate Water Unit is to defend the rights and interests of the State of Colorado and its water users against claims made by federal agencies or other States. The Unit handles all matters regarding water right claims made by federal agencies, including federal reserved rights, as well as providing advice planning and litigation related to Colorado's Compacts, interstate decrees and any other interstate agreements relating to the water resources of the State. Attorneys within the Unit have developed the very specific knowledge to provide legal assistance within this very specialized area of law and policy.

The major litigation currently within the Unit involves the Rio Grande Compact, the Arkansas Compact and the Republican River Compact. The Unit continues to provide counsel for the ongoing disputes between Kansas and Colorado involving the Arkansas River. The Unit provides legal advice regarding disputes under the Decree and how Colorado's water resources development can continue under the terms of that Decree. Specifically, Unit attorneys are involved in drafting rules to address the potential adverse affects of increased irrigation efficiency on Compact compliance and are involved in several cases in the Division 2 water court with compact implications.

In the Rio Grande, Unit attorneys continue to work with the State Engineer and affected water users to develop rules to address well impacts on surface water supplies and Colorado's Compact obligation. As part of that effort, Unit attorneys are defending the State Engineer's approval of Subdistrict No. 1 of the Rio Grande Water Conservation District that addresses these issues as well as working with the State Engineer and a Special Advisory Committee to promulgate Rules and Regulations to address conjunctive management and establish criteria for the beginning and end of the irrigation season for water division no. 3. Unit attorneys continue to monitor developments related to both the Rio Grande Compact and the Costilla Creek Compact, not only with regards to actual water flow, but also other environmental or endangered species matters that may adversely impact Colorado's ability to meet its compact obligations.

Unit attorneys continue to work with state leaders to address Colorado's compliance with the Republican River Compact, including a proposed Compact Compliance Pipeline, while providing counsel on disputes between Kansas and Nebraska to assure that any position taken by either of those states does not adversely impact Colorado's ability to meet its compact obligations, including continuing efforts to have the Republican River Compact Administration approve Colorado's proposed Compact Compliance Pipeline and successfully defending Colorado's interests against Kansas and Nebraska in the recently concluded arbitration. Additionally, unit attorneys will continue to monitor Kansas' claims against Nebraska in the United States Supreme Court and defend Colorado's interests as required in that continuation of *Kansas v. Nebraska and Colorado*, No. 126, Original.

Finally, Unit attorneys continue to provide legal counsel to the State Engineer and the CWCB in diverse matters with federal or interstate implications including the continuing development and operation of the Animas-La Plata project, evaluation of potential federal reserved water right claims as part of new Wild and Scenic River designation as well as numerous smaller water court cases throughout the State.

Continually increasing demands for scarce water, both within and without the State, ensure that the Unit's workload remains heavy. As the Unit attorneys take over more of Arkansas Compact matters from outside counsel, that workload will also increase. Downstream states will continue to covet Colorado's compact entitlements and monitor Colorado's actions closely, seeking an advantage for their water users.

Colorado River Unit

The Colorado River Unit focuses on interstate issues regarding the Colorado River, including actions by other states that may impact Colorado's rights under the Colorado River Compact and the Upper Basin Compact.

The Unit attorneys provide counsel on the operation of the Colorado River and its storage and other water projects under the Colorado River and Upper Colorado River Compacts. The Unit provides legal advice on interstate negotiations, agreements, legislation and litigation. These actions include monitoring implementation of interim surplus criteria for the lower Colorado River basin, including California's compliance with its 4.4 Plan, monitoring and joining proposals or litigation that may affect operation of Glen Canyon or Hoover Dam, assist in analyzing the effects of drought on Colorado River water supplies and assist Department of Natural Resources in evaluating Colorado's options to respond to Colorado River shortages, monitoring the effects of disputes within California on California's 4.4 Plan, continuing to participate in talks with the Department of Interior to finalize the Environmental Impact Statement and Record of Decision on implementing Lower Basin shortages and coordinating Colorado River reservoir operations under low reservoir conditions, monitor implementation of interim surplus criteria for the lower Colorado River basin participate in negotiations with the Republic of Mexico regarding storage in United States' reservoirs, and monitoring and providing advice to Department of Natural Resources regarding plans for developing Colorado's apportionment under the Compacts, including proposed projects to import a portion of Colorado's allocated supply direct from the Green River in Wyoming.

Additionally, the Unit is charged with the long term task of collecting documents and organizing an electronic database for those documents that relate to the development, implementation or interpretation of the Colorado River Compact or the Upper Basin Compact. This includes working with and monitoring outside vendors for the collection, scanning and organization of millions of documents. This work is in anticipation of litigation regarding these Compacts. Because this collection and organization is so time consuming, it must be accomplished well in advance of any actual litigation or disagreement and will have to be continually maintained so as to be an up to date and valuable tool for Colorado to protect its entitlement and its water users.

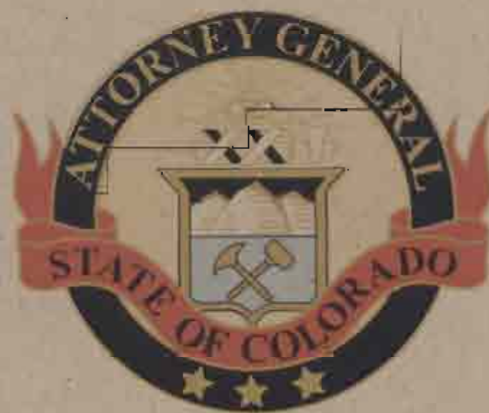
CERCLA Litigation Unit

The CERCLA Litigation Unit provides legal advice to the three Natural Resources Trustees regarding damages claims, and coordinates HMWMD staff, consultants, expert witnesses, and stakeholders in a timely fashion. The Unit also prepares litigation plans and budgets. Four settled natural resources damages cases will require significant legal support as stakeholder groups in the Alamosa River drainage basin, north Metro area and Lake County seek to have potential restoration projects funded from settlement monies. Similar NRDs restoration efforts are on-going at previously settled case sites. The Unit is in the process of developing guidance for sites involving injuries to groundwater from small releases.

FY12-13 Reconciliation of Request

Water and Natural Resources

- A. Fed & Interstate Water Unit**
- B. Def of Colorado River**
- C. Def of Republican River**
- D. Consultant Expense**
- E. CERCLA**
- F. CERCLA Contracts**
- G. NR Damage Claims at RMA**



DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

(4) Water and Natural Resources

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
(A) Federal and Interstate Water Unit						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$513,883	5.5	\$513,883	\$0	\$0	\$0
SB 11-76 PERA Bill	(\$11,724)		(\$11,724)			
FY 2011-12 Total Appropriation	\$502,159	5.5	\$502,159	\$0	\$0	\$0
Prior Year Salary Survey	\$0	0.0	\$0	\$0	\$0	\$0
Prior Year Performance-based Pay	\$0	0.0	\$0	\$0	\$0	\$0
PERA adjustment back to 10.15% from 7.65% (Accomodating for HB 11-101)	\$11,724	0.0	\$11,724	\$0	\$0	\$0
FY 12-13 Base Request	\$513,883	5.5	\$513,883	\$0	\$0	\$0
	\$0	0.0	\$0			
FY 2012-13 November 1 Request	\$513,883	5.5	\$513,883	\$0	\$0	\$0
(B) Defense of the Colorado River Basin Compact						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$335,198	3.0	\$0	\$335,198	\$0	\$0
SB 11-76 PERA Bill	(\$4,278)		\$0	(\$4,278)		
FY 2011-12 Total Appropriation	\$330,920	3.0	\$0	\$330,920	\$0	\$0
Prior Year Salary Survey	\$0	0.0	\$0	\$0	\$0	\$0
Prior Year Performance-based Pay	\$0	0.0	\$0	\$0	\$0	\$0
PERA adjustment back to 10.15% from 7.65% (Accomodating for HB 11-101)	\$4,278	0.0	\$0	\$4,278	\$0	\$0
FY 12-13 Base Request	\$335,198	3.0	\$0	\$335,198	\$0	\$0
	\$0			\$0		
FY 2012-13 November 1 Request	\$335,198	3.0	\$0	\$335,198	\$0	\$0
(C) Defense of the Republican River Compact						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$110,000	0.0	\$0	\$110,000	\$0	\$0
FY 2011-12 Total Appropriation	\$110,000	0.0	\$0	\$110,000	\$0	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
	\$0	0.0	\$0	\$0	\$0	\$0

DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

4) Water and Natural Resources

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
	\$0	0.0	\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$110,000	0.0	\$0	\$110,000	\$0	\$0
FY 2012-13 November 1 Request	\$110,000	0.0	\$0	\$110,000	\$0	\$0
D) Consultant Expenses						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$400,000	0.0	\$0	\$400,000	\$0	\$0
FY 2011-12 Total Appropriation	\$400,000	0.0	\$0	\$400,000	\$0	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 12-13 Base Request	\$400,000	0.0	\$0	\$400,000	\$0	\$0
FY 2012-13 November 1 Request	\$400,000	0.0	\$0	\$400,000	\$0	\$0
E) Comprehensive Environmental Response, Compensation and Liability Act						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$460,629	3.5	\$0	\$0	\$460,629	\$0
SB 11-76 PERA Bill	(\$7,947)		\$0	\$0	(\$7,947)	\$0
FY 2011-12 Total Appropriation	\$452,682	3.5	\$0	\$0	\$452,682	\$0
Prior Year Salary Survey	\$0	0.0	\$0	\$0	\$0	\$0
Prior Year Performance-based Pay	\$0	0.0	\$0	\$0	\$0	\$0
PERA adjustment back to 10.15% from 7.65% (SB 11-76)	\$7,947	0.0	\$0	\$0	\$7,947	\$0
FY 12-13 Base Request	\$460,629	3.5	\$0	\$0	\$460,629	\$0
	\$0				\$0	
	\$0				\$0	
FY 2012-13 November 1 Request	\$460,629	3.5	\$0	\$0	\$460,629	\$0
F) Comprehensive Environmental Response, Compensation and Liability Act Contracts						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$425,000	0.0	\$0	\$0	\$425,000	\$0

DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

(4) Water and Natural Resources

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
HB 10-1329 Solid Waste User Fees	\$0		\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$425,000	0.0	\$0	\$0	\$425,000	\$0
	\$0				\$0	
FY 12-13 Base Request	\$425,000	0.0	\$0	\$0	\$425,000	\$0
FY 2012-13 November 1 Request	\$425,000	0.0	\$0	\$0	\$425,000	\$0
(G) Natural Resource Damage Claims at Rocky Mountain Arsenal						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$50,000	0.0	\$0	\$50,000	\$0	\$0
FY 2011-12 Total Appropriation	\$50,000	0.0	\$0	\$50,000	\$0	\$0
FY 12-13 Base Request	\$50,000	0.0	\$0	\$50,000	\$0	\$0
FY 2012-13 November 1 Request	\$50,000	0.0	\$0	\$50,000	\$0	\$0
(H) Indirect Cost Assessment						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$43,414	0.0	\$0	\$0	\$43,414	\$0
	\$0		\$0	\$0	\$0	\$0
FY 2011-12 Total Appropriation	\$43,414	0.0	\$0	\$0	\$43,414	\$0
FY 12-13 Base Request	\$43,414	0.0	\$0	\$0	\$43,414	\$0
	(\$306)				(\$306)	
FY 2012-13 November 1 Request	\$43,108	0.0	\$0	\$0	\$43,108	\$0

DEPARTMENT OF LAW**FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST****(4) Water and Natural Resources**

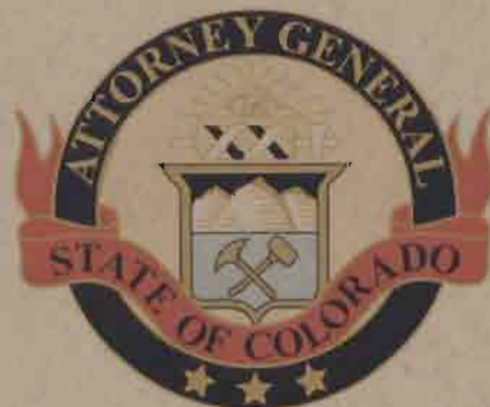
Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
(4) Water and Natural Resources						
FY 2010-11 Appropriation(Long Bill plus Special Bills)	\$2,314,175	12.0	\$502,159	\$890,920	\$921,096	\$0
FY 2011-12 Base Request	\$2,338,124	12.0	\$513,883	\$895,198	\$929,043	\$0
FY 2011-12 November 1 Request	\$2,337,818	12.0	\$513,883	\$895,198	\$928,737	\$0

FY 12-13

Budget

Schedules 2, 3 and 4

NR & WR - Federal & Interstate Water



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
FEDERAL & INTERSTATE WATER UNIT	539,622	5.5	537,964	5.5	502,159	5.5	569,402	5.5	513,883	5.5
General Fund	527,153		537,964		502,159		569,402		513,883	
General Fund Exempt	-		-		-		-		-	
Cash Funds	12,469		-		-		-		-	
Reappropriated Funds	-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
First Assistant Attorney General	99,492	1.0	99,492	1.0			99,492	1.0	99,492	1.0
Assistant Attorney General	246,540	3.5	249,036	3.5			251,640	3.5	251,640	3.5
Assistant Attorney General II	0		-				-		-	
Assistant Attorney General I	0		-				-		-	0.0
Legal Assistant II	65,580	1.0	66,341	1.0			65,580	1.0	65,580	1.0
TOTAL POSITION DETAIL	411,612	5.5	414,869	5.5			416,712	5.5	416,712	5.5
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by position) Continuation Salary Subtotal	411,612	5.5	414,869	5.5			416,712	5.5	416,712	5.5
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	38,689		31,490				31,878		42,296	
Medicare on Continuation Subtotal	5,704		5,895				6,042		6,042	
Non-Base Building Performance Awards	-		1,500				-		-	
Part-Time/Temporary Salaries	-		-				-		-	
Contractual Services	2,934		1,672				3,224		6,794	
Leave										
Furlough Days	(4,778)		-						-	
Other	936		915						-	
SUBTOTAL	43,484	5.5	41,472	5.5			41,145	5.5	55,133	5.5
(I.C.) PERSONAL SERVICES SUBTOTAL= A+B										
	455,096	5.5	456,342	5.5			457,857	5.5	471,845	5.5
Difference										
(I.D.) POTS EXPENDITURES										
Health/Life Dental	25,159		25,539				32,368			
Salary Survey	-		-				-			
Performance Award	-		-				-			
Short Term Disability	622		700				798			
SB 04 257 A.E.D.	8,489		9,715				12,820			
SB 06 235 S A E D.	5,278		7,084				10,302			
Other	-		-				-			
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL= C+D										
	494,643	5.5	499,380	5.5			514,145	5.5	471,845	5.5

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Actual FY 10		Actual FY 11		Actual FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation	4,448		1,627				8,750		17,276	
2150 2150 - Custodial Services	-		-						-	
2160 2160 - Janitorial Service	-		-						-	
2170 Waste Disposal Services	-		775						-	
2210 2210 - Bldg Maintenance/Repair Svcs	-		-						-	
2220 2220 - Building Grounds Maintenance	-		-						-	
2230 Equipment Contract Maintenance	-		-						-	
2220 Building Grounds Maintenance	-		-						-	
2231 ADP Equip Maint/Repair Services	-		528				25		25	
2232 Software Upgrades	-		-				-		-	
2240 2240 - Motor Veh Maint/Repair Svcs	-		-						-	
2251 2251 - Lease Motor Pool Vehicle	-		-						-	
2252 2252 - Motor Pool Mileage Charge	-		-						-	
2253 2253 - Equipment Rental	-		-						-	
2254 2254 - Rental of Motor Vehicles	-		-						-	
2255 Rental of Buildings	17,864		18,107				-		-	
2559 2559 - Parking Fee Reimbursement	-		-						-	
2258 Parking Fees	16		-						-	
2510 In State Travel	18		47				50		50	
2511 In State Common Carrier Fares	341		2,140				800		800	
2512 IS Personal Travel Per Diem	3,581		1,546				3,420		3,420	
2513 IS Personal Vehicle Reimbursement	-		-				-		-	
2514 State Owned Aircraft	-		-						-	
2521 2521 - IS Common Carrier Non Employee	-		-						-	
2522 2522 - IS Non-Emp - Pers Per Diem	-		-						-	
2523 2523 - IS/Non-Emp - Pers Veh Reimb	-		-						-	
2530 Out of State Travel	-		16				45		45	
2531 OS Common Carrier Fares	-		184				225		225	
2532 OS Personal Travel Per Diem	128		126				145		145	
2533 2533 - OS Personal Vehicle Reimbursement	-		-						-	
2550 2550 - Out of Country Travel	-		-						-	
2552 2552 - OC Pers Travel Reimbursement	-		-						-	
2630 Telephone	2,482		2,438				2,545		2,545	
2631 Comm Svcs from Outside Sources	-		-				-		-	
2641 Other ADP Billings - Purchase Services	10,030		6,970				11,523		11,523	
2660 Insurance	702		703				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Actual FY 10		Actual FY 11		Approp		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2680 Contract Printing	253		309				301		301	
2810 2810 - Freight & Storage	-		-						-	
2820 2820 - Other Purchased Services	-		-						-	
2830 2830 - Office Moving/Purchased Services	-		-						-	
3111 3110 - Other Supplies and Materials	-		-						-	
3112 3112 - Automotive Supplies	-		-						-	
3114 3114 - Custodial	-		-						-	
3115 DP Supplies	35		-				-		-	
3116 Purchase/Leased Software	-		-				-		-	
3117 Educational	-		-				-		-	
3120 Books & Subscriptions	447		107				784		784	
3121 Office Supplies	64		-				100		100	
3122 3122 - Microfilming/Photo. Supplies	-		-						-	
3123 Postage	305		367				389		389	
3124 3124 - Printing	-		-						-	
3126 3126 - Repair & Maintenance/Supplies	-		-						-	
3128 3128 - Non-Capitalized Equipment	-		-						-	
3132 Non-Cap. Office/Furn.	-		-						-	
3140 Non-Capitalized IT - PCs	-		-						-	
3141 Non-Capitalized IT - Servers	-		-						-	
3143 Non-Capitalized IT Other	-		660				500		500	
3144 NonCap IT-Purchased Server SW	-		-						-	
3940 3940 - Electricity	-		-						-	
3950 3950 - Gasoline	-		-						-	
4100 4100 - Other Operating Expenses	-		-						-	
4140 Dues & Memberships	878		1,567				1,450		1,450	
4151 4151 - Interest Late Payments	-		-						-	
4170 4170 - Miscellaneous Fees	-		-						-	
4180 4180 - Official Functions	-		-						-	
4220 Registration Fees	3,384		368				2,340		2,340	
6140 6140 - Buildings and Improves. to Bidg.	-		-						-	
6210 6210 - Other Capital Equipment	-		-						-	
6212 IT Servers Direct Purchase	-		-				120		120	
6213 IT PC SW Direct Purchase	-		-				-		-	
Operating Expense Subtotal:	44,978		38,584				33,512		42,038	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSE TOTAL:	44,978		38,584				33,512		42,038	
General Fund	44,978		38,584				33,512		42,038	
General Funds Exempt										
Decision Item:							-		-	
General Fund							-		-	
Potted Operating Expenses										
### Workers' Compensation							907			
Leased Vehicle Expense							-			
Capital Complex Lease Space							17,446			
Lease Space							-			
IT Asset Maintenance							-			
ADP Capital Outlay							-			
CLE Registration Fees							1,688			
Building Security							1,704			
Total							21,745			
General Fund							21,745			
General Fund Exempt										
Cash Funds										
Reappropriated Funds										
TOTAL FED & INTERSTATE WATER UNIT	539,622	5.5	537,964	5.5			569,402	5.5	513,883	5.5
General Fund	527,153		537,964				569,402		513,883	
CF	12,469		-							
RECONCILIATION OF FUNDS										
Long Bill Appropriation/Request	526,872	5.5	516,519	5.5	513,883	5.5	513,883	5.5	502,159	5.5
Supplemental HB10-1305	(26,840)									
SB 11-76 PERA Bill					(11,724)		(11,724)		11,724	
Salary POTS							-			
Health/Life/Dental	25,698		11,096				24,306			
Short Term Disability	587		655				729			
SB 04.257 A.E.D.	8,144		9,151				11,385			
SB 06.235 S.A.E.D.	5,004		6,927				9,078			
Worker's Compensation	713		703				907			
Capital Complex Lease Space	7,866		8,321				17,446			
Lease Space							-			

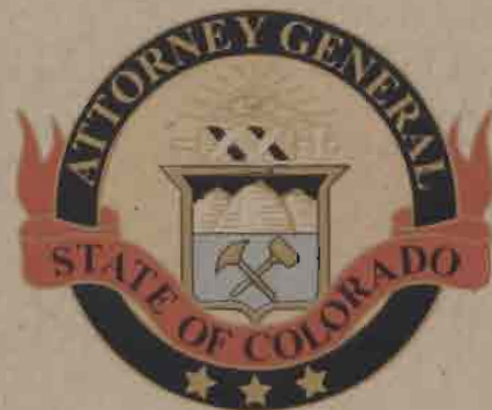
SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		539,622	537,964	502,159	569,402	513,883
General Funds		527,153	537,964	502,159	569,402	513,883
General Funds Exempt		-	-	-	-	-
Cash Funds		12,469	-	-	-	-
Reappropriated Funds		-	-	-	-	-
Cash Funds						
Fund 13H Attorney Fees		12,469	-		-	-
Reappropriated Funds		-	-			

**FY 12-13 Budget
Schedules 2,3 and 4
Defense of the Colorado
River Compact**



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
DEFENSE OF THE COLORADO RIVER COMPACT	310,888	3.4	311,496	3.0	406,418	3.0	439,540	3.0	335,198	3.0
General Fund	35,505		32,247		-		33,122		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	275,383		274,544		330,920		330,920		335,198	
Reappropriated Funds	-		4,705		75,498		75,498		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
First Assistant Attorney General										
Assistant Attorney General	155,904	2.4	150,555	1.9			152,880	2.0	152,880	2.0
Assistant Attorney General II										
Assistant Attorney General I										
Legal Assistant II	63,646	1.0	75,218	1.1			69,432	1.0	69,432	1.0
TOTAL POSITION DETAIL	219,550	3.4	225,773	3.0			222,312	3.0	222,312	3.0
(I.A.) CONTINUATION FTE SALARY COSTS										
	219,550	3.4	225,773	3.0			222,312	3.0	222,312	3.0
(Permanent FTE by Position Continuation Salary Subtotal)										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	21,414		17,967				17,007		22,565	
Medicare on Continuation Subtotal	2,270		2,145				3,224		3,224	
Non-Base Building Performance Awards	-		0				-		-	
Part-Time/Temporary Salaries	-		0				-		-	
Contractual Services	23,065		12,807				62,805		66,548	
Leave	2,952		0							
Furlough	(2,476)		0							
Overtime	-		0							
Other	945		961							
SUBTOTAL	48,171		33,880				83,035		92,336	
(I.C.) PERSONAL SERVICES SUBTOTAL= A+B										
	267,721	3.4	259,653	3.0			305,347	3.0	314,648	3.0
(I.D.) POTS EXPENDITURES										
Health/Life Dental	10,375		14,587				14,458			
Salary Survey	-		-				-			
Performance Awards	-		-				-			
Short Term Disability	334		372				393			
SB 04 257 A.E.D.	4,656		4,841				6,225			
SB 06 235 S.A.E.D.	2,881		3,516				5,002			
Other	-		-				-			

[] Indicates a Non-add

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.E.) BASE PERSONAL SERVICES TOTAL= C+D	285,968	3.4	282,969	3.0			331,426	3.0	314,648	3.0
(I.G.) REQUEST YEAR DECISION ITEMS										
General Fund										
Cash Funds										
Reappropriated Funds										
II. PERSONAL SERVICES REQUEST TOTAL	285,968	3.4	282,969	3.0			331,426	3.0	314,648	3.0
General Fund	18,871		20,448				21,056			
Cash Funds	267,097		262,521				310,370		314,648	
Reappropriated Funds							-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 1930 - Litigation	50		244				8,990		8,990	
2150 Custodial Services	-		0						-	
2160 Janitorial Service	-		0						-	
2170 Waste Disposal Services	-		0						-	
2210 Bldg Maintenance/Repair Svcs	-		0						-	
2220 Building Grounds Maintenance	-		0						-	
2230 Equipment Contract Maintenance	-		0						-	
2231 ADP Equip Maint/Repair Services	-		0						-	
2232 Software Upgrades	-		0						-	
2240 Motor Veh Maint/Repair Svcs	-		0						-	
2251 Lease Motor Pool Vehicle	-		0						-	
2252 Motor Pool Mileage Charge	-		0						-	
2253 Equipment Rental	-		0						-	
2254 Rental of Motor Vehicles	-		0						-	
2255 Rental of Buildings	12,990		8,660						-	
2258 Parking Fees	12		0						-	
2559 Parking Fee Reimbursement	-		0						-	
2510 In State Travel	-		189						-	
2511 In State Common Carrier Fares	-		350						-	
2512 IS Personal Travel Per Diem	212		599				154		154	
2513 IS Personal Vehicle Reimbursement	-		90						-	
2520 IS Travel/Non Employee	-		0						-	
2522 IS Non-Emp - Pers Per Diem	-		0						-	
2530 Out of State Travel	779		249				675		675	
2531 OS Common Carrier Fares	4,840		4,490				5,258		5,258	
2532 OS Personal Travel Per Diem	2,675		1,269				2,585		2,585	
2533 OS Personal Vehicle Reimbursement	-		0						-	
2550 Out of Country Travel	-		0						-	
2552 OC Pers Travel Reimbursement	-		0						-	
2630 Telephone	343		2,768				493		493	
2631 Comm Svcs from Outside Sources	37		0				0		-	
2641 Other ADP Billings - Purchase Services	345		1,712				285		285	
2660 Insurance	510		384						-	
2680 Contract Printing	-		0						-	
3115 DP Supplies	-		0						-	
3116 Purchase/Leased Software	-		0						-	

8-27

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
3117 Educational	-		0						-	
3120 Books & Subscriptions	-		0						-	
3121 Office Supplies	-		3						-	
3140 Noncapitalized IT - PCs	-		0						-	
3141 Noncapitalized IT - Servers	-		0						-	
3143 Non-Capitalized IT Other	-		571						-	
3146 Non-Capitalized IT Purchased Server SW	-		0						-	
4140 Dues & Memberships	679		225				610		610	
4170 Miscellaneous Fees	-		0						-	
4180 Official Functions	-		0						-	
4220 Registration Fees	1,450		2,020				1,500		1,500	
6212 IT Servers - Direct Purchase	-		0						-	
6213 IT PC SW - Direct Purchase	-		0						-	
	-		0.0						-	
Operating Expense Subtotal:	24,921		23,822				20,550		20,550	
OPERATING EXPENSE TOTAL:	24,921		23,822				20,550		20,550	
General Fund	16,634		11,799							
General Funds Exempt										
Cash Funds	8,287		12,023				20,550		20,550	
Reappropriated Funds							-			
ROLLFORWARD	-		4,705				75,498			
RF: Lit Document Group			4,705				75,498			
Allocated Operating POTS										
Workers' Compensation							495			
Leased Vehicle Expense										
Capital Complex Lease Space							9,516			
IT Asset Maintenance							-			
Communication Service Payments							-			
ADP Capital Outlay							-			
CLE Registration Fees							1,125			
Building Security							930			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Total							12,066		-	
General Funds							12,066		-	
Reappropriated Funds							-		-	
Dec Item DPA NP Printing Statewide Warrants and Mainframe Docs									-	
General Fund									-	
Cash Funds									-	
Cash Funds Exempt									-	
TOTAL COLORADO RIVER LITIGATION	310,888	3.4	311,496	3.0			439,540	3.0	335,198	3.0
General Fund	35,505		32,247				33,122		-	
General Fund Exempt									-	
Cash Funds	275,383		274,544				330,920		335,198	
Reappropriated Funds	-		4,705				75,498		-	
Federal Funds										
RECONCILIATION OF FUNDS										
Long Bill Appropriation	473,329	4.0	333,017	3.0	335,198	3.0	335,198	3.0	330,920	3.0
<i>SB 11-76 PERA Bill</i>					(4,278)		(4,278)		4,278	
<i>PERA going back to 10.15%</i>										
Salary POTS	-		-				-			
Health/Life/Dental	9,615		9,606				9,752			
Short Term Disability	387		374				389			
SB 04 257 A.E.D	5,494		5,768				6,072			
SB 06 235 S A E D	3,375		4,700				4,843			
Worker's Compensation			384				495			
Capital Complex Lease Space	12,991		9,378				9,516			
Vehicle Lease Allocation							-			
IT Asset Maintenance	518		-				-			
Office Suite Upgrade							-			
Storage Lease Space										
ADP Capital Outlay Allocation										
Communication Service Payments							-			
ALJ Allocation										
CLE Registration Fees	1,125		1,125				1,125			
Building Security	2,000		912				930			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Rollforward to Subsequent FY	(80,203)		80,203				-			
Rollforward			(75,498)		75,498		75,498			
Overexpenditure/(Reversion)										
Lapsed Appropriation Cash Fund	(117,743)	(0.6)	(58,473)	0.0						
Lapsed Appropriation GF Funds										
TOTAL RECONCILIATION	310,888	3.4	311,496	3.0			439,540	3.0	335,198	3.0
GRAND TOTAL	310,888	3.4	311,496	3.0	406,418	3.0	439,540	3.0	335,198	3.0
General Fund	35,505		32,247				33,122		-	
Cash Funds	275,383		274,544		330,920		330,920		335,198	
Reappropriated Funds	-		4,705		75,498		75,498		-	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		Actual FY 10	Actual FY 11	Approp FY 12	Estimate FY 12	Request FY 13
Schedule 3 Total		310,888	311,496	406,418	439,540	335,198
General Funds		35,505	32,247	-	33,122	-
General Funds Exempt		-	-	-	-	-
Cash Funds		275,383	274,544	330,920	330,920	335,198
Reappropriated Funds		-	4,705	-	75,498	-
Cash Funds						
Water Conservation Board Litigation Fund		275,383	274,544	330,920	330,920	335,198
Reappropriated Funds						
Water Conservation Board Litigation Fund		-	4,705	-	75,498	-

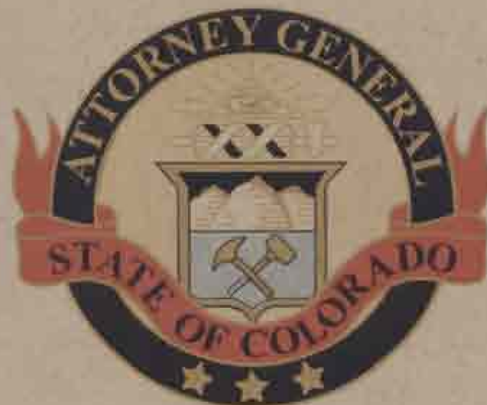
FY 12-13

Budget

Schedules 2, 3 and 4

NR & WR - Defense of the Republican

River Compact



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

DEFENSE OF THE REPUBLICAN RIVER COMPACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
DEFENSE OF THE REPUBLICAN RIVER COMPACT	65,190	-	66,133	-	110,000	-	110,000	-	110,000	-
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	39,043		45,594		110,000		110,000		110,000	
Reappropriated Cash Funds	26,147		20,539		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

DEFENSE OF THE REPUBLICAN RIVER COMPACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Personal Services										
Part-Time/Temporary Salaries										
Prof Contractual Services/Litigation	33,768		39,585				104,384		104,384	
Purchased Services- Professional										
Termination/Retirement Payouts										
Overtime Wages										
Other:										
Vacancy Savings										
Subtotal:	33,768		39,585				104,384	-	104,384	-
Total Personal Services Continuation	33,768		39,585				104,384	-	104,384	-
PERSONAL SERVICES TOTAL	33,768		39,585				104,384	-	104,384	-
General Fund	-		-							
General Fund Exempt	-		-							
Cash Funds	33,768		39,585				104,384		104,384	
Reappropriated Cash Funds							-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DEFENSE OF THE REPUBLICAN RIVER COMPACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation	1,781		3,752				3,200		3,200	
2258 Parking Fees	-		-							
2559 Parking Fee Reimbursement	-		-							
2510 In State Travel	-		-							
2512 IS Personal Travel Per Diem	-		280							
2513 IS Personal Vehicle Reimbursement	-		-							
2520 IS Travel/Non Employee	-		-							
2523 IS/Non-Emp - Pers Veh Reimb	-		-							
2530 Out of State Travel	409		109				44		44	
2531 OS Common Carrier Fares	1,140		456				741		741	
2532 OS Personal Travel Per Diem	1,417		1,217				1,347		1,347	
2533 OS Personal Vehicle Reimbursement	-		-							
2550 Out of Country Travel	-		-							
2552 OC Pers Travel Reimbursement	-		-							
2630 Telephone	372		73				31		31	
2681 Photocopy Reimbursement	-		-				98		98	
3117 Educational	-		-							
3120 Books & Subscriptions	-		30							
3121 Office Supplies	-		-							
3122 Microfilming/Photo. Supplies	-		-							
3123 Postage	156		92				156		156	
Operating Expense Subtotal:	5,275		6,009				5,616		5,616	
OPERATING EXPENSE TOTAL:	5,275		6,009				5,616		5,616	
General Fund	-		-				-		-	
General Funds Exempt										
Cash Funds	5,275		6,009				5,616		5,616	
Reappropriated Cash Funds							-		-	
Potted Operating Expenses										
Workers' Compensation										
Leased Vehicle Expense										
Capital Complex Lease Space										
IT Asset Maintenance										
ADP Capital Outlay										
Total										
General Fund										
Rollforward	26,147		20,539							

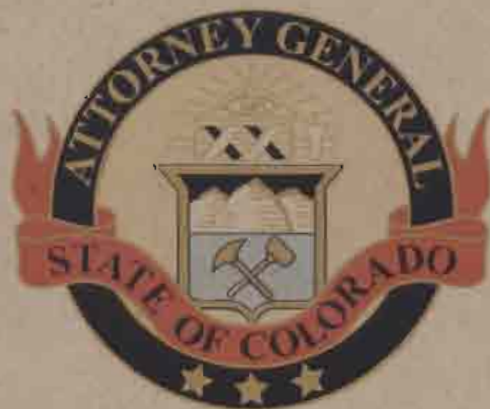
SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

DEFENSE OF THE REPUBLICAN RIVER COMPACT

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2010	FY 2011	FY 2011	FY 2012
Schedule 3 Total		65,190	66,133	110,000	110,000	110,000
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		39,043	45,594	110,000	110,000	110,000
Reappropriated Cash Funds		26,147	20,539	-	-	-
Cash Fund						
Colorado Water Conservation Board		39,043	45,594	110,000	110,000	110,000
Cash Funds Exempt						
Colorado Water Conservation Board		26,147	20,539	-	-	-

FY 12-13
Budget
Schedules 2, 3 and 4
NR & WR - Consultant Expense



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

CONSULTANT EXPENSE

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CONSULTANT EXPENSE	82,677		49,358		400,000		400,000	-	400,000	-
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	55,267		34,378		400,000		400,000		400,000	
Reappropriated Funds	27,411		14,980		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

CONSULTANT EXPENSE

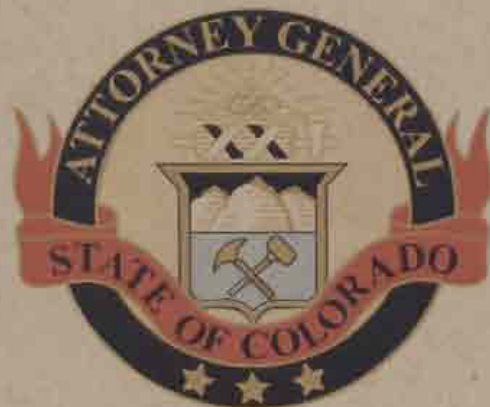
Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CONSULTANT EXPENSE TOTAL	82,677		49,358		400,000		400,000		400,000	
General Fund										
General Fund Exempt										
Cash Funds	55,267		34,378		400,000		400,000		400,000	
Reappropriated Funds	27,411		14,980				-			
RECONCILIATION OF FUNDS										
Long Bill Appropriation	50,000		50,000				400,000			
<i>Supplemental</i>	50,000		25,000				-			
Rollforward from Previous FY	27,411		39,010				-			
Rollforward to Subsequent FY	(39,010)						-			
Overexpenditure/(Reversion)							-			
Lapsed Appropriation Reappropriated Funds			(24,030)				-			
Lapsed Appropriation Cash Funds	(5,724)		(40,622)							
TOTAL RECONCILIATION	82,677		49,358				400,000			

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law Item	Actual FY 10	Actual FY 11	Approp FY 12	CONSULTANT EXPENSE	
	Total Funds	Total Funds	Total Funds	Estimate FY 12 Total Funds	Request FY 13 Total Funds
Schedule 3 Total	82,677	49,358	400,000	400,000	400,000
General Fund				-	-
General Fund Exempt				-	-
Cash Funds	55,267	34,378	400,000	400,000	400,000
Reappropriated Funds	27,411	14,980	-	-	-
Cash Funds					
Attorneys Fees and Costs	14,142	9,379	50,000	50,000	50,000
DNR Water Conservation	41,125	24,999	350,000	350,000	350,000
Reappropriated Funds					
Attorneys Fees and Costs	27,411	14,980		-	-

FY 11 RF
Hill and Robbins
Dehr and Ault

FY 12-13
Budget
Schedules 2, 3 and 4
NR & WR - CERCLA



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CERCLA	336,789	3.4	347,788	3.4	452,682	3.5	491,235	3.5	460,629	3.5
General Fund	321,766		0		0		938		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	15,023		347,788		452,682		490,297		460,629	
Federal Funds	-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
Senior Assistant Attorney General	23,124	0.2	23,124	0.2			23,124	0.2	23,124	0.2
Assistant Attorney General	194,489	2.7	192,676	2.6			187,501	2.4	187,501	2.4
Assistant Attorney General II										
Assistant Attorney General I										
General Professional V	47,202	0.5	57,429	0.6			56,642	0.6	56,642	0.6
Legal Assistant II	-						19,148	0.3	19,148	0.3
TOTAL POSITION DETAIL	264,815	3.4	273,229	3.4			286,416	3.5	286,416	3.5
(I.A.) CONTINUATION FTE SALARY COSTS	264,815	3.4	273,229	3.4			286,416	3.5	286,416	3.5
(Permanent FTE by Position) Continuation Salary Subtotal										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	25,354		21,861				21,911		29,071	
Medicare on Continuation Subtotal	3,069		3,097				4,153		4,153	
Non-Base Building Performance Awards	-		1,000				-		-	
Part-Time/Temporary Salaries										
Furlough	(3,056)		-							
Contractual Services	3,711		1,064				126,641		126,584	
Annual Leave Payout	-		459				-		-	
Overtime							-		-	
Vacancy Savings							-		-	
Sick Leave	-		-				-		-	
Other Employee Benefits	666		329				-		-	
SUBTOTAL	29,744		27,811				152,705		159,808	
(I.C.) PERSONAL SERVICES SUBTOTAL= A+B	294,559	3.4	301,040	3.4			439,120	3.5	446,224	3.5
(I.D.) POTS EXPENDITURES										
Health/Life Dental	12,392		12,747				9,036			
Salary Survey										
Performance Awards										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation	-		2,941				6,140		6,140	
2170 Waste Disposal Services	-		-				-		-	
2230 IT Hardware Maint/Repair Svs	-		-				-		-	
2231 ADP Equip Maint/Repair Services	350		792				250		250	
2232 IT Software Mntc/Upgrade Svs	-		-				380		380	
2255 Rental of Buildings	11,367		11,091							
2258 Parking Fees	10		-							
2259 Parking Fee Reimbursement			122							
2510 In-State Travel	-		41				-		-	
2511 In-State Common Carrier Fares	-		-				-		-	
2512 IS Personal Travel Per Diem	-		-				-		-	
2513 IS Personal Vehicle Reimbursement	-		-				-		-	
2530 Out of State Travel	20		-				-		-	
2531 OS Common Carrier Fares	551		26				-		-	
2532 OS Personal Travel Per Diem	305		-				-		-	
2630 Telephone	1,986		3,845				2,200		2,200	
2631 Comm Svcs from Outside Sources	-		-				-		-	
2641 Other ADP Billings - Purchase Services	619		225				972		972	
2660 Insurance	447		517				808		808	
2680 Contract Printing	127		131				200		200	
2820 Other Purchased Servs	-		-				-		-	
3115 DP Supplies	839		528				-		-	
3116 Purchase/Leased Software	-		-				33		33	
3117 Educational	-		-							
3120 Books & Subscriptions	1,687		1,196				1,500		1,500	
3121 Office Supplies	-		8				345		345	
3123 Postage	44		34				129		129	
3140 Non-Capitalized IT PC's	-		-							
3141 Non-Capitalized IT Servers	-		-							
3143 Non-Capitalized IT - Other	791		408							
3146 Non-Capitalized IT Purchased Server Software	-		-							
4140 Dues & Memberships	559		1,063				600		600	
4180 Official Functions	84		-							
4220 Registration Fees	745		173				718		718	
6212 IT Servers Direct Purchase	-		-				104		104	
6213 IT PC SW Direct Purchase	-		-				27		27	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
LONG BILL APPROPRIATION					460,629					
GF					0					
RF					460,629					
SPECIAL BILLS										
<i>SB 11-76 PERA</i>										
GF							-			
RF					(7,947)		-			
TOTAL CERCLA	336,789	3.4	347,788	3.4	452,682	3.5	491,235	3.5	460,629	3.5
General Fund	321,766				-		-			
General Fund Exempt	-		-				-			
Cash Funds					-					
Reappropriated Funds	15,023		347,788		452,682		491,235		460,629	
Federal Funds										
RECONCILIATION OF FUNDS										
Long Bill Appropriation	391,178	3.5	382,962	3.5			460,629	3.5	452,682	3.5
<i>Supplemental SB09-192</i>	(77,154)									
HB 10-1329 CF to RF			357,084							
PERA back to 10.15% from 7.65%									-	
SB 11=76 PERA							(7,947)		7,947	
Salary POTS							-			
Health/Life/Dental	19,219		10,720				11,009			
Short Term Disability	482		406				469			
SB 04.257 A.E.D.	6,936		7,486				7,415			
SB 06.235 S.A.E.D.	4,268		5,459				5,958			
Worker's Compensation	453		517				578			
Capital Complex Lease Space	11,368		11,092				11,102			
Lease Space							-			
Vehicle Lease Allocation							-			
IT Asset Maintenance							-			
Building Security	1,751		2,011				1,084			
ADP Capital Outlay Allocation										
CLE Registration Fees	938		938				938			
Rollforward from Previous FY										
Rollforward to Subsequent FY										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law
COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Overexpenditure/(Reversion)- GF	(11,795)	(0.1)	(938)							
Lapsed Appropriation General Funds Exempt										
Lapsed Appropriation Reappropriated Funds	(10,855)		(72,865)							
TOTAL RECONCILIATION	336,789	3.4	347,788	3.5			491,235	3.5	460,629	3.5
GRAND TOTAL	336,789	3.4	347,788	3.4	452,682	3.5	491,235	3.5	460,629	3.5
General Fund	321,766		-		-		938		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	15,023		347,788		452,682		490,297		460,629	
Federal Funds	-		-		-		-		-	

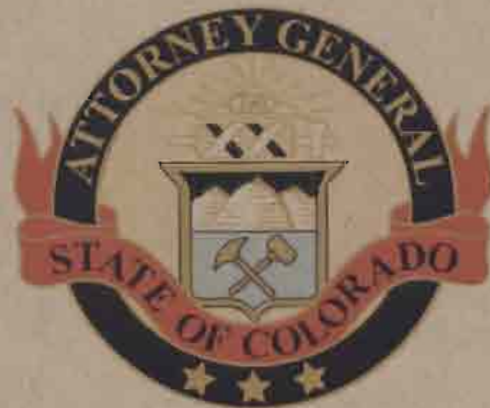
SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		336,789	347,788	452,682	491,235	460,629
General Funds		321,766	-	-	938	-
General Funds Exempt		-	-	-	-	-
Cash Funds		-	-	-	-	-
Reappropriated Funds		15,023	347,788	452,682	490,297	460,629
Federal Funds						
Reappropriated Funds						
Hazardous Substance Response Fund		15,023	347,788	452,682	490,297	460,629

FY 12-13
Budget
Schedules 2, 3 and 4
CERCLA Contracts



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law		COMPREHENSIVE ENVIRON RESPONSE COMPEN & LIAB ACT CONTRACTS								
Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CERCLA CONTRACTS	447,550	-	337,085	-	425,000		425,000	-	425,000	-
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash										
Reappropriated Funds	447,550		337,085		425,000		425,000		425,000	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law		COMPREHENSIVE ENVIRON RESPONSE COMPEN & LIAB ACT CONTRACTS								
Item	Actual FY 09		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CERCLA CONTRACTS										
1920 - Purchased Services - Professional	447,550		337,085				425,000		425,000	
Rollforward	-		-				-		-	
General Fund Exempt							-			
Reappropriated Funds										
CERCLA CONTRACTS TOTAL	447,550		337,085		425,000		425,000		425,000	
General Fund	-		-		-		-		-	
General Fund Exempt							-			
Reappropriated Funds	447,550		337,085		425,000		425,000		425,000	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	500,000		500,000		425,000		425,000		425,000	
Supplemental	20,000									
HB 10-1329 Solid Waste Tipping Fees Ref. GF to RF			75,000						0	
Rollforward from previous FY							0			
Rollforward to Subsequent FY	-		-				0			
Reversion GF							0			
Reversion RF	(72,450)		(162,915)							
TOTAL RECONCILIATION	447,550		337,085		425,000		425,000		425,000	
GF										
RF	447,550		337,085		425,000		425,000		425,000	

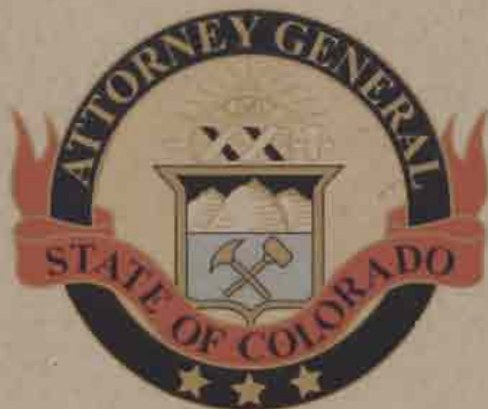
SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

COMPREHENSIVE ENVIRON RESPONSE COMPEN & LIAB ACT CONTRACTS

Item	Actual FY 10	Actual FY 11	Approp FY 12	Estimate FY 12	Request FY 13
	Total Funds	Total Funds	Total Funds	Total Funds	Total Funds
Schedule 3 Total	447,550	337,085	425,000	425,000	425,000
General Fund	-	-	-	-	-
General Fund Exempt	-	-	-	-	-
Reappropriated Funds	447,550	337,085	425,000	425,000	425,000
Cash Funds					
Reappropriated Funds					
Hazardous Substance Response Fund	447,550	337,085	425,000	425,000	425,000

FY 12-13
Budget
Schedules 2,3 and 4
Natural Resource
Damage Claims at
Rocky MTN Arsenal



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
NATURAL RESOURCE DAMAGE										
CLAIMS AT ROCKY MOUNTAIN ARSENAL	2,420	-	-	-	50,000	-	50,000	-	50,000	-
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	2,420		-		50,000		50,000		50,000	
Reappropriated Funds	-		-		-		-		-	
Federal Funds	-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
Senior Assistant Attorney General										
Assistant Attorney General I										
Assistant Attorney General II	-	0.0	-	0.0			-			
TOTAL POSITION DETAIL	-	0.0	-	0.0			-	0.0	-	0.0
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by position)										
Continuation Salary Subtotal	-	0.0	-	0.0			-	0.0	-	0.0
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	-		-				-		-	
Medicare on Continuation Subtotal	-		-				-		-	
Non-Base Building Performance Awards	-		-				-		-	
Part-Time/Temporary Salaries	-		-				-		-	
Contractual	-		-				50,000		50,000	
Other	-		-							
SUBTOTAL	-		-				50,000		50,000	
(I.C.) PERSONAL SERVICES SUBTOTAL= A+B										
	-	0.0	-	0.0			50,000		50,000	
(I.D.) POTS EXPENDITURES										
Health/Life Dental	-		-				-		-	
Salary Survey	-		-				-		-	
Performance Awards	-		-				-		-	
Short Term Disability	-		-				-		-	
SB 04.257 A.E.D.	-		-				-		-	
SB 06.235 S.A.E.D.	-		-				-		-	
Other	-		-				-		-	
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL= C+D										
	-	0.0	-	0.0			50,000		50,000	0.0

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 - Litigation										
2170 Waste Disposal Services	-		-							
2230 Equipment Maintenance/Repair Svcs	-		-							
2231 ADP Equip Maint/Repair Services	-		-							
2232 Software Upgrades	-		-							
2240 Motor Veh Maint/Repair Svcs	-		-							
2251 Lease Motor Pool Vehicle	-		-							
2252 Motor Pool Mileage Charge	-		-							
2253 Equipment Rental	-		-							
2254 Rental of Motor Vehicles	-		-							
2255 Rental of Buildings	-		-							
2258 Parking Fees	-		-							
2559 Parking Fee Reimbursement	-		-							
2510 In State Travel	-		-							
2512 IS Personal Travel Per Diem	-		-							
2513 IS Personal Vehicle Reimbursement	-		-							
2520 IS Travel/Non Employee	-		-							
2523 IS/Non-Emp - Pers Veh Reimb	-		-							
2530 Out of State Travel	247		-							
2531 OS Common Carrier Fares	566		-							
2532 OS Personal Travel Per Diem	620		-							
2533 OS Personal Vehicle Reimbursement	-		-							
2550 Out of Country Travel	-		-							
2552 OC Pers Travel Reimbursement	-		-							
2630 Telephone	-		-							
2631 Comm Svcs from Outside Sources	-		-							
2641 Other ADP Billings - Purchase Services	6		-							
2660 Insurance	-		-							
2680 Contract Printing	-		-							
3115 Data Processing Supplies	-		-							
3116 Purchase/Leased Software	-		-							
3117 Educational	-		-							
3123 Postage	31		-							
3140 Non-Capitalized IT- PC's	-		-							
3141 Non-Capitalized IT- Servers	-		-							
3143 Non-Capitalized IT - Other	-		-							
3146 Non-Capitalized IT - Purchased Server SW	-		-							
4140 Dues & Memberships	-		-							
4151 Interest Late Payments	-		-							
4170 Miscellaneous Fees	-		-							
4180 Official Functions	-		-							

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Actual FY 10		Actual FY 11		Prop FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
RECONCILIATION OF FUNDS										
Long Bill Appropriation	195,000	0.0	150,000	0.0			50,000	0.0		
<i>Supplemental</i>										
Salary POTS							-			
Health/Life/Dental							-			
Short Term Disability							-			
SB 04.257 A.E.D							-			
SB 06.235 S.A.E.D							-			
Capital Complex Lease Space							-			
Workers Compensation							-			
Vehicle Lease Allocation							-			
IT Asset Maintenance							-			
ADP Capital Outlay Allocation							-			
CLE Registration Fees	750						-			
Rollforward from Previous FY							-			
Rollforward to Subsequent FY										
Restriction										
Overexpenditure/(Reversion) - GF										
Lapsed Appropriation Cash Funds	(193,330)	0.0	(150,000)	0.0						
Lapsed Appropriation Federal Funds										
TOTAL RECONCILIATION	2,420	0.0	0	0.0			50,000	0.0		
GRAND TOTAL	2,420	0.0	-	0.0	50,000	0.0	50,000	0.0	50,000	0.0
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	2,420		-		50,000		50,000		50,000	
Reappropriated Funds	-		-				-		-	
Federal Funds	-		-				-		-	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2009	FY 20010	FY 2011	FY 2011	FY 2012
Schedule 3 Total		2,420	-	50,000	50,000	50,000
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		2,420	-	50,000	50,000	50,000
Reappropriated Funds		-	-	-	-	-
Federal Funds		-	-	-	-	-
Cash Funds						
CDPHE Hazardous Substance Response Fund		2,420	-	50,000	50,000	50,000
Reappropriated Funds						
CDPHE Hazardous Substance Response Fund		-	-	-	-	-

FY 12-13

Budget

Schedules 2, 3 and 4

NR & WR - Indirect Cost Assessment



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

INDIRECT COST ASSESSMENT - NATURAL RESOURCES

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
INDIRECT COST ASSESSMENT	-	-	41,384		43,414		43,414	-	43,108	-
General Fund										
General Fund Exempt										
Cash Funds	-		-		-		-		-	
Reappropriated Funds	-		41,384		43,414		43,414		43,108	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

INDIRECT COST ASSESSMENT - NATURAL RESOURCES

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
INDIRECT COST ASSESSMENT			41,384		43,414		43,414		43,108	
Cash Funds					-		-		-	
Reappropriated Funds			41,384		43,414		43,414		43,108	
INDIRECT COST ASSESSMENT			41,384		43,414		43,414		43,108	
Cash Funds					-		-		-	
Reappropriated Funds			41,384		43,414		43,414		43,108	
RECONCILIATION OF FUNDS										
Long Bill Appropriation					43,414		43,414			
HB 10-1329 Solid Waste Users Fees			41,384		0		-			
Lapsed Spending Authority CF										
TOTAL RECONCILIATION							43,414			

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

INDIRECT COST ASSESSMENT - NATURAL RESOURCES

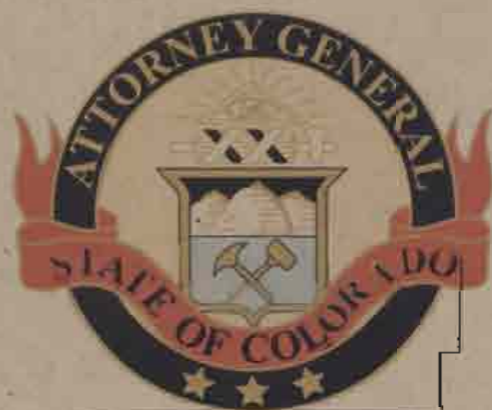
Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		-	41,384	43,414	43,414	43,108
General Funds						
General Funds Exempt						
Cash Funds		-	-	-	-	-
Reappropriated Funds		-	41,384	43,414	43,414	43,108
Reappropriated Funds			41,384	43,414	43,414	43,108
CDPHE Haz Sub Response Fund			41,384	43,414	43,414	43,108
Federal Funds						

Consumer Protection



Narrative

Consumer Protection



(I) BACKGROUND INFORMATION: CONSUMER PROTECTION UNITS

There are two units that enforce the provisions of the Colorado Consumer Protection Act ("CCPA") (§§ 6-1-101, *et seq.*, CRS). The Consumer Fraud Unit handles traditional consumer protection matters such as false advertising, Internet marketing scams and charitable fraud cases.

The Antitrust, Tobacco and Consumer Protection Unit handles the Colorado Antitrust Act ("Antitrust Act") (§§ 6-4-101, *et seq.*, CRS), several specialized consumer protection statutes, such as the No-Call List Act (§§ 6-1-901, *et seq.*, CRS) and all of the consumer protection laws designed to address mortgage and foreclosure rescue fraud. *See, e.g.,* §§ 12-61-904.5, 12-61-911 and 38-40-105 (governing mortgage originator conduct), § 6-1-717, CRS (governing appraisal fraud) and § 6-1-1100, *et seq.*, CRS (Colorado Foreclosure Protection Act). This unit also enforces the tobacco Master Settlement Agreement and related tobacco laws (§§ 39-28-201, *et seq.*, CRS - Tobacco Escrow Funds Act; and §§ 39-28-301, *et seq.*, CRS - Certified Brands Directory Act). Below is a description of how these units handle their enforcement efforts under their statutory provisions.

Consumer Fraud

Consumer fraud investigations and prosecutions are handled by a variety of attorneys, investigators, and support staff through both Units. While most cases are brought under the Colorado Consumer Protection Act, these Units also bring cases under the Charitable Solicitations Act and the Motor Vehicle Repair Act. In addition to purely local cases, attorneys and staff periodically participate in national or multi-state enforcement activities with their counterparts in the Attorney General Offices of other states and with the Federal Trade Commission.

Antitrust

The Attorney General's antitrust enforcement efforts are directed at protecting consumers and legitimate competitors from a whole range of anticompetitive conduct, including price fixing, conspiracies to suppress competition and mergers that will unreasonably restrain fair competition. The Antitrust, Tobacco and Consumer Protection Unit has one full-time lawyer who enforces the Colorado Antitrust Act and the federal antitrust laws. This position is funded from the general fund. The Attorney General has exclusive

jurisdiction to enforce the civil and criminal provisions of the Colorado Antitrust Act. The Attorney General also participates in merger reviews in conjunction with the FTC where the industry at issue implicates statewide interests of concern in Colorado.

Tobacco Settlement Enforcement

Since the State's settlement of the tobacco litigation against the major domestic tobacco companies in 1998, there has been a need for the Attorney General to monitor compliance with the numerous injunctive terms and payment obligations under the Master Settlement Agreement ("MSA") and the Smokeless Tobacco Master Settlement Agreement ("STMSA"). Under these agreements the companies have agreed to a host of marketing restrictions, including a prohibition on youth marketing. Also under these agreements, the companies pay anywhere from \$80.0 - \$100.0 Million to the State of Colorado each year. The fluctuations in payments depend on various complex adjustments provided for under the MSA which relate to sales volume by the participating companies and market share loss to manufacturers that are not part of the MSA (so called, "nonparticipating manufacturers" or "NPMs").

The Antitrust, Tobacco and Consumer Protection Unit monitors compliance with these injunctive terms and ensures that Colorado's interests are protected under the payment calculation provisions. Colorado is currently engaged in a protracted arbitration under the MSA regarding the amount that the State's payment can be reduced due to NPM sales in 2003. Resolution of this issue will likely influence payment adjustments for subsequent years. This unit also enforces the tobacco related statutes that have been enacted as a result of the MSA. Enforcement of these NPM escrow payment obligations requires this office to work closely with the Department of Revenue.

The Antitrust, Tobacco and Consumer Protection Unit has one full time lawyer who is funded out the tobacco settlement funds.

No-Call Enforcement

The No-Call List Act was enacted in 2002. Since that time over 3.4 Million residential phone numbers have been registered on the no-call list. The no-call list and other procedural aspects of the no-call program are actually administered by the Public Utilities Commission ("PUC"). However, enforcement of violations are handled by one full-time legal assistant and one

lawyer within the Antitrust, Tobacco and Consumer Protection Unit. The lawyer splits his time between this work and antitrust enforcement. The legal assistant position is funded through the fees generated by telemarketers who buy the no-call lists each quarter. The attorney position is funded through general funds.

The Attorney General investigates complaints that are reported to the PUC of suspected no-call violations. These investigations involve some detailed work to ensure that the jurisdictional elements of the No-Call List Act are satisfied. They also involve identifying the suspects or telemarketers involved in the violation.

Mortgage and Foreclosure Rescue Fraud

To address the rise in mortgage and foreclosure rescue fraud, the General Assembly passed the Foreclosure Protection Act in 2006 and four mortgage fraud bills in 2007. Also, as part of the 2007 mortgage fraud bills the Antitrust, Tobacco and Consumer Protection Unit was given one lawyer FTE and two investigator FTEs to enforce these new laws and the Foreclosure Protection Act. These three new positions are funded through the licensing fees that are paid by mortgage originators to get licensed with the Division of Real Estate's Mortgage Originator Program. The Office also utilizes the services of contract personnel to work directly with consumers facing foreclosure in an effort to assist with the loan modification process.

The mortgage fraud enforcement efforts are focused on ensuring that proper advertising and lending practices are used by mortgage originators when offering loans to Colorado homeowners. These enforcement efforts are also focused on straw buyers or house flippers who use deceptive sales transactions to extract equity out of the homes owned by borrowers in distress.

With the foreclosure crisis there has also been a rise in scams that prey on homeowners seeking to save their homes from foreclosure. The Foreclosure Protection Act affords homeowners certain protections when dealing with these rescue firms. Most notably the rescue firm cannot charge an upfront fee and cannot take a lien on the property unless certain disclosures are made. Most of this unit's enforcement efforts in FY10 have focused on loan modification firms that are operating in violation of the Colorado Foreclosure Protection Act.

State attorneys general are given greatly enhanced enforcement authority under a variety of federal statutes and regulations as a result of the Dodd-Frank Wall Street Reform and Consumer Protection Act. While Title X of that Act largely took effect on July 21, 2011, it remains unclear whether and to what extent those provisions will impact enforcement activities by these Units.

(II) PRIOR YEAR LEGISLATION

No significant activity during 2001 legislative session.

III) HOT ISSUES

Internet frauds and mortgage and foreclosure-related frauds continue to trend upward in terms of complaints and enforcement actions taken. There has been a huge increase in the number of consumer complaints involving mortgage servicers. We have added a dedicated contract attorney to work with borrower complaints and to resolve informally as many of these complaints as we can.

IV) WORKLOAD MEASURES

Workload Indicators

Quantifiable workload measures are difficult to formulate for the type of consumer protection work that is done by these two units. This office receives thousands of consumer complaints. As a result this office has always had far more cases than it could possibly handle. In addition, it is impossible to predict how long any particular litigation will last, or the extent that a single lawsuit may have on available Unit resources. Therefore, workload measures cannot adequately reflect either the work or the effect of the work, of these Units. We are guided more by enforcement priorities than by quantifiable measures, such as complaints filed, population growth or economic conditions. For example, when foreclosures began to rise in Colorado, the Attorney General moved more resources towards addressing mortgage fraud, loan modification scams and foreclosure relief fraud. The Attorney General also sought more resources in conjunction with the mortgage fraud bills that were enacted in order to combat these frauds.

Moreover, quantifiable measures such as consumer complaints filed and population growth have been poor predictors of the consumer protection

caseload. For example, no-call complaints continue to decrease each year, yet nearly 3.4 Million phone numbers are registered on the no-call list. However, the advent of new calling technology and more diffused telemarketing strategies have actually increased the investigative burden on the no-call enforcement staff. In a similar vein, homeowners who have been sold risky loans through deceptive trade practices, or lost their homes to fraudulent foreclosure rescue scams seldom file complaints with our office regarding these practices. However, mortgage fraud and foreclosure rescue fraud has accounted for the greatest portion of this unit's work during the past two fiscal years.

Due to a variety of factors (most notably, extensive work by staff in preparing for and prosecuting two different cases through five weeks of trial and hundreds, if not thousands of hours of work on a nationwide mortgage/foreclosure investigation) these Units opened fewer new investigations than in previous years. Another key factor in this decision was the lack of resources in complaint intake, investigations, legal support and attorneys to catch up with the backlog of opened investigations.

Finally, the Attorney General may also undertake public awareness campaigns to prevent the public from falling victim to a scam. Another strategy is to forge coalitions with other law enforcement agencies around the nation. Both of these approaches are being taken in the antitrust realm and with regard to the pervasive problem of loan modification scams that are operating on a nationwide basis. There are no indicators that would allow us to quantify the results of these activities.

For these reasons it is difficult to establish benchmarks for enforcement of these laws. In addition, as a prosecutor it would be inappropriate for the Attorney General to set quotas for the number of cases that he brings on an annual basis. Therefore, this report does not set benchmarks in the reports below.

CORE OBJECTIVES AND PERFORMANCE MEASURES

CONSUMER FRAUD

Objective: Identify and prevent deceptive trade practices in marketplaces affecting Colorado consumers and businesses

Performance Measure	Outcome	FY 10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and either sue or settle with individuals or entities that are engaged in deceptive trade practices	Benchmark	N/A		N/A				N/A	
	Actual	79		69	-12.6%	70	0%	N/A	

Strategy:

The strategy of both Units continues to be, as it has in the past, to investigate those companies attracting both the largest number and the most discernable pattern of complaints alleging a deceptive trade practice. The consumer intake unit analyzes complaint volume and patterns and regularly communicates to the attorneys within the unit those businesses attracting the most compelling consumer allegations of deceptive advertising and sales practices. The unit also confers with other law enforcement agencies including the FTC, postal service, FBI, and state district attorney's offices to determine what investigations merit the resources of this unit. When investigations confirm the allegations of deceptive trade practices the unit proceeds with prosecution alternatives ranging from voluntary changes to business practices to Formal Assurances of Discontinuance to Complaints for restitution, fines, attorney fees and injunctive relief.

This figure represents investigations and cases that were worked on during FY 12 under the Colorado Consumer Protection Act and Charitable Fraud Act. This figure represents the following actions:

- 38 investigations opened
- 18 settlements, assurances of discontinuance or stipulated final judgments reached in cases, regardless of when they were opened
- 13 lawsuits filed

ANTITRUST

Objective: Preserve competition in marketplaces affecting Colorado consumers and businesses by investigating and resolving conduct that is anticompetitive and unreasonably restricts trade in Colorado.

Performance Measure	Outcome	FY 10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and either sue or settle with individuals or entities that are engaged in anticompetitive conduct such as price fixing, agreeing to restrain trade or entering into mergers that unreasonably restrict competition	Benchmark	N/A		N/A					
	Actual	7	-22.0%	8	2%	7	0%		

Strategy:

The figures reported above represent two separate types of enforcement approaches. First, it reports the number of cases investigated, litigated or brought to resolution through settlement or judgment. They include traditional investigations of anticompetitive conduct, such as price fixing and agreements to restrain competition. They also include reviews of mergers that threatened to reduce competition. Many of these cases and investigations were conducted jointly with other state and federal antitrust enforcement agencies.

Second, the figures represent educational efforts that the Attorney General has undertaken to train state and local purchasing agents to identify possible signs of fraud or bid rigging. Through this approach the Attorney General hopes that raising awareness with these purchasing officials will allow them to detect anticompetitive conduct that causes the State to overpay on a bid.

- 0 lawsuits filed
- 8 investigations opened

TOBACCO

Objective: Ensure that the Master Settlement Agreement continues to protect consumers and fair competition in the tobacco industry by enforcing the anti-youth marketing and honest advertising requirements contained in this agreement and protecting the payments owed to Colorado under this settlement.

Performance Measure	Outcome	FY10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Participate in MSA proceedings to ensure that proper payments are made under the settlement to Colorado.	Benchmark	N/A		N/A					
	Actual	15	- 25%	10	-33%	10			

Performance Measure	Outcome	FY 10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Diligently enforce the tobacco laws requiring escrow payments by NPMs and certification of compliant brands by all tobacco manufacturers	Benchmark	N/A		N/A					
	Actual	95	+ 38%	95	x%				

Strategy:

The strategy for tobacco enforcement is to leverage resources by developing coalitions and sharing information with other states in order to enforce the MSA and STMSA. In addition, this unit spends considerable time ensuring that Colorado's payment stream under the MSA is not reduced. Again, this unit coordinates efforts with other states to ensure that proper payments are made and that companies in violation are brought into compliance.

This unit also undertakes local efforts to ensure that tobacco products entering Colorado are sold in compliance with the Colorado Tobacco Escrow Laws and Certified Brands Directory. Through both these multistate and local enforcement efforts, this unit has been able to protect consumers from deceptive tobacco sales and protect the income stream Colorado receives from the tobacco settlements.

These figures represent the varying discreet multistate and local law enforcement efforts that this unit undertakes in order to achieve these goals. During FY 12, and anticipated for FY 13, the vast majority of the time will be spent on the national diligent enforcement arbitration, which hearings are expected to commence in April 2012.

No-Call

Objective: Ensure that residential privacy is protected by actively enforcing the Colorado No-Call List Act.

Performance Measure	Outcome	FY 10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Identify telemarketers who are responsible for the most number of violations and take immediate action to bring them into compliance with the No-Call Act.	Benchmark	N/A		N/A					
	Actual	16	-46%	20	20%	20			

Strategy:

No-call enforcement continues to change as a result of telemarketers that operate on a nationwide basis and use calling technologies that conceal their location and telephone numbers. During the past year these larger cases have taken more of these enforcement resources. Therefore, the number of such investigations has been decreasing. During this time, however, this office has been working with federal law enforcement agencies to investigate these violators and maximize our collective resources. Investigation of No-Call complaints continues to become more complicated, as firms engaged in illegal telemarketing are using more sophisticated technologies to avoid detection.

MORTGAGE AND FORECLOSURE RESCUE FRAUD

Objective: Protect homeownership in Colorado by ensuring honesty in residential mortgage advertising, maintaining fairness in residential mortgage lending practices and preventing exploitation of homeowners in foreclosure.

Performance Measure	Outcome	FY 10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Enforce the mortgage fraud and foreclosure rescue fraud laws in order to protect a borrower from foreclosure or unfair loan terms.	Benchmark	N/A		N/A					
	Actual	71 ¹	+45%	138	+48%	140		N/A	

Strategy:

With the foreclosure crisis persisting, the Attorney General has shifted resources to crack down on foreclosure rescue and loan modification fraud. In FY10, the Attorney General joined with the FTC, several other state Attorney General Offices and various other state regulators to quickly identify and respond to loan modification firms that were collecting upfront fees in violation of the Colorado Foreclosure Protection Act. The nature of this work will continue as the foreclosure crisis is predicted to continue in FY11.

One phenomenon that the Attorney General has already noticed in this enforcement work is that most of the companies that are still operating in violation of the Foreclosure Protection Act are more difficult to locate. Most are out-of-state, which makes it difficult to investigate them. These investigations and cases therefore are taking more time. In addition to this enforcement action, this office has taken a greater role in raising public awareness about loan modification fraud. The Attorney General's staff has made several presentations to borrowers and various real estate professionals, such as non-profit housing counselors, and realtors, as to the types of loan

¹ This figure represents investigations or cases that were commenced or resolved during FY 11 under the mortgage fraud and foreclosure protection act provisions of the CCPA. This figure represents the following actions:

- 5 public awareness or advocacy initiatives
- 6 investigations opened (staff worked almost exclusively on multi-state investigation/negotiation with major national servicers)
- 6 formal settlements, assurances of discontinuance or stipulated final judgments reached in cases, regardless of when they were opened; and
- 8 lawsuits filed and which has not been resolved at the time of this report.
- 113 borrower complaints mediated/settled with 5 largest mortgage servicers

modification and foreclosure rescue scams that are being perpetrated. This public awareness effort is represented in the form of trainings and participation in FTC rule-making.

FY12-13 Reconciliation of Request

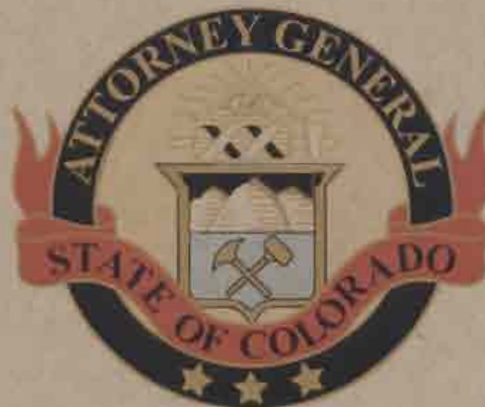
Consumer Protection

A. CP and Anti-Trust

B. Collection Agency Board

C. Uniform Consumer Credit Code

D. CP Indirect Cost Assessment



DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

(5) Consumer Protection

Long Bill Line Item	Total Funds	FTE	General Fund	General Fund Exempt	Cash Funds	Reappropriated Funds	Federal Funds
(A) Consumer Protection and Anti-Trust							
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$1,815,952	21.0	\$928,104	\$0	\$644,143	\$243,705	\$0
SB 11-76 PERA Bill	(\$34,271)		(\$19,506)		(\$9,991)	(\$4,774)	
FY 2011-12 Total Appropriation	\$1,781,681	21.0	\$908,598	\$0	\$634,152	\$238,931	\$0
Prior Year Salary Survey	\$0	0.0	\$0	\$0	\$0	\$0	\$0
Prior Year Performance-based Pay	\$0	0.0	\$0	\$0	\$0	\$0	\$0
PERA adjustment back to 10.15% from 7.65% (SB 11-76)	\$34,271	0.0	\$19,506	\$0	\$9,991	\$4,774	\$0
FY 12-13 Base Request	\$1,815,952	21.0	\$928,104	\$0	\$644,143	\$243,705	\$0
DI #1 Consumer Protection Enhancement	\$359,154	5.0	\$0	\$0	\$359,154	\$0	
FY 2012-13 November 1 Request	\$2,175,106	26.0	\$928,104	\$0	\$1,003,297	\$243,705	\$0
(B) Consumer Credit Unit							
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$1,359,706	18.0	\$0	\$0	\$1,359,706	\$0	\$0
SB 11-76 PERA Bill	(\$28,499)		\$0		(\$28,499)		
FY 2011-12 Total Appropriation	\$1,331,207	18.0	\$0	\$0	\$1,331,207	\$0	\$0
Prior Year Salary Survey	\$0	0.0	\$0	\$0	\$0	\$0	\$0
Prior Year Performance-based Pay	\$0	0.0	\$0	\$0	\$0	\$0	\$0
PERA adjustment back to 10.15% from 7.65% (SB 11-76)	\$28,499	0.0	\$0	\$0	\$28,499	\$0	\$0
FY 12-13 Base Request	\$1,359,706	18.0	\$0	\$0	\$1,359,706	\$0	\$0
DI Consumer Credit Unit Unlicensed Entities Compliance	\$162,210	2.0			\$162,210		
FY 2012-13 November 1 Request	\$1,521,916	20.0	\$0	\$0	\$1,521,916	\$0	\$0
(D) Indirect Cost Assessment							
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$334,907	0.0	\$0	\$0	\$297,695	\$37,212	\$0
FY 2011-12 Total Appropriation	\$334,907	0.0	\$0	\$0	\$297,695	\$37,212	\$0

DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

(5) Consumer Protection

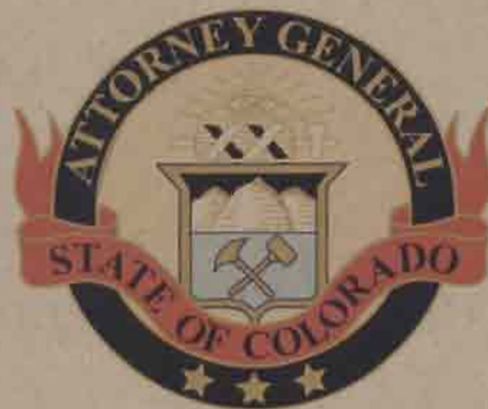
Long Bill Line Item	Total Funds	FTE	General Fund	General Fund Exempt	Cash Funds	Reappropriated Funds	Federal Funds
FY 12-13 Base Request	\$334,907	0.0	\$0	\$0	\$297,695	\$37,212	\$0
	\$133,128				\$133,390	(\$262)	
FY 2012-13 November 1 Request	\$468,035	0.0	\$0	\$0	\$431,085	\$36,950	\$0
(5) Consumer Protection							
FY 2011-12 Appropriation(Long Bill plus Special Bills)	\$3,447,795	39.0	\$908,598	\$0	\$2,263,054	\$276,143	\$0
FY 2012-13 Base Request	\$3,510,565	39.0	\$928,104	\$0	\$2,301,544	\$280,917	\$0
FY 2012-13 November 1 Request	\$4,165,057	46.0	\$928,104	\$0	\$2,956,298	\$280,655	\$0

FY 12-13

Budget

Schedules 2, 3 and 4

CP - Consumer Protection/Anti-trust



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CONS. PROTECT. & ANTI-TRUST	1,918,183	19.5	2,078,028	19.7	1,781,681	21.0	2,076,651	21.0	2,175,106	26.0
General Fund	973,361		1,088,018		908,598		1,078,113		928,104	
General Fund Exempt	-		-		-		-		-	
Cash Fund	677,782		720,169		634,152		731,976		1,003,297	
Reappropriated Funds	267,040		269,841		238,931		266,562		243,705	
Federal Funds										

SCHEDULE 3 - PERSONAL SERVICES PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
Deputy Attorney General	124,728	1.0	124,728	1.0			124,728	1.0	124,728	1.0
First Assistant Attorney General	200,520	2.0	200,520	2.0			200,520	2.0	200,520	2.0
Senior Assistant Attorney General										
Assistant Attorney General	453,500	6.6	479,086	6.7			481,507	7.0	481,507	7.0
Assistant Attorney General II										
Assistant Attorney General I										
Attorney I										
Criminal Investigator II	81,708	1.0	109,673	1.4			148,824	2.0	148,824	2.0
Criminal Investigator I	121,740	2.0	58,896	0.8			62,724	1.0	62,724	1.0
Compl Investigator II	56,352	1.0	61,792	1.0			64,800	1.0	64,800	1.0
Legal Assistant II	103,944	1.8	117,205	2.0			114,804	2.0	114,804	2.0
Admin Asst II	10,005	0.3	40,020	1.0			40,020	1.0	40,020	1.0
General Professional IV	69,235	1.0	69,996	1.0			69,996	1.0	69,996	1.0
General Professional III		0.0	9,949	0.2			61,080	1.0	61,080	1.0
General Professional II	46,069	0.8	46,270	0.8					-	0.0
Program Assistant II	42,864	1.0	39,793	0.8			52,176	1.0	52,176	1.0
Program Assistant I	49,176	1.0	49,176	1.0			49,176	1.0	49,176	1.0
TOTAL POSITION DETAIL	1,359,842	19.5	1,407,103	19.7			1,470,355	21.0	1,470,355	21.0

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 10		Actual FY 11		Estimate FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(f.A.) CONTINUATION FTE SALARY COST	1,359,842	19.5	1,407,103	19.7			1,470,355	21.0	1,470,355	21.0
(Permanent FTE by position)										
Continuation Salary Subtotal										
(f.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	135,560		111,642				112,482		149,241	
Medicare on Continuation Subtotal	18,580		19,830				21,320		21,320	
Non-Base building Performance Awards							-		-	
Part-Time/Temporary Salaries	41,384		90,270				52,889		52,889	
Contractual Services	11,597		43,955				24,457		778	
Overtime Pay	-		90							
Sick Leave Conversion										
Termination/Retirement Payouts	9,702		97							
Employment Security Payments	1737		2,102							
Furlough Days	(15,892)		-							
Other Employee Benefits	4301		6,971				2,500		2,500	
Other										
Special Bills										
SUBTOTAL	206,968		274,957				213,648		226,728	
(f.C.) PERSONAL SERVICE										
SUBTOTAL= A+B	1,566,810	19.5	1,682,060	19.7			1,684,004	21.0	1,697,083	21.0
(f.D.) POTS EXPENDITURES										
Health/Life/Dental	110,772		120,083				126,607			
Salary Act/Merit							-			
Performance Awards							-			
Short Term Disability	2,035		2,382				2,406			
SB 04.257 A.E.D.	28,715		34,705				37,793			
SB 06.235 S.A.E.D.	17,913		25,313				30,231			
Other										
[] Indicates a Non-add										
(f.E.) BASE PERSONAL SERVICES	1,726,244	19.5	1,864,543	19.7			1,850,810	21.0	1,697,083	21.0
TOTAL = C+D										
General Fund							970,652		870,735	
General Funds Exempt										
Cash Funds							655,944		608,643	
Reappropriated Funds							224,214		217,705	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 10		Actual FY 11		Estimate FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.F.) DIFFERENCE= II-I.E.										
(I.G.) REQUEST YEAR DECISION ITEMS									0	0.0
General Fund										
Cash Funds										
Reappropriated Funds										
II. PERSONAL SERVICES REQUEST TOTAL	1,726,244	19.5	1,864,543	19.7			1,850,810	21.0	1,697,083	21.0
General Fund	833,133		983,361				970,652		870,735	
General Fund Exempt	-		-				-		-	
Cash Funds	645,510		654,122				655,944		608,643	
Reappropriated Funds	247,601		227,060				224,214		217,705	
Federal Funds	-		-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 10		Actual FY 11		Estimate FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 1930 - Purchased Services - Litigation	37,999		29,820				40,418		31,379	
2170 Waste Disposal Services	-		133				-		-	
2230 Equipment Contract Maintenance	103		375				48		48	
2231 ADP Equip Maint/Repair Services	1,942		2,717				2,160		2,160	
2232 Software Upgrades	9,525		9,084				7,500		7,500	
2251 Rental/Lease Motor Pool Veh	4,684		4,903				-		-	
2252 Leased Vehicle - Variable	1,552		1,497				1,500		1,500	
2253 Rental of Equipment	10		196						-	
2254 Rental of Motor Vehicles	-		-						-	
2255 Rental of Building	55,458		62,981						-	
2258 Parking	2,620		2,640				2,554		2,554	
2259 Parking Fee Reimbursement	-		16						-	
2510 In State Travel	11		20				50		50	
2511 IS Common Carrier Fares	216		-						-	
2512 IS Personal Travel Per Diem	236		358				100		100	
2513 IS Pers Vehicle Reimbursement	21		160				-		-	
2514 IS State Owned Aircraft	-		-						-	
2515 State-Owned Vehicle Charge	-		-						-	
2520 IS Travel Non Employee	-		-						-	
2522 IS Non Employee Per Diem	-		-						-	
2530 Out of State Travel	692		1,197				950		950	
2531 OS Common Carrier Fares	3,139		4,944				4,985		4,985	
2532 OS Personal Travel Per Diem	4,290		5,986				5,858		5,858	
2533 OS Pers Vehicle Reimbursement	-		-						-	
2610 Advertising	-		-						-	
2611 Public Relations	-		-						-	
2630 Comm Service Div of Telecom	16,438		23,018				23,550		23,550	
2631 Comm Svcs from Outside Sources	3,230		2,155				2,157		2,157	
2641 Other ADP Billing	6,744		15,960				6,744		6,744	
2650 OIT Purchased Svs			4							
2650 Insurance	2,551		2,557				-		-	
2680 Contract Printing	2,562		3,310				2,625		2,625	
2681 Photocopy Reimbursement	-		-						-	
2710 Purchased Medical Services	-		-						-	
2810 Freight & Storage	-		-						-	
2820 Other Purchased Services	34		23						-	
2830 Office Moving-Pur Services	-		-						-	
2831 Storage Purchased Svs			8							
3110 Other Supplies and Materials	-		-						-	
3112 Automotive Supplies	-		-						-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 10		Actual FY 11		Estimate FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
3113 Clothing and Uniform Allowance	-		-						-	
3114 Custodial	-		-						-	
3115 DP Supplies	2,250		1,196				1,800		1,800	
3116 Purchased/Leased Software	302		625				-		-	
3117 Educational	288		104				250		250	
3118 Food and Food Service Supplies	-		-						-	
3120 Books & Subscriptions	12,804		8,793				9,018		9,018	
3121 Office Supplies	2,370		4,284				2,456		2,456	
3123 Postage	5,281		5,805				5,385		5,385	
3128 Non-Capitalized Equipment	-		894						-	
3131 Noncapitalized Bldg Materials	-		-						-	
3132 Non- Cap Office Furn-Off Systems	2,772		550						-	
3140 Non-Capitalized IT - PC's	2,411		3,010						-	
3141 Non-Capitalized IT Servers	170		797						-	
3143 Non-Capitalized IT Other	228		951						-	
3146 Non-Capital, IT Purchsd, Server Software	-		819						-	
3940 Electricity	-		-						-	
3950 Gasoline	-		-						-	
3970 Natural Gas	-		-						-	
4111 Prizes and Awards	-		300						-	
4140 Dues & Memberships	3,691		5,933				3,800		3,800	
4151 Interest - Late Payments	25		-						-	
4170 Miscellaneous Fees	-		-						-	
4180 Official Functions	29		102						-	
4220 Registration Fees	5,262		2,835				4,000		4,000	
4221 Other Educational - W2 RPT	-		-						-	
6140 Leasehold Improv - Direct Purch	-		-						-	
6210 ADP Equipment	-		-						-	
6212 IT Servers Direct Purchase	-		1,517						-	
6214 IT Other- Direct Purchase	-		908						-	
Operating Expense Subtotal:	191,939		213,485				127,908		118,869	
OPERATING EXPENSE SUBTOTAL:	191,939		213,485				127,908		118,869	
General Fund	140,228		104,657				57,369		57,369	
General Fund Exempt	-		-				-		0	
Cash Funds	32,272		66,047				44,539		35,500	
Reappropriated Funds	19,439		42,781				26,000		26,000	
Potted Operating Expenses										
Workers' Compensation							3,468			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 10		Actual FY 11		Estimate FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Vehicle Leased Expense							3,305			
Capital Complex Lease Space							66,614			
Leased Space							-			
IT Asset Maintenance							12,400			
Communication Service Payments							1,140			
ADP Capital Outlay							-			
CLE Registration Fees							4,499			
Building Security							6,507			
Total							97,933			
General Fund							50,092			
Cash Funds							31,493			
Reappropriated Funds							16,348			
Rollforwards										
Reappropriated Funds										
DECISION ITEM REQUESTS:										
Dec Item - DI #1 Consumer Protection Enhancement									359,154	5.0
General Fund										
Cash Funds									359,154	5.0
Reappropriated Funds										
General Fund									-	
Cash Funds									-	
Reappropriated Funds									-	
General Fund									-	
Cash Funds									-	
Reappropriated Funds									-	
TOTAL CONSUMER PROTECTION	1,918,183	19.5	2,078,028	19.7			2,076,651	21.0	2,175,106	26.0
General Fund	973,361		1,088,018				1,078,113		928,104	
General Fund Exempt	-		-				-		-	
Cash Funds	677,782		720,169				731,976		1,003,297	
Reappropriated Funds	267,040		269,841				266,562		243,705	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	1,819,320	21.0	1,814,069	21.0	1815952		1,815,952	21.0	1,781,681	21.0

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

9-26

Item	Actual FY 10		Actual FY 11		Estimate FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
PERA Adjustment back to 10.15%									34,271	
PERA Bill SB 11-76					(34,271)		(34,271)			
DI #1 Consumer Protection Enhancement									359,154	5.0
Supplemental	(117,333)									
SB09-192										
Allocated POTS:										
Salary POTS										
Health/Life/Dental	114,749		119,184				126,607			
Short Term Disability	1,996		2,633				2,406			
SB 04 257 A.E.D	27,498		34,516				37,793			
SB 06,235 S.A.E.D.	17,016		24,288				30,231			
Worker's Compensation	2,583		2,557				3,468			
Vehicle Lease Payments	4,878		4,791				3,305			
Capital Complex Lease Space	84,919		71,984				66,614			
Lease Space										
ADP Capital Outlay										
Communication Service Payments	592		1,056				1,140			
IT Asset Maintenance	12,400		12,400				12,400			
CLE Registration Fees	4,125		4,499				4,499			
Building Security	20,337		6,080				6,507			
Year-End Transfer										
Rollforward from previous FY										
Rollforward to subsequent FY										
Overexpenditure/(Reversion) - GF	(806)	-1.5	(20,029)	(0.7)						
Lapsed Appropriation Reappropriated Fund	(2,851)									
Lapsed Appropriation Cash Fund	(71,240)									
TOTAL RECONCILIATION	1,918,183	19.5	2,078,028	20.3			2,076,651	21.0	2,175,106	
TOTALS	1,918,183	19.5	2,078,028	19.7	1,781,681	21.0	2,076,651	21.0	2,175,106	26.0
General Fund	973,361		1,088,018		908,598		1,078,113		928,104	
General Fund Exempt	-		-		-		-		-	
Cash Funds	677,782		720,169		634,152		731,976		1,003,297	
Reappropriated Funds	267,040		269,841		238,931		266,562		243,705	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

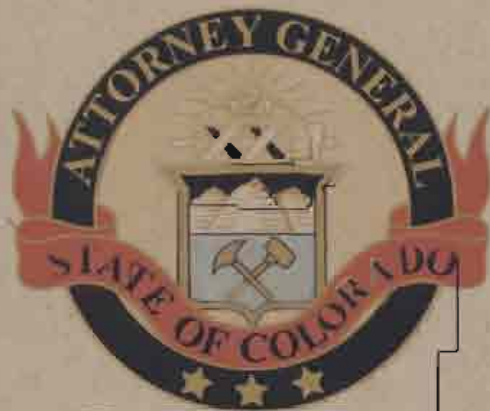
Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		1,918,183	2,078,028	1,781,681	2,076,651	2,175,106
General Fund		973,361	1,088,018	908,598	1,078,113	928,104
General Fund Exempt		-	-	-	-	-
Cash Funds		677,782	720,169	634,152	731,976	1,003,297
Reappropriated Funds		267,040	269,841	238,931	266,562	243,705
Federal Funds		-	-	-	-	-
Cash Funds		677,782	720,169	634,152	731,976	1,003,297
Dept of Local Affairs (Manufactured Home Fund)		20,784	20,784	20,784	20,784	20,784
No Call Fund Source		33,136	28,254	45,863	45,863	25,863
146 Custodial Fund		370,233	436,475	334,577	413,875	721,994
Tobacco Litigation Defense Account		118,533	154,656	152,928	167,807	154,656
UCCC Custodial		135,096	80,000	80,000	83,647	80,000
Reappropriated Funds		267,040	269,841	238,931	266,562	243,705
Custodial Fund Balance		-	-	-	-	-
Tobacco Litigation Defense Account		-	-	-	-	-
UCCC Custodial		-	-	-	-	-
Division of Real Estate		267,040	269,841	238,931	266,562	243,705

Narrative

Consumer Credit Unit



D) BACKGROUND INFORMATION: UNIFORM CONSUMER CREDIT CODE (UCCC)/COLLECTION AGENCY (CAB)

This Unit enforces seven state laws relating to consumer credit and debt collections. It has a combined FTE total of 18.0 with 12.5 in consumer credit and 5.5 in debt collection.

Consumer Credit:

The Consumer Credit unit enforces the Colorado Uniform Consumer Credit Code (UCCC) (consumer lending); Uniform Debt Management Services Act (credit counseling and debt settlement); Credit Services Organization Act (credit repair), Rental Purchase Agreement Act (rent-to-own), and Refund Anticipation Loans Act.

UCCC: The UCCC protects the rights of consumers who borrow money, establishes reasonable limits on interest rates and fees, fosters fair competition among lenders, and promotes an adequate supply of credit. The UCCC, title 5 of the Colorado Revised Statutes, includes articles establishing the Colorado Consumer Equity Protection Act (restricting certain terms in high-cost loans), Deferred Deposit Loan Act (payday loans), and the Refund Anticipation Loans Act and Rental Purchase Agreement Act, both described below. The unit licenses and examines lenders who make high-rate loans – defined as loans with an annual percentage rate of more than 12%, including deferred deposit or “payday” lenders – and as of January 1, 2010 may examiner retailers that extend credit and sales finance companies that collect credit contracts. There is an advisory board – the Council of Advisors on Consumer Credit. The UCCC contains a licensing exemption for residential first mortgage acquisition and refinance loans.

Debt Management: Debt management companies act as an intermediary between an individual and creditors to obtain concessions such as reduction of interest, waiver of fees, etc. The law regulates both traditional credit counseling companies that distribute periodic payments to creditors, and debt settlement companies that attempt to negotiate with creditors to settle a debt for a lesser amount. Companies that enter into contracts with Colorado consumers are subject to strict regulation including registration, bonding, insurance requirements, fee limitations, and contract and disclosure requirements. The unit conducts compliance examinations and investigates complaints.

Credit Repair and Rent-To-Own: Companies that engage in credit repair contract with consumers to remove old and inaccurate information from credit reports. The law requires written contracts and disclosures and prohibits advance fees. There are no licensing, registration, or compliance examination requirements. The unit investigates complaints. Complaints typically increase during economic downturns. The Rental Purchase Agreement Act regulates rent-to-own companies who lease goods to consumers with impaired credit. Payments are due weekly or monthly. The consumer may continue to make payments and eventually own the items or stop payments and return the items at any time. Fees and costs are higher than retail sales. There is no licensing or registration. The unit investigates complaints and may conduct compliance examinations.

Refund Anticipation Loans: The RAL Act requires companies that facilitate short-term tax refund anticipation loans to make written and oral disclosures, including that the products are loans, the fee schedule, sample loan fees and interest rates, and other tax filing alternatives for quick refunds without incurring fees.

Debt Collection:

Colorado Fair Debt Collection Practices Act: This unit enforces the Colorado Fair Debt Collection Practices Act (CFDCPA) – the state’s law on consumer debt collection. The law protects businesses that place accounts for collection and protects consumers contacted by collection agencies. This ensures that all collection agencies act in compliance with the law and there is no unfair competition. The unit licenses collection agencies, investigates complaints of unlawful activity, and takes administrative discipline against collection agencies that violate the law. There is no statutory authority to conduct compliance examinations without cause to believe a violation of the law has occurred. There is an advisory board with members appointed by the governor.

Colorado Child Support Collection Consumer Protection Act: This law specifically governs collection of child support by private collection agencies contracting with custodial parents (not governmental agencies). In addition to incorporating most of the CFDCPA’s provisions, including licensing, the law provides additional protections applicable to child support collection.

II) PRIOR YEAR LEGISLATION

Consumer Credit: HB 11-1221 amended the consumer credit laws to ensure that penalties for violations of the law available in district court against unlicensed businesses equaled administrative disciplinary remedies available against licensees that violate the law. Due to the fact that legislative amendments occurred at varying times over a forty-year period, disciplinary and legal remedies for violations of the law were inconsistent. For example, a licensed collection agency that violated the law could be fined for a violation of the law but an unlicensed collection agency could only be enjoined for the same violation. The bill was enacted into law and took effect July 1, 2011.

Debt Management: HB 11-1206 amended the debt management laws to conform state law to federal rules banning debt settlement companies from taking advance fees until a settlement was negotiated. In addition, the bill clarified that exemptions from the law for attorneys and certified public accountants acting in the scope of an attorney-client or account-client relationship did not apply to services performed by third-party non-attorneys and non-CPAs. The bill also repealed unnecessary regulatory requirements and simplified registration requirements. It took effect July 1, 2011.

The department initiated both bills. In addition, HB 11-1290 was intended to allow lenders to retain a payday loan’s origination fee upon prepayment but was postponed indefinitely. An unsuccessful amendment to SB 11-78, the annual rule review bill, would have

discontinued a UCCC rule requiring a similar result. Neither the bill nor the amendment was initiated by the department.

III) HOT ISSUES:

Consumer Credit:

- The economic situation impacts the consumer credit area. Compliance examinations and consumer complaints will focus on delinquency, defaults, repossessions, debt purchasing, debt settlement, and collection practices. The number of licensed lenders is expected to be flat or slightly increase (due to a federal law change removing a license exemption for operating subsidiaries of national banks), and slow economic recovery.
- Payday loan compliance examinations have taken a large share of examination time due to the substantial changes in the law resulting from HB 10-1351 that changed these single payment loans into multiple installment loans. In addition, since January 1, 2010 when unit staff began to examine creditors and sales finance companies on a regular basis, and debt management companies (as of July 1, 2009, one year after registration began), compliance examinations take more time as these companies are unfamiliar with the process and more violations are discovered. Records are not in order, refunds are larger, and creditors may contest findings, requiring more legal action.
- Rules to implement HB 10-1351 were adopted on August 31, 2010. In December 2010, several payday lenders sued to challenge the rules and law. On August 4, 2011, a Denver District Court judge issued an order holding that the law required pro-rata refunds of a payday loan's origination fee upon prepayment and that the Administrator's rule implementing the bill was valid. Any appeal must be filed by the end of September 2011. There will continue to be compliance issues as the industry adjusts both its computer systems and personnel to the new law. In addition, the industry may expand into other lending products that require a "learning curve." It is too soon to tell whether license numbers will decrease as a result of these legislative changes or the industry will adjust and offer new products. There may be legislative bills on payday lending again in the 2012 legislative session.
- HB 11-1206, the amendments to Colorado law banning advance fees on debt settlement, and the similar Federal Trade Commission advance fee rule on debt relief services that took effect in October 2010, could impact the unit's workload. Debt settlement companies may fully comply with the law or redline Colorado, cease doing business here, and give up their debt management registrations, resulting in decreased registrations (perhaps by 5). Either scenario would result in virtually no impact on workload. Or, companies may give up their registrations, ignore the law, and continue to do business here – requiring enforcement and legal action. Past experience suggests this is a likely alternative. In addition, the bill

clarifies that only attorneys and CPAs with a professional relationship are exempt from the law, not third-parties that may provide debt-management services.

- Significant legal action involving unlicensed internet payday lenders and claims that loans are made by arms of Native American Indian tribes immune from state regulation is back in the trial court for additional investigation into the relationship between the lenders and the tribes. A major case against a Colorado credit repair company that itemizes fees for discrete services is set for trial in October 2011. Another precedent setting case involves litigation advance funding and whether these transactions are loans.
- The federal Consumer Financial Protection Bureau “went live” on June 21, 2011 and will have federal supervision and regulatory authority to enforce federal law over many of the same non-depository financial industries that the unit regulates. Without a confirmed director and with several years of rulemaking ahead, it is difficult to determine what the relationship between the CFPB and the states will be and how it may impact state laws and the unit’s workload.

Debt Collection:

- The negative economic environment has also impacted collection agencies. Accounts assigned for collection increased and so have license numbers. This can result in the filing of more collection lawsuits and high numbers of consumer complaints.
- Nationwide, concerns over collection of old debt, in some cases beyond the statute of limitations, and inadequate proof of debt have been noted. The unit is aware of these concerns and will monitor complaints for trends.

IV) WORKLOAD MEASURE:

WORKLOAD INDICATORS

Consumer Credit					
Workload Measure	Unit	FY10 Actual	FY11 Actual	FY 12 Estimate	FY13 Request
New Licenses Issued (UCCC)	Number	106	80	110	120
License Total on June 30 (UCCC)	Number	956	799	830	900
New Registrations Issued (Debt Management)	Number	49	6	10	10
Registration Total on June 30 (Debt Management)	Number	49	51	55	55
Written Complaints Received (UCCC, CSOA, CROA)	Number	513	461	525	600
Written Complaints Received (Debt Management)	Number	62	61	75	80
Compliance Examinations (UCCC)	Number	615	321	450	450

Debt Collection					
Workload Measure	Unit	FY 10 Actual	FY 11 Actual	FY 12 Estimate	FY13 Request
New Licenses Issued	Number	155	148	140	130
License Total on June 30	Number	725	786	750	750
Written Complaints Received	Number	996	876	850	800

CORE OBJECTIVES AND PERFORMANCE MEASURES

CONSUMER CREDIT

Objective: Ensure compliance with consumer credit laws.

Performance Measure	Outcome	FY 10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Open investigations and file, defend, or settle cases	Benchmark	60		100		200		200	
	Actual	107		207					

Strategy: Enforcement actions and investigations come from consumer complaints, information from competitors, from staff detection of violations during compliance examinations, and publicly available advertising and information on the Internet. These actions are very important in the debt management area as it is a relatively new law and in the UCCC area, compared to debt collection, because consumers often are unaware of whether particular fees are legal or if loan payments have been correctly applied.

Evaluation of Prior Year Performance: Cases and investigations increased substantially due to a focus on debt management, investigations and litigation. This is important to ensure that unlicensed and unregistered entities do not enjoy an unfair advantage by operating outside the boundaries of the law.

Key Workload Indicators: Because most cases and investigations arise from consumer complaints, compliance examinations, and searching the Internet, it is difficult to predict these numbers. In addition, changes in the debt management and payday lending laws will, at best, take some time for the industry to reach compliance. There will be some companies that do not comply with statutory changes or never intend to, such as certain online companies. Finally, the relatively new compliance examination programs in many of the consumer credit areas will result in some legal cases and challenges. These numbers cannot be predicted.

Performance Measure	Outcome	FY 10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Require consumer refunds	Benchmark	\$2,000,000		\$2,000,000		\$8,000,000		\$4,000,000	
	Actual	\$2,155,322		\$2,159,806	X%				

Strategy: Refunds result from overcharges and illegal charges discovered from compliance examinations, consumer complaints, and from litigation. Refunds may include credits to existing balances on open accounts.

Evaluation of Prior Year Performance: Consumer refund total amounts were as anticipated. One-third of the refunds were due to a single case and another third was the result of all compliance investigations. UCCC refunds have already increased in FY12 due to the 2010 changes in the payday lending laws and some substantial delinquency fee refunds from a single large compliance examination.

Key Workload Indicators: Refund totals are dependent on industry compliance with state law. It generally takes several years for compliance to improve after new laws are adopted or an industry is first subject to regulation or examination.

Objective: Ensure efficient operations to benefit creditors and consumers.

Uniform Consumer Credit Code, Credit Repair, Rent-to-Own

Performance Measure	Outcome	FY10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and resolve complaints within 60 days or less	Benchmark	45		45		50		55	
	Actual	34		52					
Performance Measure	Outcome	FY 10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and resolve 80% of complaints received during FY	Benchmark	80%		80%		80%		75%	
	Actual	92%		89%					

Debt Management

Performance Measure	Outcome	FY 10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and resolve complaints within 60 days or less	Benchmark	50		50		50		55	
	Actual	69		56					
Performance Measure	Outcome	FY 10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and resolve 80% of complaints received during FY	Benchmark	80%		80%		65%		65%	
	Actual	61%		67%					

Strategy: The Unit's goal was to resolve 80% of consumer complaints received in the fiscal year within an average of 60 days or less. The complaint resolution process includes complaint intake to determine jurisdiction, locating the business, obtaining a response and often additional information, business requests for extensions of time, and staff time to investigate and determine what action to take.

Evaluation of Prior Year Performance: For UCCC, complaint completion time increased but within our goal and the percent of closed complaints improved. Debt management closure time decreased and the percent of closed complaints also improved.

Key Workload Indicators: Completion time depends on the number and complexity of consumer complaints, and whether the business complies with state law. Complaint numbers usually increase during economic downturns with increased delinquencies, defaults, repossessions, foreclosures, and offers to reduce debt or remove bad credit. In addition, complaints against unlicensed lenders, particularly Internet payday lenders, often increase. These lenders generally refuse to comply with state law, do not respond, and challenge our jurisdiction, requiring legal action. This substantially delays complaint resolution.

TITLE – DEBT COLLECTION

Objective: Ensure compliance with laws regulating collection agencies.

Performance Measure	Outcome	FY10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Open investigations and file, defend, or settle cases	Benchmark	50		50		50		50	
	Actual	48		45					

Strategy: Enforcement actions and investigations come from consumer or collection agency client complaints, information from competitors, and from staff detection of violations in license renewal applications. Because the statute does not provide for periodic compliance examinations, complaints are the primary method to ensure compliance.

Evaluation of Prior Year Performance: The number of enforcement actions during FY10 was similar to the past year. Unit attorneys handled two large cases against unlicensed collection agencies and obtained temporary restraining orders against them. Both cases are set for trial in FY12.

Key Workload Indicators: It is difficult to project these numbers as they are based on violations of the law reported by the public. It is also difficult to project whether a collection agency will agree to settle a case or will proceed to litigation.

Performance Measure	Outcome	FY 10 Actual		FY11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Issue cease and desist notices to unlicensed collection agencies	Benchmark	65		65		65		65	
	Actual	60		71					

Strategy: Cease and desist advisory notices are issued based on information from consumers, competitors, and review of lawsuits filed in Colorado courts. Unlicensed collection agencies are generally offered an opportunity to become licensed if they cease collections and pay a penalty for prior unlicensed collections.

Evaluation of Prior Year Performance: This number is generally consistent with past years.

Key Workload Indicators: Cease and desist numbers have generally been consistent in recent years. This number is difficult to predict. Colorado's licensing requirements are clear and readily accessible to collection agencies.

Objective: Ensure efficient operations to benefit collection agencies and consumers.

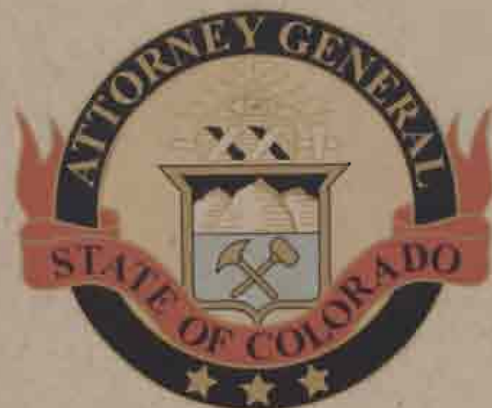
Performance Measure	Outcome	FY 10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and resolve complaints within 60 days or less	Benchmark	60		60		60		65	
	Actual	44		44					
Performance Measure	Outcome	FY 10 Actual		FY 11 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and resolve 80% of complaints received during FY	Benchmark	80%		80%		80%		75%	
	Actual	93%		80%					

Strategy: The Unit's goals are to resolve consumer complaints within an average of 60 days or less and resolve 80% of written complaints received during a fiscal year. These goals are based on receipt of 1,000 or fewer written complaints. The complaint resolution process includes complaint intake to determine jurisdiction, locating the collection agency, obtaining a response and often additional information, collection agency requests for extensions of time, and staff time to investigate and determine what action to take.

Evaluation of Prior Year Performance: Unit performance was good. Complaint numbers decreased by about 120; perhaps as more consumers learned how to exercise their own self-help rights on the Internet. The percent of closed complaints decreased, although still within our goals, because the unit's compliance investigator for complaints spent substantial time on a court case against a collection agency that continued to collect debts and allegedly violated the law after it did not renew its license.

Key Workload Indicators: Resolution time depends on the number and complexity of consumer complaints, whether the collection agency complies with state law, and whether the unit is engaged in other activities such as litigation.

FY 12-13
Budget
Schedules 2, 3 and 4
CP - Consumer Credit Unit



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

Consumer Credit Unit

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CONS. PROTECT. & ANTI-TRUST	-	-	1,587,766	18.0	1,331,207	18.0	1,601,574	18.0	1,521,916	20.0
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Fund	-		1,587,766		1,331,207		1,601,574		1,521,916	
Reappropriated Funds	-		-		-		-		-	
Federal Funds										

SCHEDULE 3 - PERSONAL SERVICES PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
First Assistant Attorney General			119,952	1.0			119,952	1.0	119,952	1.0
Senior Assistant Attorney General			159,178	2.0			164,045	2.0	164,045	2.0
Assistant Attorney General							-	0.0	-	0.0
Financial Credit Examiner IV			89,640	1.0			89,640	1.0	89,640	1.0
Financial Credit Examiner III			89,244	1.0			89,244	1.0	89,244	1.0
Financial Credit Examiner II			312,657	4.9			319,728	5.0	319,728	5.0
Financial Credit Examiner I			59,321	1.1			52,908	1.0	52,908	1.0
Compl Investigator I			100,822	2.0			102,072	2.0	102,072	2.0
Legal Assistant II			47,186	1.0			49,044	1.0	49,044	1.0
Admin Asst II			36,284	1.0			37,200	1.0	37,200	1.0
Program Assistant I			146,196	3.0			146,196	3.0	146,196	3.0
									-	0.0
TOTAL POSITION DETAIL			1,160,480	18.0			1,170,029	18.0	1,170,029	18.0

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 10		Actual FY 11		Estimate FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.A.) CONTINUATION FTE SALARY COST			1,160,480	18.0			1,170,029	18.0	1,170,029	18.0
(Permanent FTE by position)										
Continuation Salary Subtotal										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal			85,952				89,507		118,758	
Medicare on Continuation Subtotal			14,611				16,965		16,965	
Non-Base building Performance Awards			-				-		-	
Part-Time/Temporary Salaries			-				-		-	
Contractual Services			8,577				5,245		1,555	
Overtime Pay			-				-		-	
Board Member Compensation			550							
Sick Leave Conversion			-				-		-	
Termination/Retirement Payouts			-				-		-	
Employment Security Payments			-				-		-	
Furlough Days			-				-		-	
Other Employee Benefits			5,421				3,100		3,100	
Other										
Special Bills										
SUBTOTAL			115,112				114,818		140,378	
(I.C.) PERSONAL SERVICE										
SUBTOTAL= A+B			1,275,591	18.0			1,284,847	18.0	1,310,407	18.0
(I.D.) POTS EXPENDITURES										
Health/Life/Dental			101,521				115,092			
Salary Act/Merit							-			
Performance Awards							-			
Short Term Disability			1,973				2,071			
SB 04 257 A.E.D.			26,980				32,761			
SB 06.235 S.A.E.D.			19,680				26,326			
Other										
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES			1,425,746	18.0			1,434,771	18.0	1,310,407	18.0
TOTAL = C+D										
General Fund							-		-	
General Funds Exempt										
Cash Funds							1,434,771		1,310,407	
Reappropriated Funds							-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 10		Actual FY 11		Estimate FY 12		Estimate FY 13		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.F.) DIFFERENCE= II-I.E.							-		-	
(I.G.) REQUEST YEAR DECISION ITEMS										
General Fund										
Cash Funds										
Reappropriated Funds										
II. PERSONAL SERVICES REQUEST TOTAL			1,425,746	18.0			1,434,771	18.0	1,310,407	18.0
General Fund			-				-		-	
General Fund Exempt			-				-		-	
Cash Funds			1,425,746				1,434,771		1,310,407	
Reappropriated Funds			-				-		-	
Federal Funds			-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 10		Actual FY 11		Estimate FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 1930 - Purchased Services - Litigation			8,904				5,259		5,259	
2170 Waste Disposal Services			-				-		-	
2230 Equipment Contract Maintenance			820				83		83	
2231 ADP Equip Maint/Repair Services			2,844				1,404		1,404	
2232 Software Upgrades			10,532				2,455		2,455	
2251 Rental/Lease Motor Pool Veh			11,174							
2252 Leased Vehicle - Variable			9,135				8,254		8,254	
2253 Rental of Equipment			-				-		-	
2254 Rental of Motor Vehicles			-				118		118	
2255 Rental of Building			59,320				-		-	
2258 Parking			-				-		-	
2259 Parking Fee Reimbursement			-				-		-	
2510 In State Travel			-				-		-	
2511 IS Common Carrier Fares			-				-		-	
2512 IS Personal Travel Per Diem			2,419				2,312		2,312	
2513 IS Pers Vehicle Reimbursement			-				-		-	
2514 IS State Owned Aircraft			-				-		-	
2515 State-Owned Vehicle Charge			-				-		-	
2520 IS Travel Non Employee			98				-		-	
2522 IS Non Employee Per Diem			76				-		-	
2523 IS Non Employee Personal Vehicle Reimb			428				-		-	
2530 Out of State Travel			-				250		250	
2531 OS Common Carrier Fares			-				249		249	
2532 OS Personal Travel Per Diem			-				816		816	
2533 OS Pers Vehicle Reimbursement			-				-		-	
2610 Advertising			-				-		-	
2611 Public Relations			-				-		-	
2630 Comm Service Div of Telecom			8,029				8,244		8,244	
2631 Comm Svcs from Outside Sources			957				988		988	
2641 Other ADP Billing			3,812				3,668		3,668	
2650 OIT Purchased Services			8				-		-	
2660 Insurance			2,301				-		-	
2680 Contract Printing			3,114				3,352		3,352	
2681 Photocopy Reimbursement			-				-		-	
2710 Purchased Medical Services			-				-		-	
2810 Freight & Storage			-				-		-	
2820 Other Purchased Services			51				25		25	
2830 Office Moving-Pur Services			-				-		-	
2831 Storage Purch Svs			17				-		-	
3110 Other Supplies and Materials			-				-		-	

9-45

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 10		Actual FY 11		Estimate FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
3112 Automotive Supplies			-				-		-	
3113 Clothing and Uniform Allowance			-				-		-	
3114 Custodial			-				-		-	
3115 DP Supplies			846				450		450	
3116 Purchased/Leased Software			1,366				115		115	
3117 Educational			-				-		-	
3118 Food and Food Service Supplies			-				-		-	
3120 Books & Subscriptions			1,182				1,100		1,100	
3121 Office Supplies			3,674				3,587		3,587	
3123 Postage			10,447				10,852		10,852	
3128 Non-Capitalized Equipment			199				200		200	
3131 Noncapitalized Bldg Materials			307				-		-	
3132 Non- Cap Office Furn-Off Systems			200				-		-	
3140 Non-Capitlized IT - PC's			6,345				-		-	
3141 Non-Capitalized IT Servers			1,744				-		-	
3143 Non-Capitalized IT Other			245				399		399	
3146 Non-Capital. IT Purchsd. Server Software			1,792				-		-	
3940 Electricity			-				-		-	
3950 Gasoline			-				-		-	
3970 Natural Gas			-				-		-	
4111 Prizes and Awards			-				-		-	
4140 Dues & Memberships			3,370				3,350		3,350	
4151 Interest - Late Payments			-				-		-	
4170 Miscellaneous Fees			-				-		-	
4180 Official Functions			735				866		866	
4220 Registration Fees			225				225		225	
4221 Other Educational - W2 RPT			-				-		-	
6140 Leasehold Improv - Direct Purch			-				-		-	
6210 ADP Equipment			-				-		-	
6212 IT Servers Direct Purchase			3,318				-		-	
6214 IT Other- Direct Purchase			1,986				-		-	
Forced Savings									(9,322)	
Operating Expense Subtotal:			162,020				58,621		49,299	
OPERATING EXPENSE SUBTOTAL:			162,020				58,621		49,299	
General Fund							0		0	
General Fund Exempt							-		0	
Cash Funds			162,020				58,621		58,621	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 10		Actual FY 11		Estimate FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Reappropriated Funds							0		0	
Potted Operating Expenses										
Workers' Compensation							2,972			
Vehicle Leased Expense							13,538			
Capital Complex Lease Space							57,097			
Leased Space							-			
IT Asset Maintenance							27,123			
Communication Service Payments							-			
ADP Capital Outlay							-			
CLE Registration Fees							1,875			
Building Security							5,577			
Total							108,182			
General Fund							-			
Cash Funds							108,182			
Reappropriated Funds							-			
Rollforwards										
Reappropriated Funds							-			
DECISION ITEM REQUESTS										
Consumer Credit Unit Unlicensed Entities Compliance									162,210	2.0
General Fund									-	
Cash Funds									162,210	2.0
Reappropriated Funds									-	
NP #2									-	
General Fund									-	
Cash Funds									-	
Reappropriated Funds									-	
NP #3									-	
General Fund									-	
Cash Funds									-	
Reappropriated Funds									-	
TOTAL CONSUMER PROTECTION			1,587,766	18.0			1,601,574	18.0	1,521,916	20.0
General Fund			-				-		-	
General Fund Exempt			-				-		-	
Cash Funds			1,587,766				1,601,574		1,521,916	
Reappropriated Funds			-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law	Consumer Credit Unit									
	Actual FY 10		Actual FY 11		Estimate FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
RECONCILIATION OF FUNDS										
Long Bill Appropriation			1,350,707		1,359,706		1,359,706	18.0	1,331,207	18.0
PERA Adjustment back to 10.15%									28,499	
PERA SB 11-76 @ 7.65%					(28,499)		(28,499)			
<i>Supplemental</i>										
<i>DI CCU Unlicensed Entities Compliance</i>									162,210	2.0
Allocated POTS:										
Salary POTS							-			
Health/Life/Dental			94,938				101,846			
Short Term Disability			1,746				1,946			
SB 04.257 A.E.D.			26,237				30,780			
SB 06.235 S A E.D.			19,131				24,733			
Worker's Compensation			2,301				2,972			
Vehicle Lease Payments			11,159				13,538			
Capital Complex Lease Space			56,686				57,097			
Lease Space			2,880				2,880			
Communication Service Payments										
IT Asset Maintenance			27,123				27,123			
CLE Registration Fees			1,875				1,875			
Building Security			5,472				5,577			
Year-End Transfer										
Rollforward from previous FY										
Rollforward to subsequent FY										
Overexpenditure/(Reversion) - GF										
Lapsed Appropriation Reappropriated Fund										
Lapsed Appropriation Cash Fund			(12,489)							
TOTAL RECONCILIATION			1,587,766	18.0			1,601,574	18.0	1,521,916	
TOTALS			1,587,766	18.0	1,331,207	18.0	1,601,574	18.0	1,521,916	20.0
General Fund			-		-		-		-	
General Fund Exempt			-		-		-		-	
Cash Funds			1,587,766		1,331,207		1,601,574		1,521,916	
Reappropriated Funds			-		-		-		-	

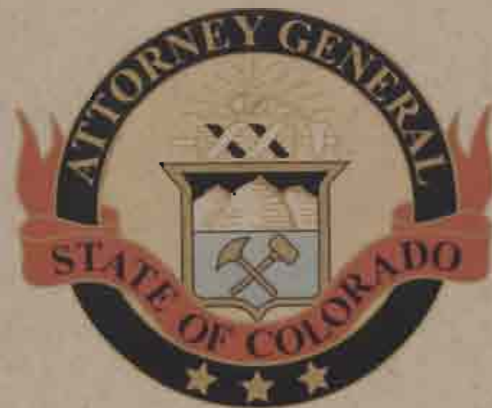
SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

Consumer Credit Unit

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		-	1,587,766	1,331,207	1,601,574	1,521,916
General Fund		-	-	-	-	-
General Fund Exempt		-	-	-	-	-
Cash Funds		-	1,587,766	1,331,207	1,601,574	1,521,916
Reappropriated Funds		-	-	-	-	-
Federal Funds		-	-	-	-	-
Cash Funds		-	1,587,766	1,331,207	1,601,574	1,521,916
Collection Agency Cash Fund		-	408,735	335,011	413,162	364,893
UCCC Cash Fund		-	1,179,032	996,196	1,188,412	1,157,023

FY 12-13
Budget
Schedules 2, 3 and 4
CP - UCCEC



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

UNIFORM CONSUMER CREDIT CODE

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
UNIFORM CONSUMER CREDIT CODE	1,126,097	12.0	-	0.0	-	0.0	-	0.0	-	0.0
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	1,126,097		-		-		-		-	
Reappropriated Funds	-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

UNIFORM CONSUMER CREDIT CODE

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
First Assistant Attorney General	119,952	1.0								
Senior Assistant Attorney General	41,868	0.5								
Assistant Attorney General	34,212	0.4								
Program Assistant I	95,136	2.0								
Admin Assistant III										
Financial Credit Examiner IV	89,640	1.0								
Financial Credit Examiner III	89,244	1.0								
Financial Credit Examiner II	261,396	4.0								
Financial Credit Examiner I	77,747	1.4								
Legal Assistant I	21,330	0.7								
TOTAL POSITION DETAIL	830,525	12.0								
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by position) Continuation Salary Subtotal	830,525	12.0		0.0						
	9,975									
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	81,437									
Medicare on Continuation Subtotal	9,975									
Non-Base building Performance Awards										
Part-Time/Temporary Salaries	-									
Contractual Services	5,506									
Leave Payments	1,653									
Other Employee Benefits	3,062									
Furlough	(9,200)									
Subtotal	92,433									
Special Bills										
SB07-57 Debt Management Cash Funds										

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

UNIFORM CONSUMER CREDIT CODE

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Special Bills										
OSPB 2% Base Reduction										
Subtotal:										
II. PERSONAL SERVICES REQUEST TOTAL	1,006,520	12.0		0.0						
General Fund										
Cash Funds	1,006,520									
Reappropriated Funds	-									

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

UNIFORM CONSUMER CREDIT CODE

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
EALA-Indirect Cost										
1930 1930 - Litigation	682									
2150 Custodial Services	-									
2160 Janitorial Service	-									
2170 Waste Disposal Services	-									
2210 Bldg Maintenance/Repair Svcs	-									
2220 Building Grounds Maintenance	-									
2230 Equipment Contract Maintenance	58									
2231 ADP Equip Maint/Repair Services	987									
2232 Software Upgrades	8,443									
2240 Motor Veh Maint/Repair Svcs	-									
2251 Lease Motor Pool Vehicle	10,742									
2252 Motor Pool Mileage Charge	7,889									
2253 Equipment Rental	-									
2254 Rental of Motor Vehicles	118									
2255 Rental of Buildings	41,896									
2258 Parking Fees	36									
2259 Parking Fee Reimbursement	-									
2510 In State Travel	-									
2512 IS Personal Travel Per Diem	3,883									
2513 IS Personal Vehicle Reimbursement	-									
2520 IS Travel/Non Employee	-									
2521 IS Common Carrier Non Employee	-									
2522 IS Non-Emp - Pers Per Diem	-									
2523 IS/Non-Emp - Pers Veh Reimb	21									
2530 Out of State Travel	34									
2531 OS Common Carrier Fares	249									
2532 OS Personal Travel Per Diem	816									
2533 OS Personal Vehicle Reimbursement	-									
2550 Out of Country Travel	-									
2552 OC Pers Travel Reimbursement	-									
2630 Telephone	9,558									
2631 Comm Svcs from Outside Sources	1,070									
2641 Other ADP Billings - Purchase Services	2,245									
2660 Insurance	1,570									
2680 Contract Printing	3,478									
2681 Photocopy Reimbursement	-									

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

UNIFORM CONSUMER CREDIT CODE

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Operating Expense Subtotal:	119,577									
OPERATING EXPENSE TOTAL:	119,577									
General Fund										
General Funds Exempt										
Cash Funds	119,577									
Reappropriated Funds	-									
Potted Operating Expenses										
Workers' Compensation										
Leased Vehicle Expense										
Capital Complex Lease Space										
Lease Space										
IT Asset Maintenance										
ADP Capital Outlay										
ALJ Allocation										
Communication Service Payments										
CLE Registration Fees										
Building Security										
Total										
Cash Funds										
Reappropriated Funds										
FY11 DECISION ITEMS										
0 DI-1 Increase Leg Asst .5 FTE										
Cash Funds										
Reappropriated Funds										
0 DI-2 Combine CAB/UCCC unit										
Cash Funds										
Reappropriated Funds										
TOTAL UCCC	1,126,097	12.0								
General Fund										
Cash Funds	1,126,097									

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

UNIFORM CONSUMER CREDIT CODE

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		1,126,097	-	-	-	-
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		1,126,097	-	-	-	-
Reappropriated Funds		-	-	-	-	-
Cash Funds						
Uniform Consumer Credit Code Fund	151	1,126,097	-	-	-	-
Reappropriated Funds						
Uniform Consumer Credit Code Fund Balance	151	-	-	-	-	-
DOL Custodial Funds						

FY 12-13
Budget
Schedules 2, 3 and 4
CP - Collection Agency Board



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

COLLECTION AGENCY BOARD

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
COLLECTION AGENCY BOARD	386,095	5.3	0	0.0	0	0.0	-	0.0	-	0.0
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	386,095		-		-		-		-	
Reappropriated Funds	-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

COLLECTION AGENCY BOARD

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
Senior Assistant Attorney General	41,868	0.5								
Assistant Attorney General	34,212	0.5								
Assistant Attorney General II										
Assistant Attorney General I										
Compliance Investigator I	94,944	2.0								
Program Assistant I	51,060	1.0								
Administrative Assistant II	33,348	1.0								
Legal Assistant I	13,331	0.3								
TOTAL POSITION DETAIL	268,763	5.3								
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by position)										
Continuation Salary Subtotal	268,763	5.3	-	0.0						
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	25,127		-							
Medicare on Continuation Subtotal	3,589		-							
Non-Base building Performance Award										
Part-Time/Temporary Salaries										
Annual Leave Payments	653		-							
Contractual Services	2,585		-							
Leave	0		-							
Furlough	-3,097		-							
Other	1,608		-							
SUBTOTAL	30,466		-							
(I.C.) PERSONAL SERVICES										
SUBTOTAL = A+ B	299,229	5.3	-	0.0						
(I.D.) POTS EXPENDITURES										
Health/Life Dental	36,912		-							
Salary Survey										
Performance Awards										
Short Term Disability	406		-							
SB 04.257 A.E.D.	4,966		-							
SB 06.235 S.A.E.D.	3,113		-							
Other										

[] Indicates a Non-add

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

COLLECTION AGENCY BOARD

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.E.) BASE PERSONAL SERVICES TOTAL = C+D	344,625	5.3	-	0.0						
General Fund										
Cash Funds										
Reappropriated Funds										
(I.F.) DIFFERENCE- II-I.E.										
(I.G.) REQUEST YEAR DECISION ITEMS										
General Fund										
Cash Funds										
Reappropriated Funds										
II. PERSONAL SERVICES REQUEST (AGGREGATE ADJUSTMENTS TO THE BASE APPROPRIATION)										
Previous Year Long Bill										
Salary Survey-Classified										
PBP - Classified										
Salary Survey Exempt										
PBP - Exempt										
OSPB 2% Base Reduction										
SPECIAL BILLS:										
Subtotal -										
II. PERSONAL SERVICES REQUEST TOTAL	344,625	5.3	-	0.0						
General Fund										
Cash Funds	344,625		-							
Reappropriated Funds	0		-							

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

COLLECTION AGENCY BOARD

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
EALA-Indirect Cost	0		-							
1930 Litigation	877		-							
2150 Custodial Services	0		-							
2160 Janitorial Service	0		-							
2170 Waste Disposal Services	0		-							
2210 Bldg Maintenance/Repair Svcs	0		-							
2220 Building Grounds Maintenance	0		-							
2230 Equipment Contract Maintenance	25		-							
2231 ADP Equip Maint/Repair Services	417		-							
2232 Software Upgrades	3,886		-							
2240 Motor Veh Maint/Repair Svcs	-		-							
2251 Lease Motor Pool Vehicle	-		-							
2252 Motor Pool Mileage Charge	-		-							
2253 Equipment Rental	-		-							
2254 Rental of Motor Vehicles	-		-							
2255 Rental of Buildings	17,855		-							
2258 Parking Fees	15		-							
2559 Parking Fee Reimbursement	-		-							
2510 In State Travel	-		-							
2512 IS Personal Travel Per Diem	-		-							
2513 IS Personal Vehicle Reimbursement	-		-							
2520 IS Travel/Non Employee	-		-							
2522 IS Non-Emp - Pers Per Diem	20		-							
2523 IS/Non-Emp - Pers Veh Reimb	490		-							
2530 Out of State Travel	-		-							
2531 OS Common Carrier Fares	-		-							
2532 OS Personal Travel Per Diem	-		-							
2533 OS Personal Vehicle Reimbursement	-		-							
2550 Out of Country Travel	-		-							
2552 OC Pers Travel Reimbursement	-		-							
2630 Telephone	2,765		-							
2631 Comm Svcs from Outside Sources	208		-							
2641 Other ADP Billings - Purchase Services	1,423		-							
2660 Insurance	664		-							
2680 Contract Printing	1,892		-							
2820 Other Purchased Services	11		-							
2830 Office Moving/Purchased Services	-		-							

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

COLLECTION AGENCY BOARD

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Capital Complex Lease Space										
IT Asset Maintenance										
Communication Service Payments										
ADP Capital Outlay										
CLE Registration Fees										
Building Security										
Total										
Cash Funds										
Reappropriated Funds										
Refinancing the Line Item										
General Fund										
Cash Funds										
Reappropriated Funds										
FY11 DECISION ITEM REQUEST										
DI-1 Increase .5 FTE Legal Asst II										
Cash Funds										
Cash Funds Exempt										
DI-2 Combine CAB/UCCC unit										
Cash Funds										
Cash Funds Exempt										
TOTAL COLLECTION AGENCY BOARD	386,095	5.3	0	0.0						
General Fund	-		-							
General Fund Exempt										
Cash Funds	386,095		-							
Reappropriated Funds	-		-							
Federal Funds										
RECONCILIATION OF FUNDS										
Long Bill Appropriation	314,425	5.2								
Supplemental	(566)									

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

COLLECTION AGENCY BOARD

9-70

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Health/Life/Dental	36,439									
Short Term Disability	360									
SB 04 257 A.E.D.	5,335									
SB 06 235 S.A.E.D.	3,335									
Worker's Compensation	674									
Capital Complex Lease Space	16,891									
IT Asset Maintenance	8,059									
Storage Lease Space	1,183									
ADP Capital Outlay Allocation										
CLE Registration & Fees	375									
Building Security	2,602									
Rollforward to Subsequent FY										
Overexpenditure/(Reversion)										
Lapsed Appropriation Cash Fund	(3,017)	0.1								
Lapsed Appropriation Cash Fund Exempt										
TOTAL RECONCILIATION	386,095	5.3								
GRAND TOTAL	386,095	5.3	-	0.0	-	0.0				
General Fund	-		-		-					
General Fund Exempt	-		-		-					
Cash Funds	386,095		-		-					
Reappropriated Funds	-		-		-					

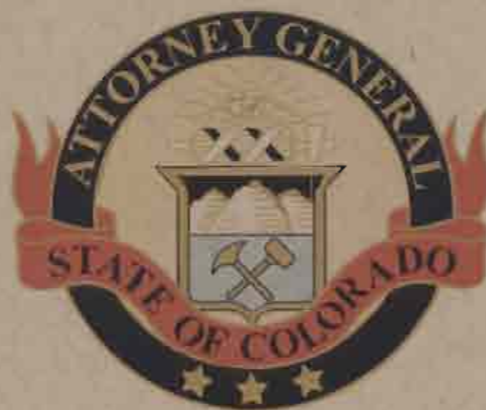
SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

COLLECTION AGENCY BOARD

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		386,095	-	-	-	-
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		386,095	-	-	-	-
Reappropriated Funds		-	-	-	-	-
Cash Funds						
Collection Agency Board	150	386,095	-	-	-	
Uniform Consumer Credit Code Fund	151					
Reappropriated Funds						
Collection Agency Board Fund Balance	150	386,095		-	-	-
Uniform Consumer Credit Code Fund	151	-	-	-	-	-

FY 12-13
Budget
Schedules 2, 3 and 4
CP - Indirect Cost Assessment



SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

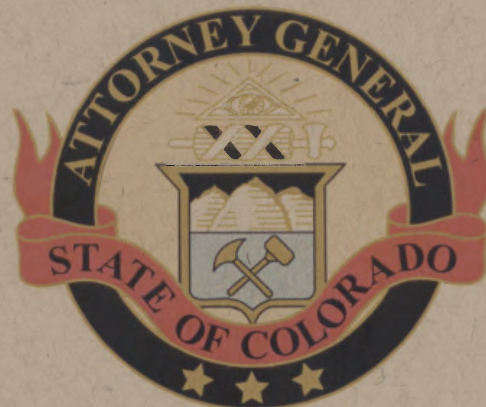
INDIRECT COST ASSESSMENT - CONSUMER PROTECTION

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		311,188	307,418	334,907	334,907	468,035
General Funds						
General Funds Exempt						
Cash Funds		273,977	271,947	297,695	297,695	431,085
Reappropriated Funds		37,211	35,471	37,212	37,212	36,950
Cash Funds		273,977	271,947	297,695	297,695	431,085
146 Department Custodials Funds		40,313	39,413	49,615	49,615	160,117
DOLA-Manuf Housing Fund		-	-	-	-	-
No-Call Fund						
Tobacco Litigation Defense Fund		12,404	11,824	12,404	12,404	12,317
Collection Agency Board Fund		64,498	65,031	68,222	68,222	67,742
UCCC Custodial Fund		12,408	7,882	12,404	12,404	12,317
Uniform Consumer Credit Code fund		144,354	147,797	155,050	155,050	178,592
Reappropriated Funds		37,211	35,471	37,212	37,212	36,950
Department Custodials Funds		-	-			
Collection Agency Board Fund		-	-			
Tobacco Litigation Defense Fund		-	-			
UCCC Custodial Fund		-	-			
UCCC Fund Balance		-	-			
Division of Real Estate Cash Fund		37,211	35,471	37,212	37,212	36,950
Federal Funds						

FY12-13 Reconciliation of Request

Special Purpose

- A. District Attorney's Salaries**
- B. Litigation Management Fund**
- C. Statewide HIPPA Legal Services**
- D. Tobacco Litigation**
- E.. Lobato Litigation Expenses**



DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

(6) Special Purpose

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
(A) District Attorney's Salaries						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$2,534,796	0.0	\$2,534,796	\$0	\$0	\$0
SB 11-76 Continuation of Temp PERA Modification	(\$55,000)		(\$55,000)			
FY 2011-12 Total Appropriation	\$2,479,796	0.0	\$2,479,796	\$0	\$0	\$0
Base Salary Increase per HB 07-1170 (\$10,000*22*.8)	\$88,000	0.0	\$88,000	\$0	\$0	\$0
PERA on Salary Increase	\$8,932	0.0	\$8,932	\$0	\$0	\$0
AED & SAED Adjustment	\$24,640	0.0	\$24,640	\$0	\$0	\$0
Add back in SB 11-76	\$55,000		\$55,000			
FY 12-13 Base Request	\$2,656,368	0.0	\$2,656,368	\$0	\$0	\$0
FY 2012-13 November 1 Request	\$2,656,368	0.0	\$2,656,368	\$0	\$0	\$0
(B) Litigation Management Fund						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$325,000	0.0	\$0	\$325,000	\$0	\$0
FY 2011-12 Total Appropriation	\$325,000	0.0	\$0	\$325,000	\$0	\$0
FY 12-13 Base Request	\$325,000	0.0	\$0	\$325,000	\$0	\$0
FY 2012-13 November 1 Request	\$325,000	0.0	\$0	\$325,000	\$0	\$0
(C) Tobacco Litigation						
FY 2011-12 Long Bill Appropriation (SB 11-209)	\$880,000	0.0	\$0	\$880,000	\$0	\$0
FY 2011-12 Total Appropriation	\$880,000	0.0	\$0	\$880,000	\$0	\$0
FY 12-13 Base Request	\$880,000	0.0	\$0	\$880,000	\$0	\$0
FY 2012-13 November 1 Request	\$880,000	0.0	\$0	\$880,000	\$0	\$0

DEPARTMENT OF LAW

FY 2012-13 RECONCILIATION OF DEPARTMENT REQUEST

(6) Special Purpose

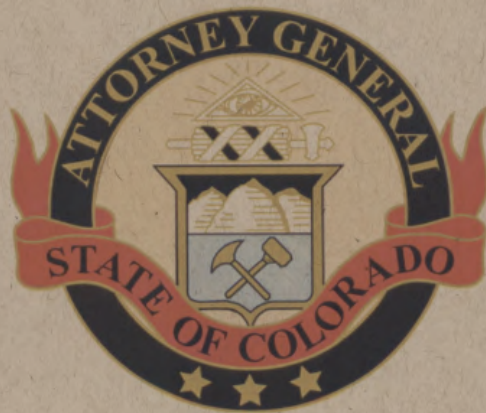
Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
(D) Lobato Litigation Expenses						
FY 2010-11 Long Bill Appropriation (HB 10-1376)	\$432,500	0.0	\$0	\$0	\$432,500	\$0
FY 2011-12 Total Appropriation	\$432,500	0.0	\$0	\$0	\$432,500	\$0
BR 1 Lobato Base Reduction	(\$382,500)				(\$382,500)	
FY 12-13 Base Request	\$50,000	0.0	\$0	\$0	\$50,000	\$0
FY 2012-13 November 1 Request	\$50,000	0.0	\$0	\$0	\$50,000	\$0
(6) Special Purpose						
FY 2011-12 Appropriation(Long Bill plus Special Bills)	\$4,117,296	0.0	\$2,479,796	\$1,205,000	\$432,500	0.0
FY 2012-13 Base Request	\$3,911,368	0.0	\$2,656,368	\$1,205,000	\$50,000	\$0
FY 2012-13 November 1 Request	\$3,911,368	0.0	\$2,656,368	\$1,205,000	\$50,000	\$0

FY 12-13

Budget

Schedules 2, 3 and 4

SP - District Attorneys Salaries



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law		DISTRICT ATTORNEY'S SALARIES								
		Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13
Item	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
District Attorney Salaries	2,096,027		2,263,229		2,479,796		2,479,796	-	2,656,368	-
General Fund	2,096,027		2,263,229		2,479,796		2,479,796		2,656,368	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law		DISTRICT ATTORNEY'S SALARIES								
		Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13
Item	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
District Attorney Salaries	1,847,999		2,024,000				2,200,000		2,288,000	
PERA/Other Retirement Plans	187,572		154,838				168,300		232,232	
SB 04.257 A.E.D.	37,136		48,752				61,776		73,216	
SB 06.235 S.A.E.D.	23,320		35,640				49,720		62,920	
Unused PERA										
Subtotal	2,096,027		2,263,229				2,479,796		2,656,368	
TOTAL D.A. SALARIES	2,096,027		2,263,229		2,534,796		2,479,796	-	2,656,368	-
General Fund	2,096,027		2,263,229		2,534,796		2,479,796		2,656,368	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	2,096,078		2,313,828		2,534,796		2,534,796		2,534,796	
Supplemental (SB11-144)			(50,600)							
SB 11-76 PERA Reduction					(55,000)		(55,000)		55,000	
Reversion	(51)		-							
AED POT Increase			1						66,572	
TOTAL RECONCILIATION	2,096,027		2,263,229		2,479,796		2,479,796		2,656,368	

TOTAL RECONCILIATION	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
REVENUE	(100,000)				
EXPENSE					
RECONCILIATION OF EQUITY	\$ 100,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
GENERAL FUND	\$ 100,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
TOTAL BY SALARIES	\$ 100,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
REVENUE					
EXPENSE					
RECONCILIATION OF EQUITY					
GENERAL FUND					
TOTAL BY SALARIES					
REVENUE					
EXPENSE					
RECONCILIATION OF EQUITY					
GENERAL FUND					
TOTAL BY SALARIES					

SCHEDULE 3 - PROGRAM DETAIL

DISTRICT ATTORNEY'S SALARIES

General Fund	\$ 100,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
District Attorney's Salaries	\$ 100,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000

SCHEDULE 5 - PROGRAM SUMMARY

DISTRICT ATTORNEY'S SALARIES

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

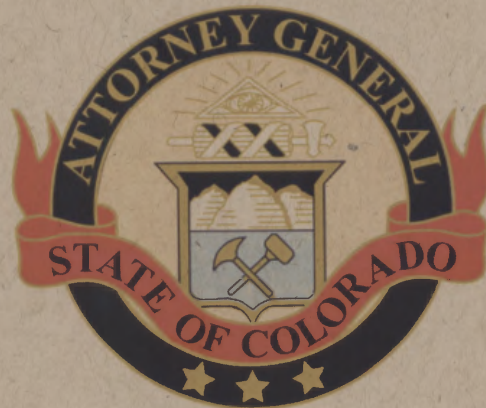
Department of Law

DISTRICT ATTORNEY'S SALARIES

Item	Actual FY 10	Actual FY 11	Approp FY 12	Estimate FY 12	Request FY 13
	Total Funds	Total Funds	Total Funds	Total Funds	Total Funds
Schedule 3 Total	2,096,027	2,263,229	2,479,796	2,479,796	2,656,368
General Fund	2,096,027	2,263,229	2,479,796	2,479,796	2,656,368

DATE	AMOUNT	DESCRIPTION	AMOUNT	DATE	AMOUNT	DESCRIPTION	AMOUNT	DATE	AMOUNT
10/1/94	5,000.00	INITIAL DEPOSIT	5,000.00	10/1/94	5,000.00	INITIAL DEPOSIT	5,000.00	10/1/94	5,000.00
10/1/94	5,000.00	INITIAL DEPOSIT	5,000.00	10/1/94	5,000.00	INITIAL DEPOSIT	5,000.00	10/1/94	5,000.00
SCHEDULE 4 - SOURCE OF FINANCING - DIRECT RECEIPTS DIRECT RECEIPTS									

FY 12-13
Budget
Schedules 2, 3 and 4
SP - Litigation Management Fund



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

LITIGATION MANAGEMENT FUND

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Litigation Management Fund	145,258	-	382,256	-	325,000		325,000	-	325,000	-
General Fund	-		-		-		-		-	
General Fund Exempt										
Cash Funds	145,258		262,256		325,000		325,000		325,000	
Reappropriated Funds	-		120,000		-		-		-	

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

LITIGATION MANAGEMENT FUND

Item	Actual FY 09		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Litigation Management Fund										
DOL Transfers to CDOT										
DOL Transfers to Capitol Construction (461)										
1120 SPS Temporary FT Wages	-		-							
1622 CN PERA	-		-							
1920 Professional Services	29,000		20,000				325,000		325,000	
1962 PERSONAL SVCS- IT - CONSULTING	9,368		15,696							
1961 PS IT Software	-		615							
2150 Custodial Services	-		-							
2160 Janitorial Service	-		-							
2170 Waste Disposal Services	-		-							
2210 Bldg Maintenance/Repair Svcs	-		-							
2220 Building Grounds Maintenance	-		-							
2230 Equipment Contract Maintenance	381		3,779							
2231 ADP Equip Maint/Repair Services	6,471		8,091							
2232 Software Upgrades	70,901		44,475							
2630 Telephone	-		-							
2631 Comm Svcs from Outside Sources	-		17							
2641 Other ADP Billings - Purchase Services	-		-							
2650 OIT Purchased Services	-		37							
2660 Insurance	-		-							
2680 Printing/Reproduction	-		845							
2810 Freight & Storage	-		-							
2820 Other Purchased Services	164		233							
2830 Office Moving/Purchased Services	-		-							
2831 Storage Purchased Service	-		76							
3110 Other Supplies and Materials	-		-							
3112 Automotive Supplies	-		-							
3114 Custodial	-		-							
3115 DP Supplies	94		249							
3116 Purchase/Leased Software	528		6,297							
3117 Educational	-		-							
3120 Books & Subscriptions	327		-							
3121 Office Supplies	-		-							
3122 Microfilming/Photo. Supplies	-		-							

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

LITIGATION MANAGEMENT FUND

Item	Actual FY 09		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
3123 Postage	3		-							
3124 Printing	-		-							
3126 Repair & Maintenance/Supplies	-		-							
3128 Non-Capitalized Equipment	-		22							
3131 Noncap. Building Mat'ls	-		-							
3140 Non-Capitalized IT - PC's	24,309		44,115							
3141 Non-Capitalized IT - Servers	1,712		8,039							
3143 Non-Capitalized IT - Other	1,841		58,792							
3146 Non-Capitalized IT - SW	-		8,260							
4170 Miscellaneous Fees	-		-							
4180 Official Functions	-		-							
4220 Registration Fees	158		-							
6140 Buildings and Improves. to Bldg.	-		-							
6212 IT Servers - Direct Purchase	-		15,290							
6213 IT PC SW - Direct Purchase	-		18,176							
6214 IT Other- Direct Purchase	-		9,152							
Expense Subtotal:	145,258		262,256				325,000		325,000	
Rollforward							-			
Hetrick DNA			120,000				-			
TOTAL Litigation Management Fund	145,258		382,256				325,000	-	325,000	-
General Fund										
General Fund Exempt							-			
Cash Funds	145,258		262,256				325,000		325,000	
Reappropriated Funds	-		120,000							
RECONCILIATION OF FUNDS										
Long Bill Appropriation	325,000		325,000				325,000			
Supplemental (1331)							-			
Excess GF transfers to CDOT										
Rollforward from Previous FY							-			
Rollforward to Subsequent FY (Hetrick DNA)	(120,001)		120,001				-			
Lapsed CF Spending Authority			(62,744)							
Lapsed CFE Spending Authority	(59,741)		(1)							
TOTAL RECONCILIATION	145,258		382,256				325,000			

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

LITIGATION MANAGEMENT FUND

Item	Actual FY 09		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
GRAND TOTAL	145,258		382,256		325,000		325,000	-	325,000	-
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	145,258		262,256		325,000		325,000		325,000	
Reappropriated Funds	-		120,000				-		-	
Federal Funds	-		-				-		-	

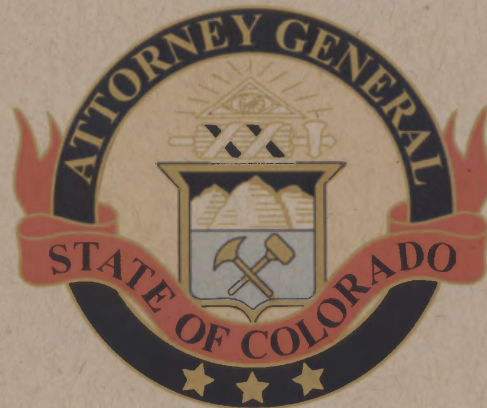
SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

LITIGATION MANAGEMENT FUND

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2010	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		145,258	382,256		325,000	325,000
General Funds		-	-			-
General Funds Exempt		-	-		-	-
Cash Funds		145,258	262,256		325,000	325,000
Reappropriated Funds		-	120,000		-	-
Cash Funds						
Attorney Fees and Costs	13H	-	0			
LSSA Excess Revenues		145,258	262,256		325,000	325,000
Reappropriated Funds						
Attorney Fees and Costs	13H	-	-			
LSSA Excess Revenues		-	120,000		-	-

FY 12-13
Budget
Schedules 2,3 and 4
Statewide HIPPA
Legal Services



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

STATEWIDE HIPAA LEGAL SERVICES

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Statewide HIPAA Legal Services	3,538				-		-	-	-	-
General Fund	3,538				-		-	-	-	-
General Fund Exempt										
Cash										
Reappropriated Funds	-						-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

STATEWIDE HIPAA LEGAL SERVICES

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Statewide HIPAA Legal Services	3,538				-		-		-	
General Fund	3,538				-		-		-	
Reappropriated Funds							-		-	
TOTAL STATEWIDE HIPAA	3,538				-		-		-	
General Fund	3,538				-		-		-	
Reappropriated Funds							-		-	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	7,538						-			
Supplemental	(4,000)						-			
Rollforward to Subsequent FY										
Reversion							-			
TOTAL RECONCILIATION	3,538						-			

TOTAL REVENUE		TOTAL EXPENSES		TOTAL BALANCE	
Revenue	10000	Expenses	8000	Balance	2000
Operating Revenue	8000	Operating Expenses	6000	Operating Balance	2000
Non-Operating Revenue	2000	Non-Operating Expenses	2000	Non-Operating Balance	0
TOTAL REVENUE		TOTAL EXPENSES		TOTAL BALANCE	
10000	8000	8000	6000	2000	2000

STATE OF NEW YORK

DEPARTMENT OF TAXATION

STATE OF NEW YORK

DEPARTMENT OF TAXATION

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

STATEWIDE HIPAA LEGAL SERVICES

Item	Actual FY 10	Actual FY 11	Approp FY 12	Estimate FY 12	Request FY 13
	Total Funds	Total Funds	Total Funds	Total Funds	Total Funds
Schedule 3 Total	3,538	-	-	-	-
General Fund	3,538	-	-	-	-
Reappropriated Funds	-			-	-

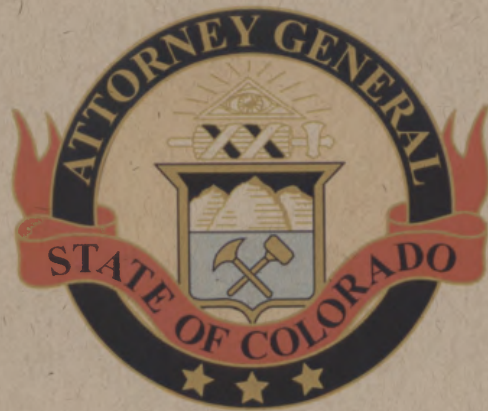
Description of Property	Quantity	Unit	Value	Date Acquired	Date Sold	Gain or Loss
100 shares of ABC Corp.	100	shares	2,500	1/15/95	12/31/98	1,500
50 shares of XYZ Inc.	50	shares	3,000	3/20/96	6/15/99	1,800

SCHEDULE V - SOURCE OF FINANCING - DIRECT RECEIPTS

Department of Tax

Department of Tax

**FY 12-13
Budget
Schedule 2,3 and 4
Tobacco
Litigation**



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law		TOBACCO LITIGATION									
Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13		
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	
Tobacco Litigation Fund	535,462	-	972,823	-	880,000		880,000	-	880,000	-	
General Fund	-		-		-		-		-		
General Fund Exempt	-		-		-		-		-		
Cash Funds	535,462		972,823		880,000		880,000		880,000		
Reappropriated Funds	-		-		-		-		-		

SCHEDULE 3 - PROGRAM DETAIL

Department of Law		TOBACCO LITIGATION									
Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13		
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	
Tobacco Litigation Fund							880,000		880,000		
General Fund							-		-		
General Fund Exempt							-		-		
Reappropriated Funds							880,000		880,000		
Personal Service Codes:											
1920 - Personal Services Professional	535,462		972,823				880,000		880,000		
Personal Service Subtotal:	535,462		972,823				880,000		880,000		
Operating Expenses:											
1930 Litigation	-		-								
2231 IT Hardware Maint/Repair Svcs	-		-								
2530 - Out-Of-State Travel	-		-								
2531 - Common Carrier Fares	-		-								
2532 - Personal Travel Per Diem	-		-								
2641 - Other DPA Billing - Purch Svcs	-		-								
3121 - Office Supplies	-		-								
3123 - Postage	-		-								
3128 - NonCap Equipment	-		-								
Operating Expenses Subtotal:	-		-				-		-		
Rollforwards	-		-				-		-		

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

TOBACCO LITIGATION

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Cash Funds							-			
Reappropriated Funds	-		-				-			
Long Bill Appropriation	300,000		750,000				-			
General Fund	-		-							
Cash Funds	300,000		750,000				-			
Reappropriated Funds	-		-							
SPECIAL BILLS										
<i>SB 11-209 Long Bill Add On</i>			259,790				-			
General Fund										
Reappropriated Funds										
TOBACCO LITIGATION TOTAL	535,462		972,823		880,000		880,000		880,000	
General Fund										
General Fund Exempt										
Cash Funds	535,462		972,823		880,000		880,000		880,000	
Reappropriated Funds										
RECONCILIATION OF FUNDS										
Long Bill Appropriation	300,000		750,000				880,000			
Supplemental	300,000						-			
<i>SB 11-209 Long Bill Add On</i>			259,790				-			
Rollforward from Previous FY							-			
Rollforward to Subsequent FY										
Reversion										
Lapsed Appropriation Cash Funds	(64,538)		(36,967)				-			
TOTAL RECONCILIATION	535,462		972,823				880,000			

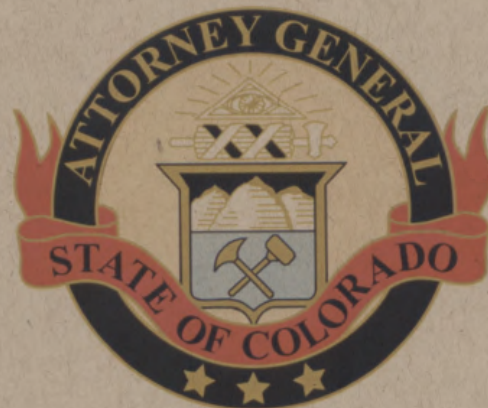
SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

TOBACCO LITIGATION

Item	Actual FY 10	Actual FY 11	Approp FY 12	Estimate FY 12	Request FY 13
	Total Funds	Total Funds	Total Funds	Total Funds	Total Funds
Schedule 3 Total	535,462	972,823	880,000	880,000	880,000
General Fund	-	-	-	-	-
General Fund Exempt	-	-	-	-	-
Cash Funds	535,462	972,823	880,000	880,000	880,000
Reappropriated Funds	-	-	-	-	-
Cash Funds					
Tobacco Litigation Defense Account	535,462	972,823	880,000	880,000	880,000
Rollforward from previous year			-	-	
Excess Revenues from LSSA Line					
Reappropriated Funds					
Tobacco Litigation Defense Account				-	-
Excess Revenues from LSSA Line				-	

FY 12-13
Budget
Schedules 2,3 and 4
Lobato Litigation Expenses



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

LOBATO LITIGATION

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Tobacco Litigation Fund	-	-	417,573	-	1,049,551		1,049,551	-	50,000	-
General Fund	-	-	-	-	-	-	-	-	-	-
General Fund Exempt	-	-	-	-	-	-	-	-	-	-
Cash Funds	-	-	-	-	-	-	-	-	-	-
Reappropriated Funds	-	-	417,573		1,049,551		1,049,551		50,000	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LOBATO LITIGATION

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Lobato Litigation									50,000	
General Fund										
General Fund Exempt										
Reappropriated Funds									50,000	
Personal Service Codes:										
1120 SPS Temp Full Time Wages				232			10,000			
1520 Medicare				3			145			
1522 SPS PERA				18			765			
1524 SPS AED				6			260			
1525 SPS SAED				5			200			
1920 - Personal Services Professional				17,159			562,399		50,000	
Personal Service Subtotal:				17,423			573,769		50,000	
Operating Expenses:										
1930 Litigation				100,922			309,644			
2231 IT Hardware Maint/Repair Svcs				792						
2510 In-State Travel				181						
2511 In -State Common Carrier Fares				1,070						
2512 In-State- Pers Travel Per Diem				3,531						

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LOBATO LITIGATION

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2513 In State Pers Vehicle Reimbursement			461							
2530 Out of State Travel			924							
2531 Out of State Common Carrier Fares			3,343							
2532 OS Personal Travel Per Diem			2,490							
2630 Comm Svs Div of Telectom			7							
2631 Comm Svs from Outside Sources			2,118							
2641 Other ADP Billing - Purchased Service			268,146				166,138			
2680 Printing/Reproduction Svs			88							
3115 Data Processing Supplies			1,331							
3116 Non Cap IT PC SW			116							
3120 Books/ Periodicals Subscription			71							
3121 Office Supplies			11,091							
3123 Postage			1,124							
3128 Non Capitalized Equipment			84							
3143 Non Cap IT Other			364							
3140 Non Capitalized IT PCs			1,898							
Operating Expenses Subtotal:			400,151				475,782		-	
Rollforwards			-				-		-	
Cash Funds			-				-		-	
Reappropriated Funds	-		-				-		-	
Long Bill Appropriation			-				-		-	
General Fund			-				-		-	
Cash Funds			-				-		-	
Reappropriated Funds	-		-				-		-	
SPECIAL BILLS			-				-		-	
<i>SB07-113 Use of Tobacco Lit Fund</i>			-				-		-	
General Fund			-				-		-	
Reappropriated Funds			-				-		-	
TOBACCO LITIGATION TOTAL			417,573		1,049,551		1,049,551		50,000	
General Fund			-				-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LOBATO LITIGATION

Item	Actual FY 10		Actual FY 11		Approp FY 12		Estimate FY 12		Request FY 13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
General Fund Exempt Cash Funds					-		-		-	
Reappropriated Funds			417,573		1,049,551		1,049,551		50,000	
RECONCILIATION OF FUNDS										
Long Bill Appropriation			432,500		432,500.0		432,500		432,500	
BR 1 Lobato Base Reduction									(382,500)	
Supplemental SB 11-144			774,593				-		-	
1331 Supplemental for FY07							-			
Rollforwards from Previous FY							-			
Rollforward to Subsequent FY			(617,051)		617,051		617,051			
Reversion										
Lapsed Appropriation Cash Funds			(172,469)							
TOTAL RECONCILIATION			417,573		1,049,551		1,049,551		50,000	

Lobato Roll Forwards:

Blue Moose	166,138
Moloney	39,650
Hunter & Geist	309,644
IDEA	1,619
Hanuscheck	100,000
Total	617,051

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

LOBATO LITIGATION

Item	Actual FY 10	Actual FY 11	Approp FY 12	Estimate FY 12	Request FY 13
	Total Funds	Total Funds	Total Funds	Total Funds	Total Funds
Schedule 3 Total	-	417,573	1,049,551	1,049,551	50,000
General Fund	-	-	-	-	-
General Fund Exempt	-	-	-	-	-
Cash Funds	-	-	-	-	-
Reappropriated Funds	-	417,573	1,049,551	1,049,551	50,000
Reappropriated Funds					
Governor's Office	-		1,049,551	1,049,551	50,000
	-			-	

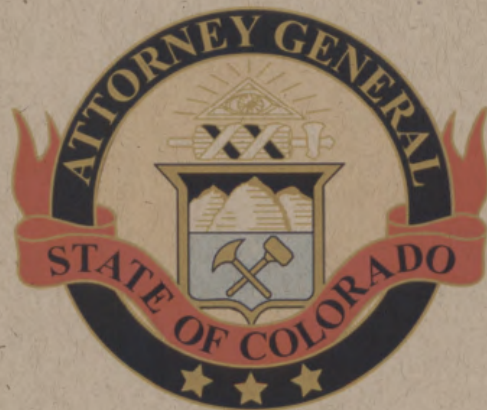
Source Office (Furnished Name)	10/1/2013	10/1/2013	10/1/2013	10/1/2013	10/1/2013	10/1/2013
Headquarters Office Casey, Eugene Garcia, Edna Garcia, Edna Garcia, Edna Garcia, Edna	10/1/2013	10/1/2013	10/1/2013	10/1/2013	10/1/2013	10/1/2013
Schedule 2, 10/1/2013	10/1/2013	10/1/2013	10/1/2013	10/1/2013	10/1/2013	10/1/2013
Department of Justice	10/1/2013	10/1/2013	10/1/2013	10/1/2013	10/1/2013	10/1/2013

TO BE IN OBLIGATION

SCHEDULE 2 - SOURCE OF FINANCING - DIRECT REVENUES

Consumer Protection

Custodial 146



SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

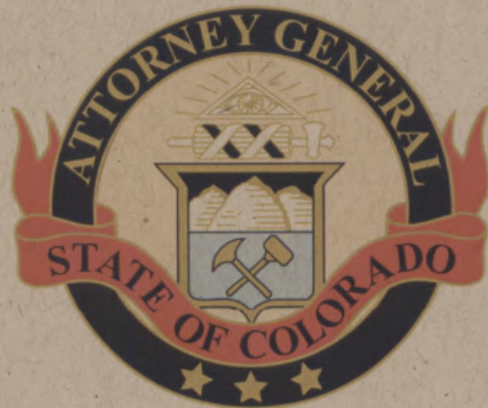
Department of Law

CP- CUSTODIAL - 146

Item	Actual FY10		Actual FY11		Approp FY12		Estimate FY12		Request FY13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
PERSONAL SERVICES										
DOL Internal Transfer	410,546		478,294				300,000		300,000	
Regular Wages			10,063							
Temporary Services	2,500		2,500							
Medicare	-		146							
PERA	-		1,233							
AED	-		-							
PERSONAL SERVICES TOTAL	413,046		492,235							
OPERATING EXPENSES										
1920 Professional Services	500,000		250,000							
1930 Purchased Service - Litigation	26		36,055							
1962 Personal Services IT Consulting	7,657		4,822							
2232 IT Software Upgrad Services	4,050		6,300							
2255 Rental of Buildings	9,500		-							
2513 IS Personal Vehicle Reimbursement	41		200							
2520 IS Travel/Non Employee	-		-							
2523 IS/Non-Emp - Pers Veh Reimb	-		-							
2530 Out of State Travel	227		515							
2531 OS Common Carrier Fares	1,741		2,924							
2532 OS Personal Travel Per Diem	4,310		3,984							
2533 OS Personal Vehicle Reimbursement	-		-							
2550 Out of Country Travel	-		-							
2552 OC Pers Travel Reimbursement	-		-							
2630 Telephone	13,532		4,882							
2631 Comm Svcs from Outside Sources	-		-							
2641 Other ADP Billings - Purchase Services	-		-							
2660 Insurance	-		-							
2680 Contract Printing	8,037		25,460							
2681 Photocopy Reimbursement	-		-							
2810 Freight & Storage	-		-							
2820 Other Purchased Services	-		180							
2830 Office Moving/Purchased Services	-		-							
3110 Other Supplies and Materials	-		-							
3112 Automotive Supplies	-		-							
3114 Custodial	-		-							
3115 DP Supplies	-		-							

Special Prosecution

Custodial 147



SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

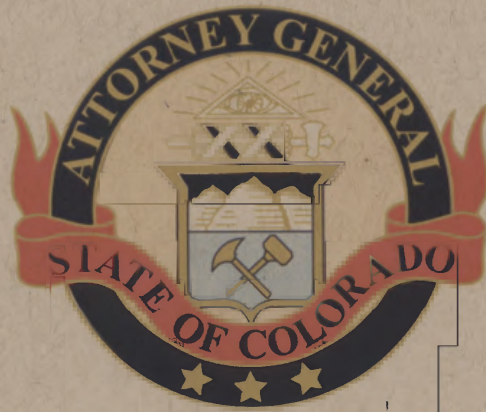
Department of Law

SPECIAL PROSECUTIONS CUSTODIAL #147

Item	Actual FY10		Actual FY11		Approp FY12		Estimate FY12		Request FY13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Special Prosecutions Custodial										
1110 Reg. FT Wages	-		-							
1140 Annual Leave Payments	-		-							
1512 Life Insurance	-		-							
1513 Disability	-		-							
1520 Medicare Contribution	-		-							
1522 PERA	-		-							
1524 Amort. Equal Disburmt	-		-							
1525 Suppl Amort Equal Disburmt	-		-							
1920 PS / Professional	2,767		19,597							
2540 Out-Of-State Travel/Non-Empl	-		-							
2541 OS Non-Empl-Common Carrier	-		-							
2542 OS Non-Empl/Pers Per Diem	-		-							
3121 Office Supplies	-		-							
3122 Photographic Supplies	26		-							
3131 Non-Capt. Buidling Mat'l										
Expense Subtotal:	2,793		19,597				-		-	
Decision Item										
Cash Funds Exempt										
EXPENSE TOTAL:	2,793		19,597				-		-	
General Fund										
General Funds Exempt										
Cash Funds										
Cash Funds Exempt	2,793		19,597				-		-	
GRAND TOTAL	2,793		19,597				-		-	
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds							-		-	
Cash Funds Exempt	2,793		19,597				-		-	
Federal Funds							-		-	

Natural Resources

Custodial 148



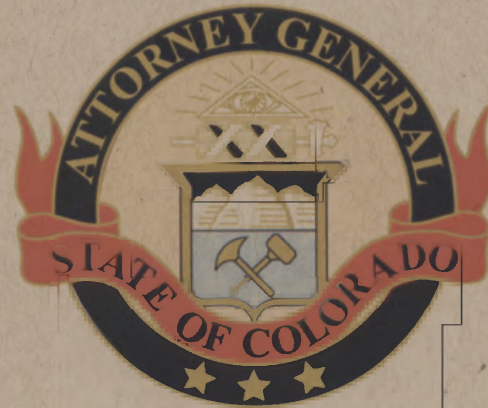
SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

NATURAL RESOURCES CUSTODIAL FUNDS #148

Item	Actual FY11		Actual FY11		Approp FY12		Estimate FY12		Request FY13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Natural Resources Custodial Funds										
1920 - PS / Professional	1,962						-			
1930 Purchased Service Litigation			782							
Expense Subtotal:	1,962		782				-		-	
EXPENSE TOTAL:	1,962		782				-		-	
General Fund										
General Funds Exempt										
Cash Funds							-			
Cash Funds Exempt	1,962		782				-		-	
GRAND TOTAL	1,962		782				-		-	
General Fund							-		-	
General Fund Exempt							-		-	
Cash Funds							-		-	
Cash Funds Exempt	1,962		782				-		-	
Federal Funds										

Uniform Consumer Credit Code Custodial 16B



SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

UCCC CUSTODIAL 16B

Item	Actual FY10		Actual FY11		Approp FY12		Estimate FY12		Request FY13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
DOL Internal Transfer	147,503		93,940				96,051		97,448	
1920 Purchased Services - Professional	26,330		69,605							
1930 Litigation	-		609							
1962 Personal Services IT Consultin	10,000		-							
2150 Custodial Services	-		-							
2160 Janitorial Service	-		-							
2170 Waste Disposal Services	-		-							
2210 Bldg Maintenance/Repair Svcs	-		-							
2220 Building Grounds Maintenance	687		-							
2230 Equipment Contract Maintenance	-		-							
2231 ADP Equip Maint/Repair Services	-		2,306							
2232 Software Upgrades	872		-							
2240 Motor Veh Maint/Repair Svcs	-		-							
2251 Lease Motor Pool Vehicle	-		-							
2252 Motor Pool Mileage Charge	-		-							
2253 Equipment Rental	-		-							
2254 Rental of Motor Vehicles	-		-							
2255 Rental of Buildings	-		-							
2258 Parking Fees	-		-							
2559 Parking Fee Reimbursement	-		-							
2510 In State Travel	-		-							
2512 IS Personal Travel Per Diem	-		-							
2513 IS Personal Vehicle Reimbursement	67		110							
2520 IS Travel/Non Employee	-		-							
2523 IS/Non-Emp - Pers Veh Reimb	-		-							
2530 Out of State Travel	416		323							
2531 OS Common Carrier Fares	2,282		1,675							
2532 OS Personal Travel Per Diem	3,629		2,618							
2533 OS Personal Vehicle Reimbursement	-		-							
2550 Out of Country Travel	-		-							
2552 OC Pers Travel Reimbursement	-		-							
2630 Telephone	-		-							
2631 Comm Svcs from Outside Sources	4,585		-							
2641 Other ADP Billings - Purchase Services	148		-							
2660 Insurance	-		-							
2680 Contract Printing	0		-							
2681 Photocopy Reimbursement	-		-							
2810 Freight & Storage	-		-							

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

UCCC CUSTODIAL 16B

Item	Actual FY10		Actual FY11		Approp FY12		Estimate FY12		Request FY13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2820 Other Purchased Services	2,475		-							
2830 Office Moving/Purchased Services	-		-							
3110 Other Supplies and Materials	-		-							
3112 Automotive Supplies	-		-							
3114 Custodial	-		-							
3115 DP Supplies	249		-							
3116 Purchase/Leased Software	-		-							
3117 Educational	-		-							
3120 Books & Subscriptions	2,467		1,376							
3121 Office Supplies	2,227		-							
3122 3122 - Microfilming/Photo. Supplies	-		-							
3123 Postage	107		113							
3124 Printing	-		-							
3126 Repair & Maintenance/Supplies	-		-							
3128 Non-Capitalized Equipment	85		-							
3940 Electricity	-		-							
3950 Gasoline	-		-							
3131 Noncap Building Mat's	131,898		-							
3132 Noncap Office Furn/Off. Syst	35,841		-							
3140 Noncap IT PC's	26,263		-							
3143 Noncap IT - Other	797		4,786							
4100 Other Operating Expenses	-		-							
4140 Dues & Memberships	1,737		1,600							
4151 Interest Late Payments	-		-							
4170 Miscellaneous Fees	-		-							
4180 Official Functions	-		-							
4120 Bad Debt Expense	-		-							
4220 Registration Fees	2,216		1,780							
6140 6140 - Buildings and Improves. to Bldg.	-		-							
6210 6210 - Other Capital Equipment	-		-							
6222 Office Furn & Equip Dir Pur	-		-							
Expense Subtotal:	402,881		180,840				96,051		97,448	
EXPENSE TOTAL:	402,881		180,840				96,051		97,448	
Cash Funds	402,881		180,840				96,051		97,448	
Reappropriated Funds	-		-				-		-	

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

UCCC CUSTODIAL 16B

Item	Actual FY10		Actual FY11		Approp FY12		Estimate FY12		Request FY13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
TOTAL UCCC CUSTODIAL	402,881		180,840				96,051		97,448	
Cash Funds	402,881		180,840				96,051		97,448	
Reappropriated Funds	-		-				-		-	
GRAND TOTAL	402,881		180,840				96,051		97,448	
Cash Funds	402,881		180,840				96,051		97,448	
Cash Funds Exempt	-		-				-		-	
Federal Funds	-		-				-		-	

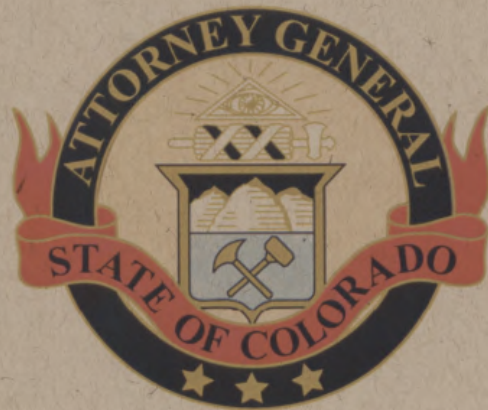
SCHEDULE 3 - GOVERNMENT EMPLOYEES									
NAME	POSITION	CLASSIFICATION	RATE	GRADE	STEP	DATE	STATUS	REMARKS	DATE
JACOBSON, JUDITH	Administrative Support	GS-05	\$18,000	GS-05	1	01/01/88	Regular		
JACOBSON, JUDITH	Administrative Support	GS-05	\$18,000	GS-05	1	01/01/88	Regular		

W-2 Form

SCHEDULE 3 - GOVERNMENT EMPLOYEES

UCCS

**Collection Agency
Board
Custodial 19A**



SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

CAB CUSTODIAL 19A

Item	Actual FY10		Actual FY11		Approp FY12		Estimate FY12		Request FY13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
1120 SPS Temp FT Wages	0		-							
1520 SPS FICA-Medicare Contribution	0		-							
1522 SPS PERA	0		-							
1524 SPS PERA-Amort Equal Disbursmt	0		-							
1920 Prof Serv IT	0		-							
1930 Litigation	0		-							
2150 Custodial Services	0		-							
2160 Janitorial Service	0		-							
2170 Waste Disposal Services	0		-							
2210 Bldg Maintenance/Repair Svcs	0		-							
2220 Building Grounds Maintenance	0		-							
2230 Equipment Contract Maintenance	0		-							
2231 ADP Equip Maint/Repair Services	0		-							
2232 Software Upgrades	0		-							
2240 Motor Veh Maint/Repair Svcs	0		-							
2251 Lease Motor Pool Vehicle	0		-							
2252 Motor Pool Mileage Charge	0		-							
2253 Equipment Rental	0		-							
2254 Rental of Motor Vehicles	0		-							
2255 Rental of Buildings	0		-							
2258 Parking Fees	0		-							
2559 Parking Fee Reimbursement	0		-							
2510 In State Travel	64		10							
2511 In State Comm Carrier Fares	259		-							
2512 IS Personal Travel Per Diem	185		157							
2513 IS Personal Vehicle Reimbursement	73		88							
2520 IS Travel/Non Employee	0		-							
2523 IS/Non-Emp - Pers Veh Reimb	0		-							
2530 Out of State Travel	161		194							
2531 OS Common Carrier Fares	817		2,103							
2532 OS Personal Travel Per Diem	1,025		1,693							
2533 OS Personal Vehicle Reimbursement	0		-							
2550 Out of Country Travel	0		-							
2552 OC Pers Travel Reimbursement	0		-							
2630 Telephone	0		-							
2631 Comm Svcs from Outside Sources	0		-							
2641 Other ADP Billings - Purchase Services	0		-							

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

CAB CUSTODIAL 19A

Item	Actual FY10		Actual FY11		Approp FY12		Estimate FY12		Request FY13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2660 Insurance	0		-							
2680 Contract Printing	0		-							
2681 Photocopy Reimbursement	0		-							
2810 Freight & Storage	0		-							
2820 Other Purchased Services	0		-							
2830 Office Moving/Purchased Services	0		-							
3110 Other Supplies and Materials	0		-							
3112 Automotive Supplies	0		-							
3114 Custodial	0		-							
3120 Book/Periodicals Subscription	0		88							
3132 Noncap Office Furn/Office Syst	0		-							
3117 Educational	0		-							
3121 Office Supplies	0		-							
3122 Microfilming/Photo. Supplies	0		-							
3124 Printing	0		-							
3126 Repair & Maintenance/Supplies	0		-							
3128 Non-Capitalized Equipment	0		-							
3940 Electricity	0		-							
3950 Gasoline	0		-							
4100 Other Operating Expenses	0		-							
4140 Dues & Memberships	200		200							
4151 Interest Late Payments	0		-							
4170 Miscellaneous Fees	0		-							
4180 Official Functions	0		-							
4220 Registration Fees	169		500							
5891 Distribution to Individuals	0		-							
6140 Buildings and Improves. to Bldg.	0		-							
6210 Other Capital Equipment	0		-							
6220 Office Furn & Equip	0		-							
6280 Other Capital Equipment (direct purchase)	0		-							
6410 ADP Equipment-Lease Purchase	0		-							
Expense Subtotal:	2,953		5,032				5,000		5,000	
EXPENSE TOTAL:	2,953		5,032				5,000		5,000	
Cash Funds Exempt	2,953		5,032				5,000		5,000	

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

CAB CUSTODIAL 19A

Item	Actual FY10		Actual FY11		Approp FY12		Estimate FY12		Request FY13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
GRAND TOTAL	2,953		5,032				-		-	
General Fund	0		-				-		-	
General Fund Exempt	0		-				-		-	
Cash Funds							-		-	
Reappropriated	2,953		5,032				-		-	
Federal Funds							-		-	

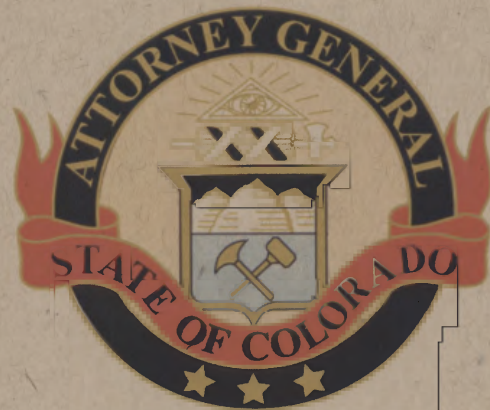
Account Name	Balance	Debit	Credit	Balance	Debit	Credit	Balance
General Fund	10000			10000			10000
Capital Fund							
Special Fund							
Other Fund							
GRAND TOTAL	10000			10000			10000

REP. JACOBS BAS

W/ 1 TO INSTRUCTIONS

SCHEDULE 3 - CONSOLIDATED FINANCIAL STATEMENTS

Attorneys Fees and Cost Custodial 13H



SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

ATTORNEYS FEES AND COSTS 13H

Item	Actual FY10		Actual FY11		Approp FY12		Estimate FY12		Request FY13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Attorney Fees and Costs										
DOL Internal Transfer	54,021		22,417				50,000		50,000	
EXPENSE TOTAL:	54,021		22,417				50,000		50,000	
General Fund										
General Funds Exempt										
Cash Funds							-		-	
Cash Funds Exempt	54,021		22,417				50,000		50,000	
TOTAL Attorneys Fees and Costs Custodial	54,021		22,417	-			50,000	-	50,000	-
Cash Funds										
Cash Funds Exempt	54,021		22,417				50,000		50,000	
GRAND TOTAL	54,021		22,417	-			50,000	-	50,000	-
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	-		-				-		-	
Cash Funds Exempt	54,021		22,417				50,000		50,000	
Federal Funds										

Category	Account	Balance	Debit	Credit	Balance
Capital	201000				200,000
Retained Earnings	201000				200,000
Accounts Payable	201000				200,000
Accounts Receivable	201000				200,000
Inventory	201000				200,000
Prepaid Expenses	201000				200,000
Equipment	201000				200,000
Accumulated Depreciation	201000				200,000
Notes Payable	201000				200,000
Long-Term Debt	201000				200,000
Equity	201000				200,000
Liabilities	201000				200,000
Assets	201000				200,000

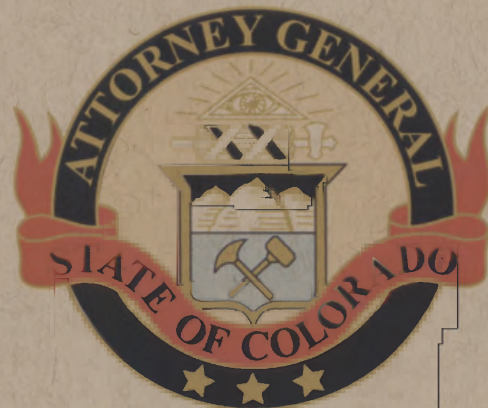
ACCOUNTS RECEIVABLE AND COSTS

SCHEDULE 3 - CONSOLIDATED BALANCE SHEET

DEPARTMENT OF FINANCE

POST

Custodial 14P



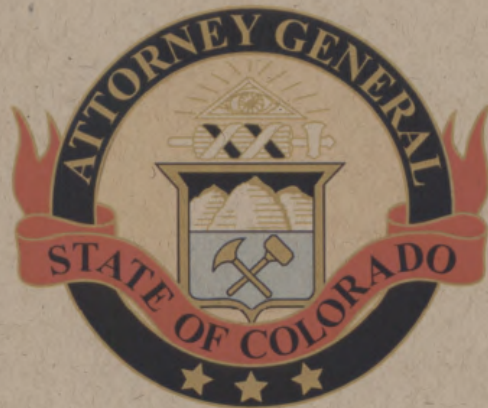
SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

POST CUSTODIAL 14P

Item	Actual FY10		Actual FY11		Approp FY12		Estimate FY12		Request FY13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
1622 - CN PERA										
1910 - PS Temporary Services										
1920 - Professional Services										
2230 - Equipment Contract Maintenance										
2231 - ADP Equip Maint/Repair Services										
2232 - Software Upgrades	2,950		-							
2630 - Telephone										
3115 - DP Supplies										
3120 - Books & Subscriptions										
3121 - Office Supplies										
3123 - Postage										
3140 - Non-Capitalized IT										
3143 - Non-Capitalized Other										
5140 - Grant Intergovernmental							-			
5781 - Grant to Nongovern/Organization										
5992 - Refunds to Non-Gov/Org.										
Expense Subtotal:	2,950		-				-		-	
EXPENSE TOTAL:	2,950		-				-		-	
Cash Funds	2,950		-				-		-	
Cash Funds Exempt	-		-				-		-	
TOTAL POST Custodial	2,950		-				-		-	
Cash Funds	2,950		-				-		-	
Cash Funds Exempt	-		-				-		-	
GRAND TOTAL	2,950		-				-		-	
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	2,950		-				-		-	
Cash Funds Exempt	-		-				-		-	
Federal Funds							-			

Identity Theft Financial Fraud Custodial 19Q



SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

IDENTITY THEFT FINANCIAL FRAUD #19Q

Item	Actual FY10		Actual FY11		Approp FY12		Estimate FY12		Request FY13	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
AARD - Transfer DOL to CDPS	105,800		86,400							
Expense Subtotal:	105,800		86,400				-		-	
EXPENSE TOTAL:	105,800		86,400				-		-	
Cash Funds Exempt	105,800		86,400				-		-	
GRAND TOTAL	105,800		86,400				-		-	
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds							-		-	
Cash Funds Exempt	105,800		86,400				-		-	
Federal Funds							-		-	

