

Colorado Department of Law Strategic Plan and Budget Request

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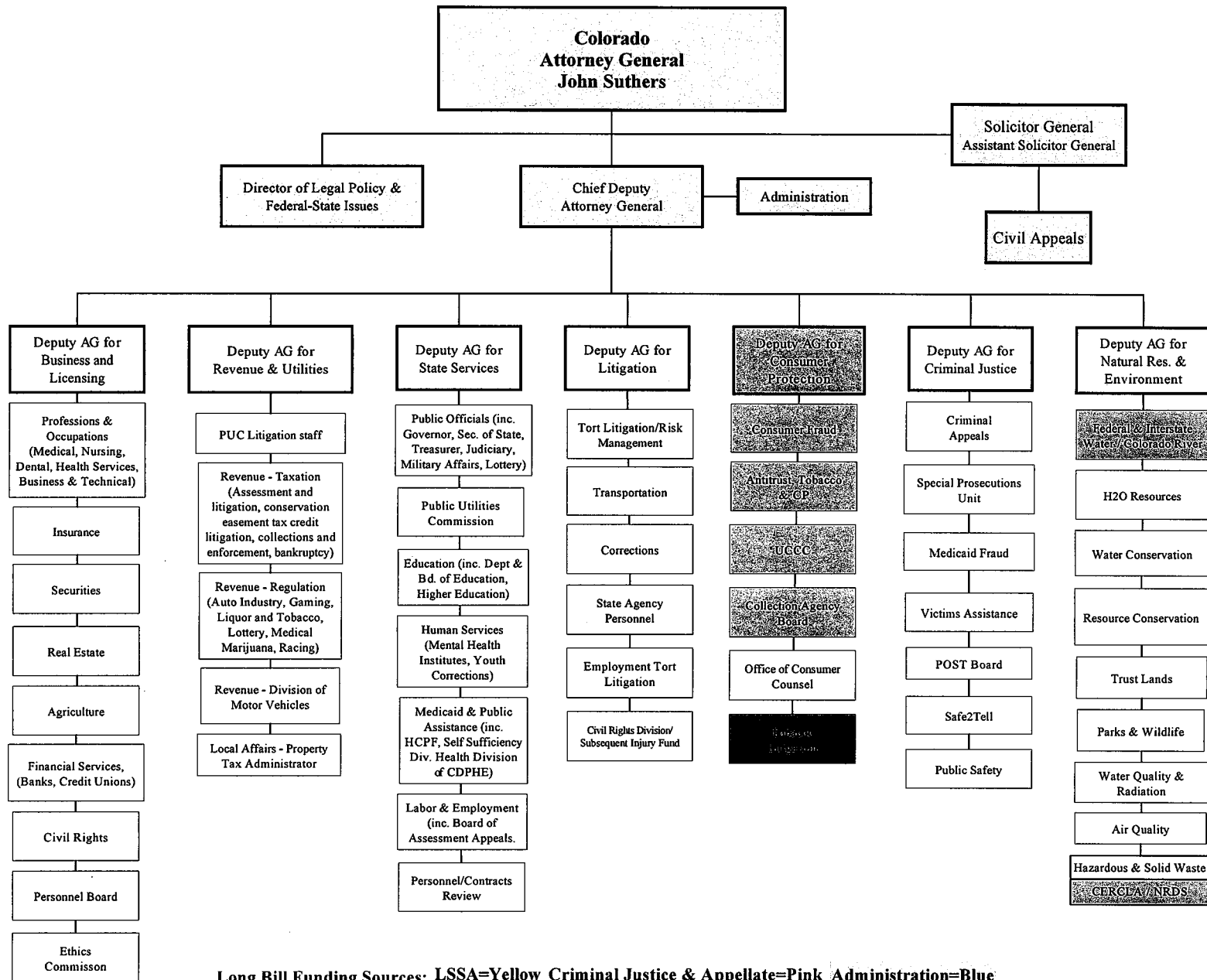
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Department Organizational Chart





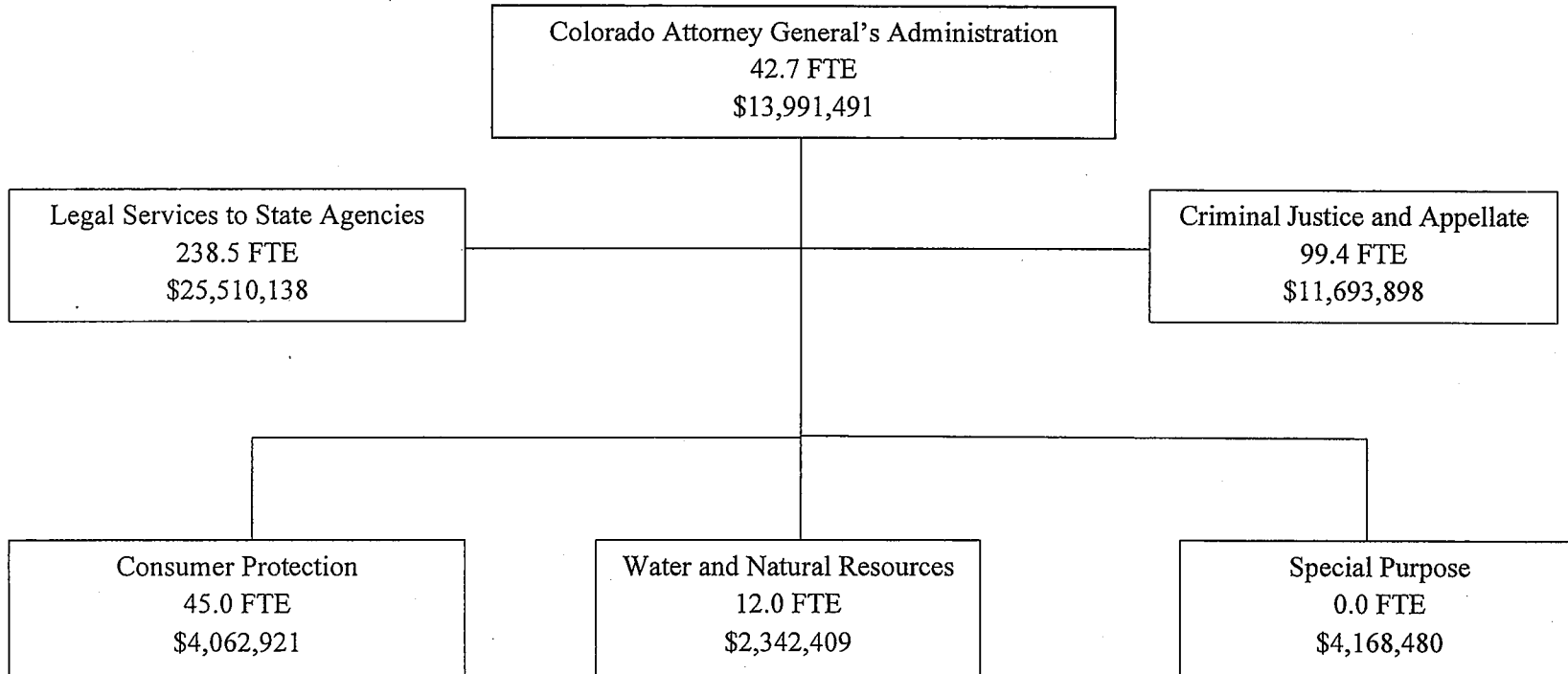
Long Bill Funding Sources: LSSA=Yellow Criminal Justice & Appellate=Pink Administration=Blue

Natural Resources & Water Rights=Light Green

Consumer Protection=Orange

Special Districts=Purple

Colorado Department of Law
FY 2013-14 Budget Request



\$61,769,338 Total Funds
\$11,915,957 General Funds
\$9,858,851 Cash Funds
\$38,273,023 Reappropriated Funds
\$1,721,507 Federal Funds
437.6 FTE

FY 14 Budget in Brief



Department of Law FY2013-14 Budget in Brief

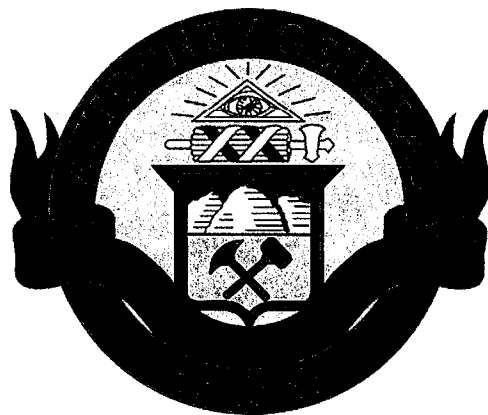
The FY 14 Department of Law budget request totals \$61,769,338 and 437.6 FTE. This is an all fund source \$4.4M (7.7 %) increase over the FY13 appropriation. The increase is due to a \$1.4M increase due to Salary Survey and Merit Pay requests. Additionally \$1.6M is for increasing rent costs. The balance of the increase is due to other state paid benefits, such as HLD, AED and SAED increases, as well as department initiated decision item requests.

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

- Decision Item #1 – Appellate FTE Increase to Manage Backlog. The department is requesting 5.5 additional FTE and \$554,200 spending authority to support the salaries, state paid benefits, and operating expenses for the new FTE. This request will allow the Department of Law, to reduce the growing appeals backlog. The Department witnessed an increase of 210 cases in the backlog, growing from 398 at the beginning of the fiscal year to 608 by the end of FY 2012.
- Decision Item #2 – Additional FTE for Special Prosecution. The department is requesting 1.9 additional FTE and \$298,907 of spending authority. This request will allow the Department of Law to better protect Colorado citizens in the investigation and prosecution of complex criminal conspiracies, environmental crimes, and gang activities. This request includes the FTE and spending authority for a First Assistant Attorney and a Program Assistant I. Additionally, this request includes the salary and associated costs for a Criminal Investigator II.
- Decision Item #3 - Tobacco Litigation Funding. The Department of Law (Department) is requesting a refinance of \$676,952 GF. This request will allow the Department to continue to advocate for the state's interests on Tobacco Litigation efforts. The department's Tobacco efforts have traditionally been funded by the Tobacco Settlement Defense Account within the Tobacco Litigation Settlement Cash Fund. The department is projecting that the balance within this fund will be exhausted by the end of FY 2012-13, thereby leaving no resources for these efforts moving forward. Because of this, the Department is making a GF request to continue the support of the Tobacco Litigation efforts on behalf of the state.
- Decision Item #4 – Refinance PIO in Administration. The Department of Law is requesting a refinance of the current Public Information Office Position (PIO) from the Consumer Protection/Antitrust line item to the Administration Personal Services Line Item.

Department of Law

Annual Report



ATTORNEY GENERAL JOHN W. SUTHERS

To my fellow Coloradans,

It is a great privilege to serve as your Attorney General. Since becoming Colorado's 37th Attorney General, I have had the honor of working with hundreds of dedicated public servants at the Colorado Department of Law.

The 2011 Annual Report of the Colorado Department of Law is only a glimpse of the work we do on behalf of the people of Colorado and our clients throughout state government. From protecting Colorado's water to defending the state against frivolous lawsuits, the work of the Department of Law's employees might not always be in the news, but it does affect Coloradans throughout the state. Here are a just few of the Department of Law's accomplishments from 2011:



- My office worked with the Colorado Meth Project to roll out their latest wave of commercials aimed at combating youth use of methamphetamine.
- We allocated a two-year, \$600,000 grant to the Colorado Foreclosure Hotline, allowing it to continue to serve Coloradans facing foreclosure.
- Prosecutors from my office's Special Prosecutions Unit obtained Colorado's first ever jury verdict in a human trafficking case. The defendant later was sentenced to eight years in prison.
- We released a Spanish-language version of our popular Identity Theft Repair Kit, making this valuable resource available to yet another segment of Colorado's population.
- Prosecutors collaborated with local law enforcement and task forces to topple a series of drug rings that imported large quantities of methamphetamine and cocaine into the state.
- We negotiated a deal with Facebook that allowed Colorado government agencies to use the social-media site to reach out to their constituents without granting the company indemnity and, thus, violating state law.

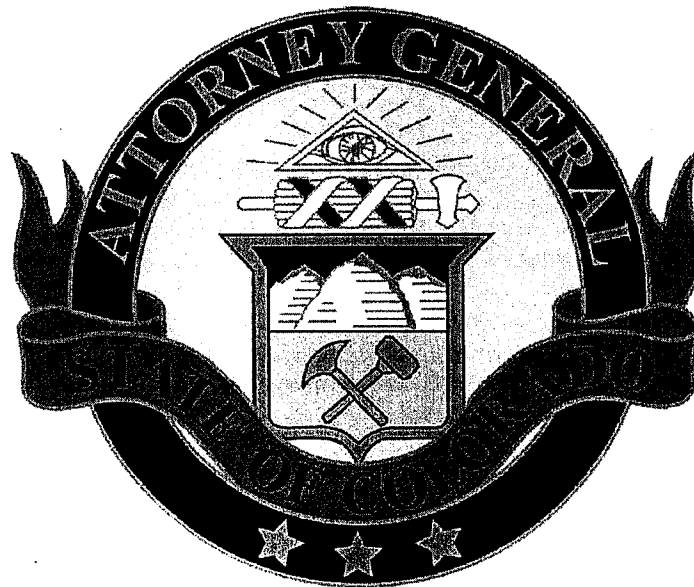
We will continue to provide ethical representation and legal advice of the highest caliber to our client agencies and service of the highest quality to the people of Colorado.

Sincerely,

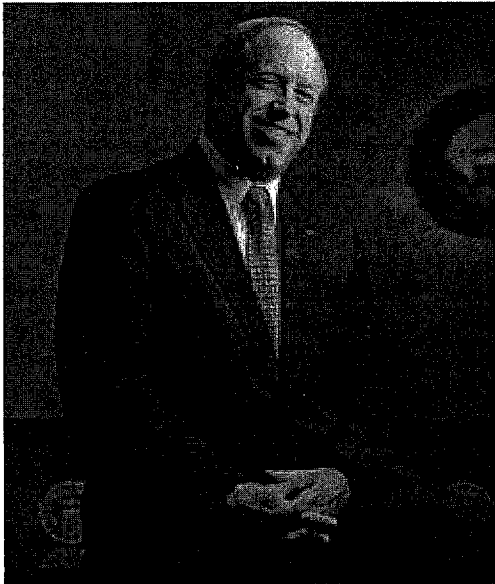
John W. Suthers

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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 by a large margin to serve a full, four-year term. Mr. Suthers was re-elected in November 2010 with more than 960,000 votes — more than any other statewide candidate.

As Attorney General, Mr. Suthers is charged with representing and defending the interests of the people of the state of Colorado, and serves as chief legal counsel and adviser 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.

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.

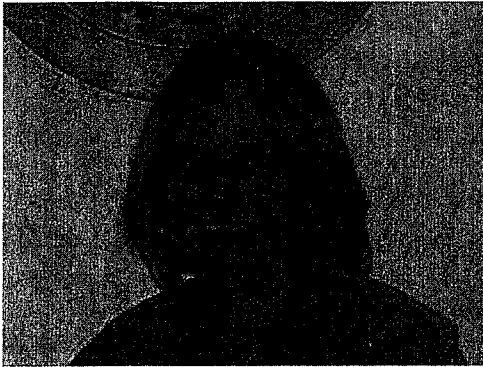
In his tenure as Attorney General, Mr. Suthers has founded a safe surfing initiative to protect Colorado's children from internet predators. He also has convened a Mortgage and Foreclosure Fraud Task Force which has led to several pieces of legislation designed to combat mortgage and foreclosure fraud. 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 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 in 1990-1991, president of the Colorado District Attorney's Council in 1994-1995, and senior vice president of the Colorado Bar Association in 1996-1997. 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.

Chief Deputy Attorney General Cynthia Coffman



Cynthia Honssinger Coffman serves as Chief Deputy to General Suthers. She supervises the attorneys and staff and manages all administrative functions of the Department of Law. Before joining the Office of the Attorney General March 2005, Coffman served as chief legal counsel to Colorado Gov. Bill Owens.

Coffman served as Director of Legal and Regulatory Affairs and, later, Deputy Director of the Colorado Department of Public Health and Environment from 1999 to 2003. She previously worked for the Office of Legislative Council and staffed the Senate Judiciary Committee.

Coffman is a native of Missouri and a graduate of the University of Missouri, Columbia. She earned a JD at Georgia State University College of Law and practiced law in Georgia before moving to Colorado in 1997. Coffman worked as an attorney for the Georgia Attorney General and the Atlanta Committee for the Olympic Games.

Solicitor General Daniel D. Domenico



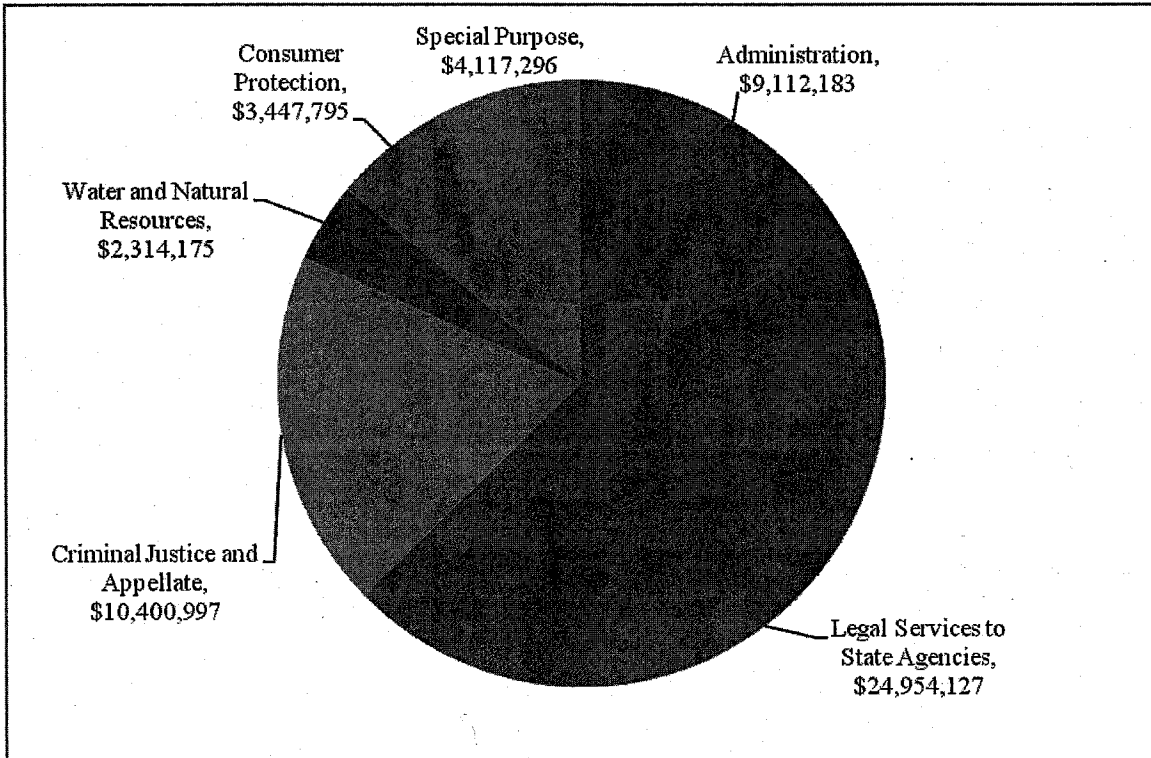
Attorney General Suthers appointed Dan Domenico as Solicitor General of Colorado in April 2006. Before joining the Office of the Attorney General, Domenico was special assistant to the solicitor of the United States Department of the Interior. In that role, he advised the Secretary and senior management 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, 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 United States Court of Appeals for the 10th Circuit (himself a former Colorado Solicitor General), and also worked with U.S. Senator John Thune.

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.

The Department of Law Budget

Total FY2011-2012 appropriation	\$54,346,573
Total full-time employees	419.0



OUR FOCUS

The Colorado Department of Law shall:

- Uphold the U.S. and Colorado Constitutions.
- Provide the highest level of ethical legal service to the State of Colorado.
- Defend the laws and officers of the State of Colorado from legal challenge.
- Protect and preserve the quality of Colorado's land, water and air.
- Advocate for policies that help law enforcement improve community safety.
- Protect Coloradans from consumer scams and fraud.
- Ensure that Colorado's elections remain free from criminal fraud.
- Promote open, accountable governance.

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.

Consumer Fraud

Complaint intake processed a record 6,573 general consumer complaints in 2011. Intake also received 724 mortgage-specific complaints. Consumer complaints are received by mail, e-mail and through the Web site. In addition to these written complaints, intake received 11,871 phone calls and 1,423 pre-recorded message inquiries. During this time, intake evaluated complaint processing procedures and has utilized existing systems to increase complaint processing efficiency, reducing complaint processing times and standardizing data entry processes.

In 2011, complaint intake also continued to develop and issue consumer fraud advisories, consumer fraud awareness newsletters, and other consumer protection Web content that receives more than 1,500 viewers each month. In addition to the consumer protection Web content, intake also developed an electronic notification system to provide consumer complainants updates or changes in pending or resolved cases as well as notification of possible settlement reimbursements.

Mortgage Fraud and Foreclosure Prevention

During 2011 Colorado continued to rank in the top 10 states with the highest foreclosure rate. Foreclosure prevention has been a major focus of the Attorney General's consumer protection work in 2011. The Attorney General continued his work on a national investigation into foreclosure practices of the country's largest loan servicers. This investigation grew out of the "robo-signing" allegations that came to light in late 2010. The Attorney General, in conjunction with other state and federal law enforcement offices, immediately began to investigate the foreclosure practices of these banks. This investigation quickly exposed many of the loan servicing practices that were making it difficult for borrowers trying to save their homes through loan modifications.

Following this investigation, the Attorney General joined a negotiating committee with the Department of Justice, HUD and seven other attorneys

general to explore a resolution with the banks that would end these foreclosure violations and provide a fair process to borrowers trying to save their homes. Throughout 2011 this joint law enforcement team negotiated a deal that would finally establish proper loan servicing and foreclosure practices that the banks must follow.

This office has received hundreds of complaints per year from borrowers who recounted how they lost their homes in foreclosure, even though they were actively engaged in applying for a loan modification. The Attorney General has also set up a complaint escalation system to head off those tragic cases where a borrower unnecessarily loses his or her home while also pursuing a modification with the lender. During 2011 this office assigned one full-time employee to escalate complaints to the banks when it appears that a modification may be possible. More than 400 consumer complaints concerning pending loan modification or other servicing practices were escalated to the major banks. Many of these borrowers were able to receive a resolution that saved their homes. This direct intervention has provided a means of relief when a home otherwise would have been lost.

The Attorney General has also continued to support the foreclosure prevention services offered by the Colorado Foreclosure Hotline. In 2011, the Attorney General committed to provide \$600,000 over two years to the hotline. The hotline is an essential service to provide relief to homeowners who may be able to save their homes. Free housing counseling is available through the hotline. It has been shown that 80 percent of borrowers who meet with a

housing counselor can find a solution that saves their homes. The funds provided by the Attorney General for support of the hotline has resulted from law enforcement settlements reached with lenders that have violated Colorado's consumer protection and mortgage fraud laws.

In addition to these foreclosure prevention efforts, the Attorney General has continued investigations and lawsuits against local companies that taken advantage of homeowners:

- *State of Colorado, ex rel. Suthers v. Leo Shifrin, Mortgage and Planning Lending Specialists*
In April, the office obtained a \$2.38 million judgment against a mortgage broker and his numerous companies for selling risky option ARM loans to borrowers.
- *State of Colorado, ex rel. Suthers v. Auhll and Associates*
The office also sued and obtained an injunction against a Castle Rock couple for operating a loan modification company that failed to provide promised results for desperate homeowners trying to save their homes.

Other Consumer Fraud Activities

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

- *State, ex rel. Suthers v. Raymond Makatura, et al.*
In October 2011, the Attorney General sued and obtained a preliminary injunction against 21 companies and nine individuals who engage in deceptive magazine telemarketing in various offices in the Denver area. The injunction enjoins the defendants from various tactics that the complaint alleges defendants used to trick consumers into duplicative and expensive "contracts" for magazine subscriptions. The case is currently pending in Denver District Court.
- *Office Depot settlement*
Following an investigation into

overcharges by Office Depot, Inc. in its sales of office supplies to government agencies and non-profits, on June 3, 2011, the Attorney General entered into an assurance of voluntary discontinuance with Office Depot. Under the agreement, Office Depot agreed to comply with its future contractual obligations and applicable laws and pay \$412,000, which was dedicated, in part, to restitution to customers. In total, 93 Colorado government agencies and nonprofits received restitution under the agreement.

- *AstraZeneca Pharmaceuticals LP and AstraZeneca LP*
Multi-state investigation and settlement with major pharmaceutical manufacturers regarding allegations of false off-label marketing of the prescription drug Seroquel, a drug classified as an atypical antipsychotic.
- *Glaxosmithkline LLC. and Sb Pharmco Puerto Rico, Inc.*
Multi-state investigation and settlement with major pharmaceutical manufacturers involving unsanitary conditions at Puerto Rico facility.
- *State, ex. rel. Suthers vs. Claims Specialist International*
The Colorado Attorney General's civil complaint alleged that CSI's door-to-door sales people convinced thousands of homeowners, many of whom were elderly, to sign contracts with CSI and assign to the company more than \$1 million in insurance proceeds for roof repairs that CSI never completed. In February, the Attorney General prevailed at trial against CSI's president Glenn Jessen, and obtained a \$6.1 million judgment that included more than \$1.7 million in consumer restitution. The court's judgment also banned Jessen from future door-to-door sales and from collecting any insurance money before a home improvement job is completed. The Attorney General settled out of court with CSI's other principals for similar injunctive terms.
- *State, ex. rel. Suthers vs. America's Note Network, Russ Dalbey et. al.*
In a joint filing in U.S. District Court, the Attorney General and the Federal Trade Commission filed a consumer

protection lawsuit against a Westminster based national infomercial company whose "get rich quick" misrepresentations enticed more than 500,000 consumers to spend more than \$330 million. The complaint alleges that less than 1 percent of these consumers recouped the money they spent for training materials and seminars that Dalbey claimed, in his infomercials, would show them how to get rich by quick brokering personal mortgages and notes. Defendant's corporation has since declared bankruptcy but the Attorney General and FTC will proceed to trial against Russ Dalbey and his wife.

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 (credit counseling and debt 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.

Lending Practices

In 2011, the Unit:

- Regulated and supervised 798 licensed lenders consisting of payday lenders (42 percent), mortgage companies (45 percent), finance companies (12 percent), and small installment and other lenders (2 percent). Enforced credit laws against 1,173 other companies including creditors that sell goods and services on credit, sales finance companies that collect those contracts, and rent-to-own companies.

- Required refunds of \$11.4 million to Colorado consumers in excess finance charges and other credit overcharges from compliance examinations, investigations of consumer complaints, lawsuits, and settlements. Collected \$21,500 in penalties, costs and fees.
- Conducted 365 compliance examinations of licensed lenders, creditors, and sales finance companies and required them to take corrective action and refund overcharges.
- Investigated 446 written consumer complaints against licensed lenders, creditors, sales finance companies and credit repair companies.
- Investigated or litigated 20 cases against lenders, creditors and credit repair companies.
- Investigated five credit repair companies, obtained a consent decree against *Veracity Credit Consultants, LLC* requiring payment of \$400,000 in Colorado consumer restitution, costs, and attorneys fees and a ban on advance fees for credit repair services, and voluntarily resolved two other credit repair probes resulting in refunds of \$7,725 and penalties of over \$4,000.
- Obtained court orders against *Oasis Legal Finance Group, LLC* and *Funding Holding, Inc. dba LawCash* that their litigation funding advances are supervised loans under the Uniform Consumer Credit Code. A trial on damages is set for 2012.
- Obtained a judgment against *Centrix Financial, LLC (Centrix Liquidating Trust)* for more than \$87 million representing impermissible finance charges for failing to file required consumer credit notification fees.
- Obtained a Denver District Court order in *Stonepride Financial Corporation* that our rule and interpretation of House Bill 10-1351 correctly required payday lenders to refund the pro-rata portion of the origination fee when consumers prepaid payday loans.
- Litigated the *Cash Advance* and *Preferred Cash* cases in Denver District Court. The case involves the state's ability to investigate unlicensed internet payday lenders that claim to be tribal entities of two Native American tribes. The case was remanded by the Colorado Supreme Court for a determination of whether the entities are "arms of the tribes" entitled to sovereign immunity.
- Passed House Bill 11-1221 to amend various credit statutes to ensure the state's remedies in district court are equal to those in administrative forums.
- Sent eight cease and desist advisory notices to unlicensed payday lenders.

Debt Management

In 2011, the Unit:

- Regulated and supervised 48 credit counseling and debt settlement companies.
- Conducted 12 compliance examinations on registered debt-management providers.
- Investigated 38 written complaints against debt-management providers.
- Investigated or settled 18 cases against debt management companies for excessive fees and unregistered activity resulting in refunds to Colorado consumers of nearly \$50,000 and \$256,000 in penalties, costs and attorneys fees.
- Filed seven lawsuits against debt settlement companies. Obtained judgments against *Enhanced Servicing Solutions, Inc.*, *Thomas Roland and ADA Tampa Bay, Inc. dba American Debt Arbitration*, *FGL Clearwater, Inc. dba American Debt Arbitration/Glenn P. Stewart* for \$147,000 in two cases.
- Passed House Bill 11-1206 to prohibit debt settlement companies from collecting advance fees, settling debt without consumer authorization to all terms at the time of settlement, limiting the law's legal-services and CPA-services exemptions, repealing unnecessary regulatory requirements, and ensuring the state's remedies in district court are equal to those in administrative forums.
- Sent informational memos to all registered providers and those on our "sunshine" list about changes in the law resulting from House Bill 11-1206.
- Sent 86 informational/cease and desist letters about the debt-management law to companies based on Internet searches and media advertisements.

Debt Collection

In 2011, the Unit:

- Regulated and supervised 782 licensed collection agencies.
- Investigated 729 written complaints and inquiries against collection agencies.
- Investigated or litigated 44 cases and obtained \$167,339 in fines, payments and consumer restitution through voluntary stipulations and settlements. Many of the actions were for charging consumers impermissible payment “convenience” fees and failure to maintain or disclose on collection notices the required in-state telephone number and address where consumers may make payments and access payment records.
- Obtained a judgment against *Regent Asset Management Solutions, Inc.* for \$70,000 in civil penalties and a consent decree against *David Faith Corporation* for \$40,000 in civil penalties..
- Resolved administrative charges against *Progressive Financial Services, Inc.*, involving several consumers claiming it contacted them after having been told it had the wrong person. The agency signed a stipulation, and paid a total of \$18,000 in fines and custodial funds.
- Issued 79 cease and desist notices to unlicensed collection agencies.

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 Unit 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, staff in this Unit appeared or worked on 76 matters before the Public

Utilities Commission, including protests, interventions and rulemaking activities.

In fiscal year 2011, consumers realized savings, based on the OCC’s representation, of approximately \$25.5 million. Significant cases include:

- 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 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 OCC 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 April 22, 2011 the commission appealed the decision to the Colorado Supreme Court.
- On May 17, 2010, the commission issued its order opening a proceeding based on House Bill 10-1365, the Clean Air Clean Jobs Act (CACJA), which was signed into law on April 19, 2010 by Gov. Bill Ritter, Jr. The CACJA required all rate-regulated utilities that owned or operated coal-fired electric generating facilities in Colorado to submit to the commission, on or before August 15, 2010, an Emission Reduction Plan (ERP). Public Service Company of Colorado filed its ERP on August 13, 2010. Forty parties intervened in this proceeding. Public Service’s initial ERP Preferred Plan was rejected by the commission because it did not comply with the CACJA, which required the ERP to be fully implemented by December 31, 2017, required that the Colorado Department of Public Health and Environment approve the ERP, and required that the ERP be compliant with “reasonably foreseeable requirements of the Federal Clean Air Act.” Public Service submitted a new ERP 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 20, 2010. On December 15, 2010, the commission issued its order approving an amended ERP, 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 (SCR) will be installed on Pawnee in 2014, SCR will be installed on Hayden 1 in 2015, SCR 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. The commission issued its final decision on February 3, 2011. On March 4, 2011, the OCC filed an appeal of the commission's decision to Denver District Court. The issue appealed by the OCC was whether the commission exceeded its statutory authority by ordering Public Service to pay for a consultant to assist the commission staff and by authorizing Public Service to recover such costs from ratepayers. The OCC and the commission have filed their briefs.

- On April 27, 2011, Black Hills/Colorado Electric Utility Company LP filed Advice Letter 642-Electric proposing to change its Energy Cost Adjustment. On April 28, 2011, Black Hills filed Advice Letter 643-Electric requesting a revenue increase of \$40.2 million, or an 18.84 percent increase, based on a 2010 historic test year. The commission consolidated these filing into one proceeding. The OCC recommended in its answer testimony that the increase be \$15.1 million rather than the \$40.2 million proposed by Black Hills. After a partial settlement of some of the issues was reached by the parties and an evidentiary hearing on the disputed issues, the parties filed their statements of position. The OCC's final

position was that a revenue increase of \$4.5 million was appropriate. The commission issued its decision on December 22, 2011 and authorized a revenue increase of \$10.5 million, or a 4.91 percent increase. Black Hills, the OCC and other parties filed RRR Applications regarding this decision. A final commission decision is pending. On November 22, 2011, Public Service filed Advice Letter No. 1597-Electric, PUC No. 7 Electric seeking to increase Public Service's annual base rate electric revenue by \$141.9 million, or a 10.6 percent, based on a 2012 forecast test year. The electric rate case has been assigned to an administrative law judge. The OCC will be filing its answer testimony in February 2012. The evidentiary hearing is set for April 2012.

- On November 23, 2011, Public Service filed a Petition for Interim Rate Relief based on its November 22 electric rate case filing pursuant to § 40-6-111(1)(d), C.R.S., which was included in CACJA. Public Service's interim rate relief request was for \$100 million. This was the first instance in which an electric utility filed a petition for interim rate relief under this statute. On December 23, 2011, the OCC and other parties filed their responses to the Public Service's interim rate relief request. The OCC argued that normal regulatory lag was not sufficient for interim rate relief and that Public Service had not proven that the amount requested was material, that reliable service would be impaired and that its ability to attract capital would be impaired. The commission orally denied Public Service's petition on January 11, 2012 and issued its order on January 20, 2012. On January 12, 2012, Public Service filed a RRR Application based on the commission's oral decision. The OCC filed its reply to Public Service's RRR application on January 17, 2012. The commission will issue a final decision in early 2012.

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, human trafficking cases and large-scale drug conspiracies. The Criminal Justice Section also oversees the Peace Officer Standards and Training Board and provides legal counsel to 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. The Criminal Justice Section also coordinates the prosecution of foreign fugitives. The Criminal Justice Section is recognized as a premier prosecutors' office in the state.

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 types of fraud-related offenses. Additionally, the Attorney General operates as the legal adviser to the Statewide Grand Jury. This function further allows the Special Prosecutions Unit to undertake the investigation and prosecution of complex criminal cases which occurred in multiple judicial districts throughout

the state. These complex cases often involve, but are not limited to, criminal enterprises committing narcotics trafficking, identity theft and human trafficking.

The Special Prosecutions Unit, which is comprised of seven attorneys, five investigators and one paralegal, is responsible for many of the multi-jurisdictional matters in Colorado, as well as special investigations referred to it by other state agencies or the governor. Unit attorneys prosecute cases throughout the state, either under the auspices of the Attorney General or as appointed deputy district attorneys in the 22 judicial districts.

In early 2008, then-Gov. Bill Ritter ordered the Attorney General to take lead in the re-investigation of the 1987 murder of Peggy Hettrick in Fort Collins. Timothy Masters had been convicted of the murder in 1999 and sentenced to life in prison without parole. In 2011, the Attorney General formally exonerated Masters.

In September 2010, then-Gov. Bill Ritter also ordered the Attorney General to assume the investigation and prosecution of Myrl Serra, who at the time was the elected District Attorney for the 7th Judicial District on the Western Slope. The prosecution resulted from Serra's sexual offenses against members of his staff. The two criminal cases that were filed against Serra were prosecuted in Montrose District Court. In August 2011, a jury found Serra guilty of all counts, including the felony offense of violation of bail bond conditions. In October 2011, Serra also pleaded guilty

to the felony crime of criminal extortion and to multiple counts of unlawful sexual contact. Serra resigned from elected office in January 2011 and was disbarred by the Colorado Supreme Court in December 2011. Until the appointment of a new district attorney, the first assistant attorney general for the Financial Fraud Unit served as the acting district attorney.

During 2011, a Unit prosecutor continued a two-year effort of identifying and prosecuting multi-jurisdictional human trafficking cases. An example of this important effort was the unit's successful prosecution of Dallas Cardenas in Jefferson County District Court for his role in crimes centered on child prostitution. In 2011, Cardenas was found guilty of various felony sex crimes, such as pimping of a child, and was sentenced to eight years in the Department of Corrections.

The Special Prosecutions Unit also secured an indictment against a group of defendants, led by John Reinholdt II, who used their family's Lafayette-based business to commit a sophisticated multi-million dollar mortgage and bank fraud scheme that occurred throughout Colorado and other western states. The leaders of this scheme were charged under the Colorado Organized Crime Control Act and were successfully prosecuted in the Denver District Court. A jury convicted him of 32 felony counts in January 2011. The court sentenced him to 16 years in the Colorado Department of Corrections in March 2011.

Additionally, multi-jurisdictional cases involving check fraud, credit card fraud, identity theft and mortgage fraud were

areas of emphasis for the Special Prosecutions Unit in 2011. Unit attorneys handling these cases appeared in many jurisdictions, including Mesa County, Arapahoe County, Adams County and Boulder County. An example of such a case was a six defendant enterprise that committed a sophisticated credit card fraud scheme throughout many states in the West and Midwest. Five of the six indicted members of the organization have pleaded guilty to various felony charges. The leader of this organization pleaded not guilty and is scheduled for trial in 2012 in Adams County District Court.

The proliferation of narcotics trafficking into Colorado led the Special Prosecutions Unit to initiate a large-scale narcotic distribution investigation that resulted in indictment of 33 defendants. These cases were then prosecuted by a Unit attorney in Larimer County. Additionally, many other narcotics distribution cases were resolved by Unit attorneys in Larimer, Adams and Jefferson Counties. These case dispositions included lengthy sentences to Department of Corrections, more than 40 years for some of the key leaders of the various narcotics trafficking organizations.

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 four matters of significant tax fraud were handled by the unit this year. For example, the Unit obtained guilty verdicts on all counts against Douglas Bruce, a Colorado Springs resident, for a sophisticated tax evasion scheme that he orchestrated.

The Unit also successfully prosecuted five individuals for felonies involving unemployment insurance fraud, with more than \$55,000 in restitution being ordered by courts. Six filed cases of workers' compensation insurance fraud resulted in convictions and restitution in the amount of \$33,000.

Protecting Colorado's natural resources by enforcing federal and state environmental laws also is an important part of this Unit's responsibility. The Environmental Crimes team investigated 11 environmental crimes of significance during the last year and secured numerous convictions.

Auto Theft Initiative

In April, 2010, the Attorney General's Office added an Auto 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 state-wide grand jury. The initiative also provides field-specific training to law enforcement agencies across the state.

In 2011, the Auto Theft Initiative, which is part of the Financial Fraud Unit, opened two new grand jury investigations involving complex multijurisdictional criminal activity. One of those investigations has resulted in two individuals being indicted for a pattern of auto theft through advertisements posted on Craigslist (or other Internet sites) and resale of stolen

vehicles at below-market value to unwitting buyers.

Additionally, working in cooperation with the Attorney General's Insurance Fraud Unit, the Auto Theft Initiative shut down an insurance fraud ring that defrauded insurance companies using staged automobile accidents and other fraudulent insurance claims. Mikel Mewbourn and five codefendants were indicted in March 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 manufacturing property damage. Insurance companies paid approximately \$280,000 on fraudulent claims and had several unresolved claims remaining when the indictment was filed.

In June of 2011, the Unit filed a vehicle identification number alteration and title swapping case involving motorcycles in San Luis. It is currently pending in Costilla County District Court. As a result of the efforts in this case, the Colorado Attorney General's Office, along with several insurance related entities, was awarded "Team Collaboration Award" for 2011 from the Colorado Auto Theft Investigators.

The Unit's investigator assisted in both developing the curriculum and organizing the annual Colorado Auto Theft Investigators conference.

Homicide Assistance Team

The Attorney General employs an expert team consisting of two attorneys and a seasoned homicide investigator to provide critical support and assistance to the elected district attorneys and to local law enforcement in all aspects of homicide investigations and prosecution. In 2011, members of this assistance team assisted local prosecutors and investigators in many counties, including but not limited to Adams County, Rio Grande County, Costilla County, Conejos County, Arapahoe County, Boulder County, Douglas County, El Paso County and Hinsdale County. The team's two attorneys spent the majority of 2011 in the San Luis Valley, serving as the lead prosecutors in three separate first degree murder cases on behalf of the District Attorney for the 12th Judicial District. Additionally, both attorneys provided specialized advice and support to the District Attorney for the 18th Judicial District (Arapahoe, Douglas, Elbert and Lincoln counties). The attorneys and its investigator are also conduct a variety of trainings for this state's prosecutors and investigators on the topic of complex homicide prosecutions, including cold cases.

Colorado Justice Review Project

From January of 2010 through December of 2011, the Attorney General's Office worked on a Post-Conviction DNA Testing Assistance Program, the Colorado Justice Review Project, awarded by the National Institute of Justice. The goal of the Colorado Justice Review Project was to identify cases in which DNA testing could potentially exonerate a wrongfully-convicted inmate. The

Attorney General's Office partnered with the Denver District Attorney's Office on the Colorado Justice Review Project. The Attorney General's Office reviewed cases originating in the 63 counties outside of Denver County while the Denver District Attorney's Office reviewed cases originating in Denver.

The Colorado Justice Review Project began its review by screening nearly 5,000 cases statewide of inmates incarcerated on murder, sexual assault or non-negligent manslaughter convictions. More than 3,800 cases were screened by Justice Review Project staff. Inmates incarcerated on these qualifying offenses were not required to apply for case review. Rather, the cases of inmates with qualifying offenses were automatically screened to determine further eligibility. Only cases of inmates who continuously maintained a claim of innocence throughout the pre-trial, trial and post-trial proceedings received a second level of review, a fact-intensive investigation.

The Colorado Justice Review Project presented an overview of its work and a few specific cases to the Colorado Justice Review Project Panel for discussion in August of 2011.

The Colorado Justice Review Project Panel was comprised of:

- Ron Sloan, Director of the Colorado Bureau of Investigation;
- Gregg LaBerge, Director of the Denver Police Department Crime Laboratory Bureau;
- Dan King, Chief Trial Deputy of the Colorado Public Defender's Office;
- Lindy Frolich, Director of the Alternate Defense Counsel;
- Mitch Morrissey, Denver District Attorney; and,
- Michael Dougherty, Deputy Attorney General.

The Colorado Justice Review Project Panel voted to send one case for DNA testing. The Colorado Bureau of Investigation successfully conducted DNA testing on several pieces of evidence. As a result of this DNA testing, an investigation of the original crime has been re-opened. Disclosure of the results of the DNA testing is pending court action.

The work of the Colorado Justice Review Project was a collaborative effort with the Colorado Department of Corrections, the Colorado Bureau of Investigation, members of the defense bar, the Colorado Public Defenders and the Alternate Defense Counsel, law enforcement agencies across the state and, notably, with the District Attorneys' Offices across Colorado who opened their files to the Colorado Justice Review Project staff. The National Institute of Justice has awarded a second round of funding to the Attorney General's Office and the Denver District Attorney's Office to continue the work of the Colorado Justice Review Project.

Foreign Prosecutions Unit

Foreign prosecutions occur when a victim or defendant is a Mexican national and the offender has fled from the United States to the Republic of Mexico. The fugitive can be subjected to prosecution by Mexican authorities in Mexico under Article IV of the Mexican Federal Penal Code and under mutual agreement through an international treaty. These proceedings are based on casebooks submitted by the Foreign Prosecutions Unit investigator to the Federal Attorney General's Office in Mexico City.

The Foreign Prosecutions Unit has saved Colorado millions of dollars in the apprehension, prosecution and incarceration of fugitives adjudicated and sentenced to a Mexican federal prison under Article IV program of the Colorado Attorney General's Office.

During 2010-2011, the Foreign Prosecutions Unit traveled to Mexico City to present foreign prosecution requests to the Procuraduría General de la República under Article IV. The Foreign Prosecution Unit's investigator prepared and filed Article IV homicide cases for two local law enforcement agencies during this reporting period:

- On March 1, 2003 the body of a female later identified as 28-year-old Maria Soledad Fierro was discovered in unincorporated Adams County. The investigation revealed that, following the murder, the victim had been transported to a remote area and set on fire in order to conceal her identification and to destroy evidence. The suspect has been identified and is believed to be in the state of Chihuahua. After several months of work with local law enforcement, particularly in locating witnesses, an Article IV case was filed in March 2011 with the Procuraduría General de la República in Mexico City, on behalf of the Adams County Sheriff's Office and the 17th Judicial District. As a result, a Mexican federal arrest warrant was issued.
- A second Article IV case was completed and successfully filed in December 2011. The homicide initiated with the Thornton Police Department and the 17th Judicial District. This case originated with the brutal beating and stabbing of Claudia Ceballos, a 39-year-old mother of three. The victim was found by her 19-year-old son when he returned home November 26, 2009. A successful filing was accepted by the Procuraduría General de la República and warrants were issued for the apprehension of the suspect.

The Unit continues to work on open cases, including the Article IV case filings and investigations for Montrose Police Department, Mesa County Sheriff's Office, Weld County Sheriff's Office, Adams County Sheriff's Office and the El Paso County Sheriff's Office. The Foreign Prosecutions Unit investigator is responsible for continued work on the outstanding arrest warrants. She is working with the respective law enforcement agencies to conduct follow up interviews of witnesses and to develop further information on the fugitive suspect.

With the assistance of the Foreign Prosecutions Unit, Mexican authorities apprehended three suspects charged with the murder of Marco Antonio Vargas-Salvador. The homicide occurred in Montrose on October 28, 2006. Miguel Godinez-Marquez, Gilberto Godinez-Marquez, and Luis Antonio Partida are in custody awaiting the federal court's ruling and sentencing.

In addition, a number of U.S. citizens wanted in Colorado were apprehended in Mexico and returned to Colorado. Mexican authorities have supported Colorado law enforcement through extradition or expulsion of suspects. Working with Mexico, and U.S. agencies including HSI/ICE, U.S. Marshals Service and the FBI, the Foreign Prosecutions Unit continues to assist as a liaison for federal, state and local agencies in returning American citizens to the United States.

The Foreign Prosecutions Unit also assisted and facilitated the process to return victims and witnesses to Colorado from Mexico in order to testify in court. When undocumented persons return to

Mexico after a crime is committed and are later needed for the prosecution of the defendant, the Foreign Prosecutions Unit can provide assistance to the local district attorneys' offices to return the individuals to Colorado under a significant public benefit parole visa issued through the U.S. Department of Homeland Security and U.S. Department of State. This Unit assisted the Adams County District Attorney's Office, the Arapahoe County District Attorney's Office, and the El Paso County District Attorney's Office with the visa process to allow witnesses to return to Colorado to testify in their respective cases and assist the prosecution of the perpetrators.

Securities Fraud Unit

Pursuant to Colorado law, 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, a paralegal and half the time of an administrative assistant.

The Unit, which is part of the Financial Fraud Unit, obtained seven convictions involving securities fraud in 2011. The convictions, all of which were the result of plea agreements, resulted in restitution orders totaling more than \$21.5 million on behalf of 244 victims. In each case, the defendants pleaded guilty to one or more charges of class-three felony securities fraud. All seven are first-time criminal offenders. Five were sentenced to the Department of

Corrections. Two defendants, Timothy Burk and David Piatt, each received a one-year deferred sentence.

In 2011, the Unit opened 64 investigations, all but three of which were initiated by the Unit's investigators. Three cases were referred to the Unit by the Colorado Division of Securities.

Noteworthy cases include:

- Jeremy Hart solicited his insurance clients and others to invest in various "alternative" investments, primarily through Dreamweaver (co-defendant Richard Novaria) and American Consumer Wealth Services. Investors were promised high rates of return and given unsecured promissory notes as evidence of their investment, and were never told of any risks. Early investors were paid back with later investor money. In November 2010, Hart pleaded guilty to one count of securities fraud and one count of theft. A first-time offender, he was sentenced in January 2011 to nine years in the Department of Corrections. He owes more than \$3.4 million in restitution to 33 victims.
- William Walters offered notes and/or investment contracts to investors while not being licensed. This occurred in several states with a loss of more than \$21 million from 40 investors. He 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. Walters was extradited from Argentina in August 2010; he pleaded guilty to three counts of securities fraud and one count of theft in April 2011. On June 1, 2011, Walters was sentenced to 40 years in prison. He owes more than \$9.5 million in restitution to 22 victims.
- Adam Hirschfeld solicited more than \$4 million 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. Hirschfeld was charged with two counts of securities fraud in 2009; he pleaded guilty to both counts in January 2011, and in June, was sentenced to four years in the Department of Corrections for the first count, and, consecutive to the first, twelve years probation for the second count. He owes more than \$4.6 million restitution to 117 victims.

The Unit tracked restitution payments of 73 defendants during 2011, during which time \$398,000 was collected by the courts on behalf of victims.

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 half of the time of one administrative assistant. The Unit is uniquely situated to handle insurance fraud cases and our staff is widely regarded as experts in this area.

During 2011, the Unit processed 579 referrals of potential criminal cases relating to insurance fraud. Most of these referrals were made to the Unit by the Colorado Division of Insurance. Other sources of referrals were law enforcement agencies and the National Insurance Crime Bureau.

The Unit continues to work larger, more complex cases both internally and in conjunction with other law enforcement

agencies. In 2011, the Unit conducted several large investigations in the Statewide Grand Jury and also concluded investigations from 2010.

In 2011, the Unit opened 96 new investigations, after screening all of the case referrals. The Unit filed a total of 29 new cases in Colorado courts. The cases were filed in Adams, Arapahoe, Denver, Douglas, El Paso, Morgan, Montrose and Weld Counties. Eight of these cases were initiated by indictments issued by the Colorado Statewide Grand Jury; the other 21 were direct filed by complaint and information. Twenty cases were resolved by guilty pleas and one case was dismissed by this office.

In April 2011, the Unit also successfully indicted two individuals for theft, forgery and violation of the Colorado Organized Crime Control Act (a class-two 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, when in fact none of the work was done in Buena Vista, and the vast majority of the work was done in the Denver, 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, vent and quarter windows, and less money for windshields. The defendants directed 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. These cases are currently pending in Denver District Court.

In the past few years, the Unit has seen an increase in the number of staged accidents of motor vehicles. The Unit has been attempting to coordinate the investigations 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.

During 2011, the Unit supervised the restitution payments of 56 defendants on probation for insurance fraud-related crimes. The Unit collected more than \$150,000 in restitution during 2011. Additionally, the Unit achieved new restitution orders totaling \$172,887 and cost and fine orders totaling \$53,568.

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 prevention and investigations. It also pursues civil recoveries and damages against providers under the Colorado False Claims Act, which became law on May 26, 2010.

Colorado pays approximately \$4.5 billion per year to more than 10,000 participating 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 675,000 citizens who qualified for Medicaid benefits in 2011. 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 2011, the Medicaid Fraud Control Unit opened 111 new investigations and 17 new criminal cases were filed with the courts throughout Colorado. Twelve criminal convictions and 16 civil settlements were obtained, with recoveries totaling more than \$2.3 million. Seventy cases were resolved and closed. The Unit has 182 active civil and criminal 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. Unit representatives also participate in several working groups of local law enforcement and other agencies dedicated to combating health care fraud.

Significant cases from 2011 include:

- The Unit conducted a joint investigation with the Colorado Department of Revenue of Clair Loren Morrison, the

former administrator and owner of the Cedardale Health Care Centre. Cedardale was a skilled nursing home for the elderly in Wray. Morrison had reported false information in the Med-13 Cost Reports for Cedardale prepared at Morrison's direction. This information resulted in Medicaid paying for and reimbursing costs and expenses that were false. Morrison, 72, pleaded guilty in November 2011 to several different felonies, including computer crime, a class four felony, theft-series-over \$1,000 but less than \$20,000, and two counts of failure to pay over taxes to the Colorado Department of Revenue. Morrison was sentenced to eight years supervised economic probation, 100 hours of useful public service, and restitution of \$75,000 to the Colorado Medicaid program and the Colorado Department of Revenue, as well as court costs and fees.

- The Unit entered into a civil settlement with a local agency whose employee submitted several years of false billings for home health care purportedly rendered to her own daughter. The Unit investigation revealed that the employee did not have custody of the daughter during the time frames in question, and was not rendering care. The employee was prosecuted and convicted by the Unit's criminal division. Following the conviction, the civil division demanded repayment of all amounts paid to the agency by the state, along with double-damage penalties for time frames in which the company recklessly disregarded the fact of the employee's lack of custody. The company agreed to all of the amounts demanded, and has repaid more than \$250,000 to date.
- At the end of 2011, the Unit joined in a Medicare and Medicaid settlement with a prominent Denver hospital. In the settlement, the state recovered more than \$1.1 million in repayment for patients for whom the hospital had billed in-patient admissions. According to the investigation, the patients' hospital visits should have been billed as less expensive out-patient or observation stays. The settlement covered several years of billings, and was the result of intensive audit and

analysis by the Unit, the U.S. Attorney, and the HHS-OIG.

- In September, the State received more than \$518,000 from Elan Corporation, PLC and Eisai, Inc. in a global qui tam settlement of allegations of off-label marketing and illegal remuneration. According to the nationwide investigation, the defendants allegedly aggressively marketed the anti-convulsive drug Zonegran to pediatric populations for which it had not been approved, as well as for unapproved conditions including neuropathy, headaches, and obesity. The company also allegedly offered and paid illegal remuneration to health care professionals to induce them to promote and prescribe Zonegran in violation of federal and state anti-kickback statutes. In addition to the civil settlement, one of the companies pleaded guilty to a misbranding criminal charge.

Department of Public Safety

The Colorado Department of Public Safety is the statewide law enforcement agency responsible for providing a leadership role in issues and concerns of law enforcement including statewide commissions and multi-jurisdictional task forces. The Colorado Department of Public Safety includes the Colorado Bureau of Investigation, the Colorado State Patrol, the Division of Criminal Justice, the Division of Fire Safety, the Division of Homeland Security, and approximately 50 boards and commissions.

The Public Safety Unit of the Department of Law consists of one full-time attorney position responsible for providing legal advice, counsel, and representation on issues arising from or out of any of the wide range of Colorado Department of Public Safety areas of responsibility. The attorney for Colorado Department of Public Safety also serves

as legal counsel to the Peace Officers Standards and Training Board.

Activities during 2011 include:

- Providing advice to Colorado State Patrol and state officials concerning Occupy Denver encampment on state property, enforcement actions taken, consultation with prosecutors on resulting trials, and legal review of an ACLU open records request.
- Significant and ongoing litigation concerning pre-employment background investigations, including the use of polygraphs.
- Providing legal advice and representation of 15 personnel appeals, including termination of the department's first peace officer to receive an official Brady notification from an elected district attorney.

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 27 certified police academies in Colorado and approximately \$2.2 million in training grants. POST consists of six employees, 61 subject matter experts and 20 appointed POST Board members. Ten of the 11 training regions also have an advisory board. There are more than 100 training advisory board members.

POST's mission is to establish and maintain standards for peace officer training and certification that are relevant, realistic and responsive to our ever-changing world.

The POST Board is composed of 20 appointed members, of which three are

statutory members: the Attorney General, its chairman; 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 three-year terms by the governor and include one local government representative; one member of the general public; six active sheriffs; six active chiefs of police; and three line-level peace officers serving at the rank of sergeant and below.

The POST Unit is divided into several different functions, including:

- *Certifications*
The Certifications Unit handles a wide variety of certifications for peace officers in Colorado. These include the Unit granting 687 Conditional Peace Officer Certifications and 196 Conditional Peace Officer Authority Extensions. This Unit also processed eight felony certification revocations and five misdemeanor revocations. The Unit granted 26 provisional certifications, 69 reserve certifications and granted 448 full-time certifications.
- *Academies*
The Academies Unit accomplishments included coordination of the 27 POST approved academies in Colorado. These academies conducted 41 basic academy classes, five reserve academy classes, three lateral academy classes, one refresher academy class and 12 skills instructor programs. There were 12 academy and program inspections and all were found to be in compliance. The Academies Unit also coordinates

the four Subject Matter Expert Committees. These committees have a total of 61 subject matter experts in the areas of Curriculum, Firearms, Arrest Control, and Law Enforcement Driving. In 2011, there were eight new subject matter experts were appointed to the various SME committees.

- *POST Testing and Training*
POST continues to work towards developing an online testing model for the POST certification exam. Once finalized, Colorado will be the 12th state to have online POST Testing.
- The Training Unit disbursed approximately \$2.2 million to the training regions (for about 140 training classes), disbursed approximately \$50,000 for online training for DNA and Anti Bias Training, facilitated grants of \$9,557 for online Law Enforcement Training Network to 33 small law enforcement agents, \$42,000 for a Rural Command Staff Institute, \$28,000 for four Jail Detention Training Sessions, \$40,000 for development of four In-Service Patrol Training Sessions, \$3,000 for three training classes on developing Peer Support Teams, \$3,000 to send three Law Enforcement Executives to Tools for Tolerance Training, and \$10,000 for four Suicide Prevention Training Sessions.

POST Management had a number of other significant accomplishments in 2011, which include:

- Attending 25 outreach meetings;
- Hosting the first-ever meeting with IADLEST Executive Staff in Denver; and,
- Conducting a Sunrise Review Committee meeting.

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 state's 22 District Attorneys and the Attorney General employ hundreds of trial level prosecutors to do felony trial work; the Office of the Attorney General's Appellate Division has 26 full-time and four half-time attorneys supported by three staff members to respond to all of the defense appeals generated by those cases. Cases range from relatively minor sentencing and postconviction appeals to complicated white collar crime, homicide, child abuse, sexual assault and death penalty litigation.

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 defendant's claims, and write an argument explaining why law enforcement should prevail. While a majority of the cases impact only the defendants and the victims directly involved, any given case may result in new

published law that has a significant impact on how law enforcement authorities conduct searches and arrests; on procedures for criminal trials and sentencing hearings throughout the state; on the Colorado Department of Corrections; or on probation, parole and 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.

2011 Caseload

The Appellate Division opened 1,083 new appellate cases in 2011. These cases involved the following convictions:

- 565 assaults or sexual assaults against children
- 391 burglaries and thefts
- 365 homicides and attempted homicides
- 358 kidnappings and assaults
- 267 completed or attempted aggravated robberies
- 264 drug offenses
- 135 sexual assaults on adults
- 995 other offenses (primarily felonies)

Of the Appellate Division cases decided by the various appellate courts in 2011, Division attorneys were successful 90 percent of the time. 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 975 opening briefs, answer briefs, and answers to orders to show cause.

- *Oral Arguments*
Appeared at 122 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 38 petitions for rehearing to try to correct matters that were wrongly decided by the courts.
- *Petitions for Certiorari*
Asked the State Supreme Court to conduct further review in 13 cases that would otherwise have an adverse impact on law enforcement.

Natural Resources Section

The Natural Resources and Environment Section works to protect and improve the quality of Colorado's natural environment and to ensure intelligent use and development of the state's natural resources. The Section also protects Colorado's interests in its interstate rivers.

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 Colorado 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

In 2011, 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 to comply with state law.
- Provided advice to the Department of Natural Resources in negotiating various agreements on the Blue River Decree.
- Represented the State Engineer and defended his decision to approve Subdistrict No. 1 in Water Division 3 in a 10-day trial and successfully defended the water court's upholding the State Engineer's actions in the subsequent Colorado Supreme Court appeal.
- Protected the state's interests regarding the Colorado River Compact and the Upper Colorado River Compact.
- Participated in the Aspinnall Unit reoperations Endangered Species Act review

and National Environmental Policy Act processes for the state.

- Protected the state's interests regarding the Republican River Compact and in the U.S. Supreme Court case *Kansas v. Nebraska and Colorado*.
- Continued to provide legal and policy advice to the Colorado representatives on all of the various interstate Compact and Decree Commissions.

Water Resources and Conservation

In 2011, attorneys:

- Successfully represented the State Engineer by obtaining a water court decision upholding the State Engineer's adoption of rules intended to assist with administration of more than 40,000 oil and gas wells.
- Represented the State Engineer in hundreds of water rights proceedings in Colorado's water courts, including appeals to the Colorado Supreme Court.
- Successfully represented the State Engineer's office with respect to two separate Colorado Supreme Court decisions upholding application of the anti-speculation doctrine. These decisions clarified that a water user may not claim absolute water rights without demonstrating an actual need for such a right, thus protecting the integrity of the Colorado prior appropriation water rights system.
- Successfully represented the State Engineer's office in obtaining a Colorado Supreme Court decision upholding application of the historic use analysis to changes of storage rights. This decision will prevent potential injury to water users across the state by ensuring that water users will not rely on change of water rights proceedings to attempt to expand the historic use of storage rights.
- Obtained a decision from the water court for Water Division 2 affirming the Colorado Water Conservation Board's and the State and Division Engineer's position that a municipal entity could not change its water rights until it found replacement water to fully augment the Colorado Water Conservation Board's instream flow water

rights. The water court also agreed that unless a use has been established, such change would be speculative and result in an inaccurate historical consumptive use analysis. After the water court decision, the applicant provided the State with a plan for replacement water that enabled the Colorado Water Conservation Board to prevent injury and the water provider to move ahead with water development.

- Assisted the Colorado Water Conservation Board, the State Land Board, Colorado Department of Transportation, Department of Corrections, and the Division of Parks and Wildlife in acquiring 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.
- Successfully represented the staff of the Colorado Water Conservation Board in a hearing for an instream flow water rights decree that opposed by multiple water users. Subsequently, represented the Colorado Water Conservation Board in district court for review of the constitutionality of the instream flow statutes and the procedures used at the hearing.
- Provided representation for more than 250 cases for the Colorado Water Conservation Board.
- Successfully represented the staff of the Colorado Water Conservation Board in a hearing opposing a recreational in-channel diversion water right in Division 5 on the basis that the applicant claimed more water than it was entitled to by statute. After the Attorney General's Office filed a Rule 56(h) motion for determination of question of law on the issue, the applicant withdrew the opposed request and resubmitted the application for reconsideration. Similarly, another applicant withdrew a similar request based upon the same issue as set forth in the Rule 56(h) motion.
- 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.
- Assisted the Colorado Water Conservation Board in preparing for sunset review for weather modification statutes and began writing rules to comply with the new law.
- Assisted the Colorado Ground Water Commission Hearing Officer in conducting and ruling on a request for de-designation for a ground water district.
- Assisted the Colorado Water Conservation Board in drafting loan provisions for loans to water users and providers totaling more than \$18 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.

Oil, Gas and Minerals

In 2011, attorneys:

- Defended the Colorado Oil and Gas Conservation Commission in various litigation pending before the Denver District Court, the Court of Appeals and the Supreme Court related to applications for permits to drill and designated outside activity areas.
- Participated in stakeholder meetings and drafted new regulations for the COGCC to address the disclosure of chemicals used in oil and gas activities, including hydraulic fracturing fluids. Advised the COGCC and worked closely with both industry and environmental representatives during a lengthy rulemaking process. The proposed rules were passed unanimously. The rules were supported by industry and lauded by environmentalists as a model for the nation.
- Assisted the COGCC in implementing its rules promulgated to regulate oil and gas activities.
- Advised the Department of Natural Resources on oil shale issues and participated in federal, state, and local team meetings regarding oil shale development.
- Assisted the Division of Reclamation, Mining and Safety in implementing the regulations the Mined Land Reclamation Board promulgated to regulate uranium mining operations, designated mining operations, and prospecting operations.

- Advised and assisted the Division of Reclamation, Mining and Safety with updates and revisions to many of its financial warranty and permit application/modification forms.
 - Advised and assisted the Division of Reclamation, Mining and Safety's Coal Program in developing an electronic permitting option for coal mining operations.
 - Continue to advise and defend the Mined Land Reclamation Board in judicial review litigation concerning the new rules and amendments the board adopted to implement legislation on the regulation of traditional and in situ leach uranium mining operations and prospecting activities.
 - Assisted the Division of Reclamation, Mining and Safety in rulemaking proceedings to implement changes to the regulations concerning coal mining.
 - Defended the division in various litigation related to hard rock and coal mining operations currently pending before the district courts in Denver, La Plata, and Montrose counties. Successfully argued for dismissal of the division from a civil lawsuit alleging substantial damages related to a coal mining operation in Montrose County.
 - Successfully prosecuted numerous violators in administrative enforcement actions before the Mined Land Reclamation Board, including the finding of numerous violations and civil penalties at Cotter's Schwartzwald uranium mine. Successfully defended the division and board in a judicial review lawsuit filed by Cotter in Denver District Court.
- Advised and assisted the State Board of Land Commissioners with specific transactions involving approximately 1,300 acres and more than \$6.6 million. These transactions included the first transaction under House Bill 10-1165, which to allow the board to negotiate certain transactions directly with local governments without having to employ the competitive bid process. The State Land Board conveyed 640 acres, the Manitou Section 16 parcel, Colorado Springs, which incorporated the property into its open space program.
- Advised and assisted the State Board of Land Commissioners in the process to create a new land management program for the Hesperus Trust, which supports Ft. Lewis College in cooperation with the board of trustees for the college.
 - Advised and assisted the State Board of Land commissioners to develop an updated oil and gas lease form.
 - Advised and assisted the State Board of Land Commissioners to develop a process for leasing more than 20,000 acres for oil gas development at the former Lowry Bombing Range, including assisting in developing best management practices and plans to avoid, minimize and mitigate any adverse impacts of the development on the Range's ecosystem.
 - Advised and negotiated on behalf of the State Board of Land Commissioners in a multiple private party, multiple governmental entity transaction to convey trust property to the United States for the expansion of the Rocky Flats Wildlife Refuge in return for full value to the trust.
 - Advised and negotiated on behalf of the State Board of Land Commissioners the resolution of many long standing issues related to a lease with National Hog Farms and related water rights.

State Trust Lands

In 2011, 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 generated more than \$120 million of trust revenue this past fiscal year.
 - The State Land Board holds nearly three million acres of land in fee title and approximately four million acres of mineral interest, which generates significant demand for transactional legal services and the resolution of disputes on the transactions.
- Continued to represent the State Board of Land Commissioners in court actions related to water rights, land use, lease disputes and other matters related to the ownership and management of the trust lands.
 - Continued legal assistance provided to the State Board of Land Commissioners for operational matters including the implementation of a new strategic plan and the initiation of a comprehensive review of its governing policies.

State Parks and Wildlife

In 2011, attorneys:

- Advised and assisted the Division of Parks and Outdoor Recreation and the Division of Wildlife in the implementation of Senate Bill 11-208 merging the operations of Parks and Wildlife into the new Division of Parks and Wildlife and consolidating the Board of Parks and Outdoor Recreation and the Wildlife Commission into the new Parks and Wildlife Board.
- Advised on and facilitated in the acquisition by the Division of Parks and Wildlife of more than \$20 million 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 Parks and Wildlife in responding to the challenges posed to park and 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 and significant parks and outdoor recreation opportunities, including the development of cooperative agreements with oil and gas companies and best management practices that assist the companies in avoiding or minimizing impacts to state resources. Such agreements are of particular importance in split-estate situations where the Division of Parks and Wildlife owns fee title to, or controls property, but not the right to develop the minerals underlying state parks and state wildlife areas.
- Advised and assisted the Division of Parks and Wildlife in the development and implementation of fish and wildlife mitigations plans required of applicants for water storage projects in Colorado, including 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. As part of this process, attorneys also assisted in the development of enhancement plans with applicants to provide additional benefits to the Upper Colorado River Basin, which go beyond the mitigation plans required by statute.
- Advised and assisted the Division of Parks and Wildlife with proposals to re-purpose management of Bonny Lake State Park, including local control of a portion of the park property and management of the remaining property as part of the South Republican State Wildlife Area. A management change became necessary 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 funds and the change in management required the approval of the National Park Service, the implementing agency for the federal funding program, which was recently obtained.
- Advised and assisted the Division of Parks and Wildlife with all matters involving water rights held by the division. Previously, all such matters were handled by attorneys within the water units also charged with assisting the State Engineer's Office and the Colorado Water Conservation Board. At the request of the Division of Parks and Wildlife, water counsel was added to the Parks and Wildlife Unit and dedicated to representation of the division.
- Advised and assisted the Division of Parks and Wildlife with regard to issues related to the proposed reallocation of additional water storage space in Chatfield Reservoir. The Division of Parks and Wildlife initially sought to participate directly in the reallocation project and sought the right to use some of the additional storage space in Chatfield Reservoir. However, because it also operates Chatfield State Park, which will be impacted by the reallocation project, the Division of Parks and Wildlife recently withdrew from the project to focus on developing mitigation for the impacts to Chatfield State Park associated with the reallocation project.
- Advised and assisted the Division of Parks and Wildlife on responding to requests to develop mineral resources underlying some state parks that are owned by the division.
- Successfully defended against a challenge to the Board of Parks and Outdoor Recreation's authority to modify its off-

highway vehicles grant program, funded by off-highway vehicles registration fees, to include state grants for law enforcement and the closure and reclamation of illegal or unsustainable off-highway vehicles trails.

- Successfully defended against a district court challenge to the Division of Wildlife's use of a lot within a subdivision as an access point to the Dome Rock State Wildlife Area. Teller County District Court.

Air, Land and Water Quality

In 2011, 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 before the Public Utilities Commission, implementing the Clean Air-Clean Jobs Act.
- Negotiated a compliance order on consent for violations of air quality permits by an asphalt 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 from a fire at a residence.
- Collected attorney fees for the enforcement of injunctions addressing asbestos spills from an unlawful 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.
- 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.
- Defended an administrative appeal of the Water Quality Control Division's certification of Colorado Springs Utilities' Southern Delivery System water supply project under the Clean Water Act.
- Continued our involvement in 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.
- Defended the Colorado Department of Public Health and Environment in issuing the first conventional uranium mill license in the country in 25 years.
- 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.
- 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 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 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.

- 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 public building efficiency projects.

Hazardous and Solid Waste Enforcement

In 2011, attorneys:

- Negotiated an agreement in principle, favorable to the state, with Adams County and Clean Harbors Deer Trail resolving five lawsuits concerning disposal of low level radioactive wastes at a hazardous waste disposal facility in Adams County.
- Engaged EPA Region 8 and EPA Headquarters to formalize close-out of low-threat groundwater hazardous waste contamination sites through written guidance. In addition to negotiations with EPA, this effort involved sophisticated stakeholder input and balancing competing interests within the Colorado Department of Public Health and Environment.
- Counseled Petroleum Storage Tank Fund Committee, investigated and prosecuted with outside counsel breach of contract, unjust enrichment and fraud claims arising from major oil companies' "double dipping" from Storage Tank Fund and their own insurance coverage. Negotiations to date recovered \$6.3 million from one major oil company. Demand letters issued to two others seeking reimbursement and interest of nearly \$200 million.
- Counseled the Department of Public Health and Environment on the Hazardous and Solid Waste Commission's adoption of new medical waste regulations, revised recycling

regulations, and new waste grease regulations.

- Continued work on significantly revised Liquid Waste Impoundments regulations with adoption anticipated in early 2012. This ongoing stakeholder process involves diverse industry sectors and all three Colorado Department of Public Health and Environment environmental divisions.
- Issued and vigorously prosecuted solid waste enforcement orders to protect construction workers and the public from the illegal disposal of asbestos during construction of RTD's light rail corridors and during renovation and construction activities at the Denver Federal Center.
- Counseled Department of Public Health and Environment throughout evolving release of hazardous petroleum refining waste from the Suncor Refinery to Sand Creek and the Platte River. The release manifested over time, first killing water fowl in a retaining pond, then dispersing into surface water, and later showing up in on-site drinking water and a neighbor's indoor air.
- Continued to improve 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.
- Favorably settled a long-standing suit against a western slope brine waste disposal facility requiring cleanup of contaminated groundwater and \$50,000 in civil penalties.
- Fought EPA's selection of a natural attenuation with monitoring removal action decision that did not fully contain source contamination before relying on institutional controls, in contravention of EPA guidance.

Natural Resource Damages, Land Cleanup and Restoration

In 2011, attorneys:

- Established work groups to disburse settlement funds received for injuries to groundwater at the Lowry Landfill Superfund Site, and began preparations for projects that will provide groundwater protection and improvements for Platte River basin groundwater.

- Initiated the State's first natural resource damages site 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.
- Worked with federal trustees to continue restoration projects for the Lake County California Gulch Superfund site, including work on stream restoration, fencing to protect stream areas, noxious weed control, land acquisitions, irrigated pasture revegetation and wetland enhancement.
- Counseled the Colorado Department of Public Health and Environment's CERCLA water treatment plant construction in the North Fork of Clear Creek, which required innovative State application for instream flow rights to protect treated water quality. Negotiations continue to provide cost-effective and efficient acid mine drainage treatment resulting in a fishable stream.
- Continued to represent 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 local governments and non-profits located near the Arsenal to develop an integrated master list of restoration projects worth potentially more than \$50 million with matching funds.

- Worked with State Trustee representatives to administer the \$1.5 million natural resource damage settlement at the Shattuck superfund site in Denver. The Trustees approved a plan to, together with matching funds, complete several instream restoration projects on the South Platte River.
- Worked towards integrated natural resources restoration at the former Rocky Flats Nuclear Weapons Plant. Efforts included complex negotiations with adverse local interests to protect one square mile of State Land Board land, various parcels previously slated for mineral development, and other properties to enhance the existing U.S. Fish & Wildlife Refuge at the site.

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 institutions of higher education, 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.

Public Officials

During 2011, attorneys:

- Represented the Secretary of State in a lawsuit against the Saguache County clerk seeking access to election records.
- Represented the Secretary of State in challenges to campaign finance rules.
- Represented the State Treasurer in lawsuit seeking records from the Colorado Public Employees Retirement Association.
- Handled escheat and unclaimed property matters the State Treasurer.
- Represented the state in federal court in a challenge to certain gun laws.
- Represented the State Board of Equalization in a challenge to the application of the basic equipment rules.
- Represented the state in a challenge to a nurse-anesthetist rule.
- Advised the Division of Housing on public housing legislation.

Constitutional Cases

During 2011, attorneys:

- Successfully defended the state in an open records lawsuit concerning the governor's personal cell phone records in the Colorado Supreme Court.
- Successfully defended a Taxpayer's Bill of Rights challenge to the coal severance tax formula in the Colorado Supreme Court.

- Successfully defended a Taxpayer's Bill of Rights challenge to the method of funding the state's reserve.

Education

During 2011, attorneys:

- Defended the constitutionality of the State's School Finance System in the *Lobato* litigation. The district court's decision that the system is unconstitutional is on appeal to the Colorado Supreme Court.
- Defended the State Board of Education and the Colorado Department of Education in a constitutional and statutory challenge to the Douglas County Option Certificate Pilot Program. The district court decision enjoining the program is on appeal to the Colorado Court of Appeals
- Defended State Board of Education rules requiring school districts to notify parents whenever a teacher is arrested for or convicted of certain felonies. The district court's decision upholding the rules is on appeal to the Colorado Court of Appeals.
- Continued representing the State Board of Education in its general supervision over public schools and the Department of Education in execution of its statutory duties, including open records and open meetings issues, rulemaking, personnel issues, charter school appeals, litigation and general legal advice.
- Continued representing the Capital Construction Assistance Board in general governance matters regarding administration of the Building Excellent Schools Today program, which has completed four rounds of BEST lease purchase financing totaling more than \$550 million for K-12 school construction and maintenance.
- Continued supporting the State Board of Education in protecting students by prosecuting disciplinary charges against educator license holders and applicants who violate statutory requirements. Disciplinary actions included charges of sexual misconduct and child abuse.
- Continued representing the Charter School Institute in general governance matters regarding approving and overseeing State

charter schools, including public records and open meetings issues, rulemaking, applications, renewals, closures, appeals, transactions and general legal advice.

- Continued representing the state's public institutions of higher education, including the Auraria Higher Education Center, in general governance matters, including open records and open meetings issues, policy development, faculty dismissal hearings, personnel issues, litigation, transactions and general legal advice.
- Continued representing the Colorado Higher Education Insurance Benefits Alliance Trust in general governance matters, including open records and open meetings issues, policy development, trust amendments, employee benefit issues, transactions and general legal advice.
- Continued representing the Private Occupational School Board in general governance matters including open records and open meetings issues, rulemaking, refund disputes, illegal schools, litigation, transactions and general legal advice.
- Continued supporting the Department of Higher Education, Division of Private Occupational Schools in protecting consumers by prosecuting disciplinary actions against applicants and certificate holders to operate private occupational schools who violate statutory requirements.
- Continued representing the Colorado Historical Society and its board of directors in support of their mission to collect, preserve and interpret the history of Colorado and the West and carrying out other activities and programs authorized by statute or rule, including transactional issues associated with construction and operation of the new Colorado state museum and offices for the historical society.

Human Services

During 2011, attorneys:

- Continued to defend the state in ongoing litigation and records requests involving CBMS, patient deaths at CMHIP, and department rules and procedure in 10 separate cases. Three cases have been defended in the court of appeals this year, involving child care licensing and the Division of Behavioral Health.

- Represented the Department of Human Services in 49 child care licensing cases, including 14 summary suspensions of licenses where providers presented a threat to the health and safety of children.
- Represented the Department of Human Services in 713 child abuse and neglect administrative appeals.
- Defended actions for judicial review and the final agency decisions of the Office of Appeals in 17 cases in district court.
- Represented the Department of Human Services Division of Youth Corrections in 17 district court cases regarding the appropriate sentencing, placement or release of juveniles.
- Represented or advised the Department of Human Services Division of Developmental Disabilities in eight cases involving individuals and providers of services.
- Represented the Department of Human Services Division of Vocational Rehabilitation in seven cases regarding the provision of vocational rehabilitation services or business enterprise program vendors, including one in federal court and before a federal arbitration panel.
- Provided legal advice to the Division of Child Support Enforcement in five cases.
- Defended and represented the State Hospital in Pueblo in seven cases involving records, transfer of a violent patient and allegation regarding the amount of time individuals wait for competency evaluations and restoration treatment.
- Successfully defended the Department of Human Services in a \$10 million challenge to the state disability benefits program.

Health Care

During 2011, attorneys:

- Assisted the Department of Health Care Policy and Financing in recovering Medicaid overpayments from providers.
- Assisted the Department of Health Care Policy and Financing in recovering funds from liable third parties in personal injury actions for more than \$1.8 million.
- Successfully defended a federal lawsuit against the Department of Health Care Policy and Financing challenging the validity of a Colorado statute 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 Financing in withholding Medicaid payments to providers suspected of fraud.
- Represented the Department of Health Care Policy and Financing in defending the implementation of a new nursing facility reimbursement methodology passed by the legislature in 2008 against a challenge by more than 20 nursing facilities.
- Represented the Department of Health Care Policy and Financing in seeking reimbursement from the representative of a Medicaid recipient who concealed funds available to satisfy the department's lien.
- Successfully defended the Department of Health Care Policy and Financing in numerous trust and probate litigation 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 numerous subpoenas to produce confidential information, drafting regulations and defending litigation challenging department regulations.
- Continued to defend against an action regarding the operation of the Colorado Benefits Management System and timely delivery of benefits to recipients.
- Successfully defended the Department of Health Care Policy and Financing at the federal Departmental Appeals Board which reversed \$2.2 million of a disallowance related to the CHP+ program.
- Demanded and collected funds from a company that should have paid health benefits instead of Medicaid.
- Advised the board of directors of the Colorado Health Benefit Exchange in establishing their organizational structure.

Labor and Department of Personnel and Administration

During 2011, the State Services Section opened 78 cases to force employer compliance with mandatory workers' compensation insurance statutes. Section attorneys closed 93 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 three cease and desist cases and independent-contractor cases, collected \$53,820 in settlements and fines, and sent more than \$1.4 million in fines to collection.

In 2011, attorneys also:

- Opened 30 cases, filed 18 briefs and participated in three oral arguments in appeals for the Industrial Claims Appeals Office.
- Opened 21 cases and closed 31 cases in petroleum storage tank clean up reimbursement protests.
- Handled 77 subpoenas on behalf of the Division of Workers' Compensation and Unemployment Insurance.
- Completed 21 rule opinions for the Division of Labor and Employment and the Department of Personnel and Administration.
- Handled eight subpoena enforcement cases.

Public Utilities Commission

During 2011, attorneys:

- Defended the Public Utilities Commission in 19 court matters.
- Drafted or reviewed and edited approximately 400 Public Utilities Commission decisions and orders.
- Successfully defended the right of the Public Utilities Commission to assert the deliberative process privilege in the context of an open records law suit concerning emails by non-elected officials related to the drafting of legislation.
- Successfully defended the Public Utilities Commission against a claim that e-mails between its commissioners concerning draft legislation violated the Colorado Open Meetings Law and are not protected by the deliberative process privilege.
- Successfully defended the decision of the commission to deny an application for a new authority to operate as a taxicab carrier in the Denver metropolitan area on the grounds that the grant of a certificate would not be in the public interest.

- Defended the governor, the Public Utilities Commission and other state agencies in a federal court action alleging that the Colorado Renewable Energy Standard violates the U.S. Constitution.
- Initiated a Rule 21 proceeding at the Colorado Supreme Court to resolve the question of whether the failure of the petitioners seeking review of the decisions of the Public Utilities Commission concerning the emission reduction plan filed by Public Service Company of Colorado pursuant to the Clean Air Clean Jobs Act to file in the correct district court deprived the district court of subject matter jurisdiction or only of venue.
- 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.
- 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.
- Advised the Public Utilities Commission in various rate proceedings resulting in the denial of a \$142 million interim electric rate increase for Public Service Company of Colorado, the approval of a gas rate increase for Public Service Company of Colorado in the amount of \$10.9 million instead of the \$27.5 million it had requested, and the approval of an electric rate increase for Black Hills Colorado Electric Utility Company in the amount of \$10 million instead of the \$17.5 million it had requested.
- Advised the Public Utilities Commission in its approval of a proposed transmission line construction project extending from San Luis Valley to Pueblo, which line would support renewable electricity generation.
- Advised the Public Utilities Commission in rulemakings on smart grid data privacy, community solar gardens, and confidentiality protocols specific to electric resource plan approval dockets.

Civil Litigation and Employment Law Section

The Colorado Attorney General's Office, through the Civil Litigation and Employment Law Section, defends state agencies, institutions of higher education and employees sued in state and federal court for personal injuries, property damage, employment discrimination and constitutional violations. The Section also represents state agencies and institutions of higher education in personnel matters in front of the State Personnel Board and appellate courts, 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, the Colorado Civil Rights Division, the Special Funds Unit of the Division of Workers' Compensation, and the employees of those agencies. The section attorneys provide advice and training to all state agencies and institutions of higher education on a myriad of employment and general liability issues.

Section attorneys handled more than 770 new cases and reviewed more than 625 contracts in 2011.

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 matters such as open records requests, environmental issues, sentencing issues, internal discipline and procedural matters, and administrative regulations.

In 2011, the Unit:

- Opened 390 new cases.
- Obtained favorable rulings in 215 matters brought by inmates or their attorneys and unfavorable rulings in only nine cases.
- Obtained favorable rulings from appellate courts in 31 of 36 rulings.
- Obtained favorable federal jury verdict in the one case that went to trial.
- Obtained favorable rulings in three of five hearings held in state court.
- Settled two cases for \$74,000. While inmates generally seek unspecified damages in their complaints, specified damage requests were in excess of \$25 million.

Employment/Personnel, Civil Rights and Special Funds Unit

The Employment/Personnel, 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 and institutions of higher education in personnel hearings and matters before the State Personnel Board and on appeal. The Unit provides advice and training to state agencies, institutions of higher education 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 and Major Medical Insurance Funds which are part of the Special Funds Unit of the Division of Workers' Compensation within the Department of Labor and Employment.

In 2011, the Unit:

- Provided daily front-end employment advice and consultation to state agencies and institutions of higher education 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 cases before the State Personnel Board and the Colorado Court of Appeals, including 195 new cases. Won 75 percent of all mandatory hearing cases and obtained denials of hearings in 57 percent of all discretionary hearing cases.
- Prosecuted 16 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 \$200,000 in settlement payments to private citizens in employment and fair housing cases. The settlements included provisions requiring that private employers and housing providers receive discrimination training, policy changes and discrimination reporting.
- Defended five Special Funds Unit cases before the Office of Administrative Courts, including seven new cases.

Employment Tort Litigation Unit

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 regarding employment law issues to the state agencies.

In 2011, the unit:

- Defended 55 cases filed in state and federal courts, including 25 new cases. The cases involved 239 claims for relief against state agencies and 353 claims for relief against state employees.
- Aggressively sought and obtained early dismissal or summary judgment of 321 claims; 238 claims were dismissed on motions to dismiss before any time or money had been spent on discovery; and another 83 claims were dismissed on summary judgment.
- Won all three appellate cases that were decided during 2011.
- Settled four cases for a total of \$280,000, saving the state more than \$2.1 million.
- Created and presented training to numerous state agencies and to higher education institutions on the FLSA, the Genetic Information Nondiscrimination Act, supervisor training, and conducting investigations.
- 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, developing or implementing litigation hold policies, responding to records requests, and reviewing proposed agency policies.

Tort Litigation Unit

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.

The Unit has an attorney dedicated to handling conflicts cases in situations where counsel for a regulatory agency or board is conflicted because they are prosecuting a case before the entity. The attorney advises the board on procedure and the board's duties and drafts final agency orders.

In 2011, the Unit:

- Opened 132 new cases including twelve cases in which we are monitoring attorneys fees claims associated with 42 U.S.C. Section 1983 cases seeking injunctive relief.
- Convinced 13 plaintiffs to dismiss their complaints prior to motions to dismiss or before rulings on motions.
- Filed 56 motions to dismiss, of which 32 have been granted or granted in part and three have been denied.
- Filed 11 motions for summary judgment, of which eight were granted and one was granted in part.
- Settled 10 damages cases for a total of \$817,000. Plaintiffs in these cases had sought damages totaling more than \$2.7 million.
- Settled attorneys fees claims in two cases for \$859,000 on a demands totaling more than \$1.1 million.
- Appeared in 13 appeals, prevailed in seven, partially prevailed in one, and lost two. Three are still pending.
- Petitions for certiorari in the U.S. Supreme Court were filed against us in four cases and the court denied certiorari in all four.

Transportation Unit

The Transportation Unit advises the Colorado Department of Transportation and Colorado Transportation Commission on a multitude of legal issues. The Unit prosecutes all condemnation actions, defends inverse condemnation actions and handles administrative actions. The Unit also handles administrative appeals

involving regulation of access control, billboard location, and relocation benefits. Unit attorneys also deal with the Colorado Department of Transportation procurement protests. The Unit advises the Colorado Department of Transportation in construction matters and represents the Colorado Department of Transportation in construction disputes, claims 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. Unit attorneys serve as issuer counsel in public finance transactions. The attorneys also review proposed legislation affecting the Colorado Department of Transportation.

In 2011, the Unit:

- Represented the Colorado Department of Transportation in 16 new condemnation cases and continued to represent the agency in numerous ongoing condemnation, access, relocation, billboard, inverse condemnation, and quiet title cases.
- Settled or resolved by trial 10 condemnation cases, saving the state \$1.38 million.
- Reviewed more than 625 contracts for the Colorado Department of Transportation, with an average turnaround time of less than three days.
- Provided legal guidance related to the implementation of two new TABOR-exempt enterprises created by the FASTER legislation, Senate Bill 09-108. The Colorado Bridge Enterprise is currently engaged in re-constructed structurally deficient bridges utilizing auto registration fees authorized by FASTER. The High Performance Transportation Enterprise began actively pursuing its business goals in 2011 by obtaining a federal loan to advance construction of improvements to U.S. Highway 36 between Denver and Broomfield.

Business and Licensing Section

The nine 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 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 Mortgage Loan Originator Board.

In 2011, the Unit:

- Obtained a favorable court of appeals ruling affirming a Real Estate Commission decision to revoke a license of an individual convicted of attempt to commit sexual assault on a child, a felony.
- Successfully defended a Real Estate Commission decision denying licensure to an individual who pleaded guilty to two counts of manufacturing a Schedule II controlled substance.
- Negotiated a stipulation with a licensee who took large sums of money from clients for loans she never delivered and aggressively advertised for new clients without compliance with advertising regulations. The stipulation resulted in license revocation, an agreement to pay \$24,225 in restitution to victims and an administrative fine in the amount of \$10,000.

- Aided the Board of Real Estate Appraisers to obtain the license surrender of a certified residential appraiser who had nine separate complaints lodged against his license for violations of appraisers' professional standards of care.
- Provided advice to the Division of Real Estate and the boards and commission housed within the Division regarding the Colorado Open Records Act, open meetings laws, subpoena compliance and enforcement, and related laws.
- Successfully settled a matter with a real estate broker who agreed to the suspension of his license pending payment of restitution in the amount of \$106,666.

Revenue Unit

The Department of Revenue's attorneys provide general counsel and litigation support to all of the agency's business groups: taxation, enforcement and motor vehicles. The department's taxation division requires intensive legal services to assure that taxpayers comply with the law and pay the amount owed under the law, thereby protecting the interests of all taxpayers. Tax cases are complex, often involve disputed amounts in the millions of dollars, and must be tried twice: once at the administrative level, and then again in a *de novo* trial in district court. Many also are appealed to Colorado's appellate courts. Once tax is conclusively assessed, the Department of Revenue's attorneys provide legal advice and representation regarding collections. When delinquent taxpayers declare bankruptcy, the department's interest often must be protected in bankruptcy court.

During 2011, Unit attorneys represented the Department of Revenue's taxation divisions in administrative hearings, in state and federal trial courts, and on appeal before state courts. The Unit worked closely with

Department Fact Sheet







COLORADO DEPARTMENT OF LAW

A Fact Sheet

JOHN W. SUTHERS
Attorney General

CYNTHIA H. COFFMAN
Chief Deputy Attorney General

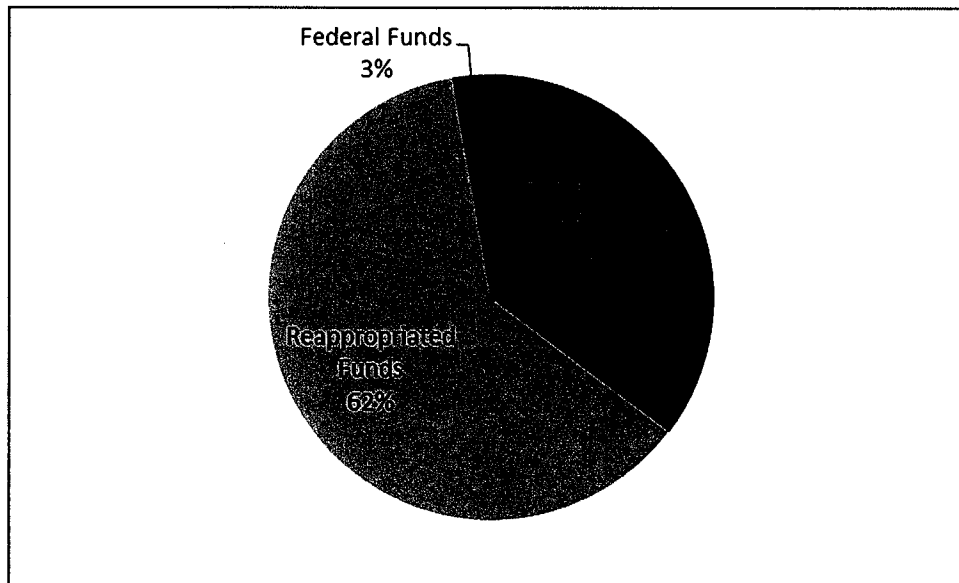
Department of Law

November 2012

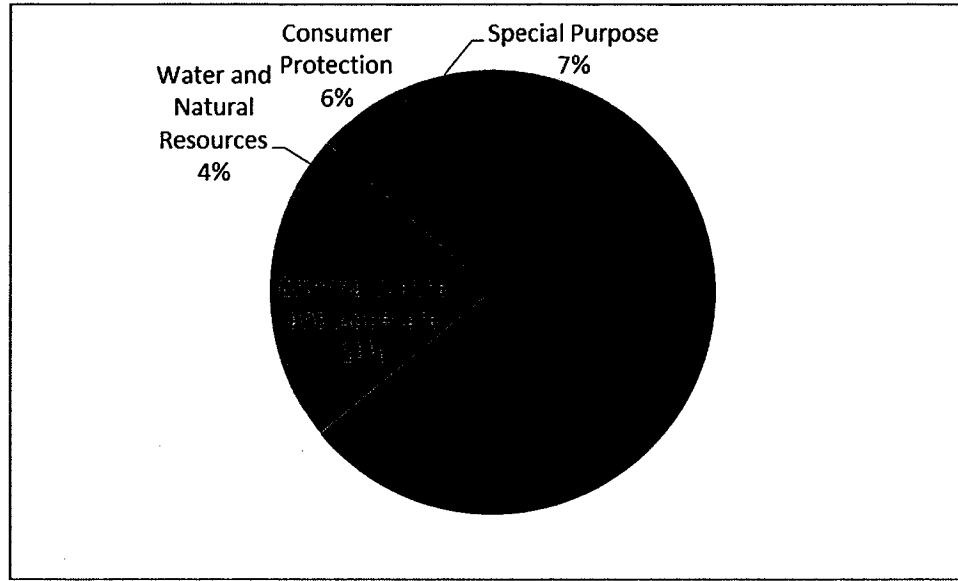
The Department of Law, (often referred to as the Colorado Attorney General's Office), which Attorney General John W. Suthers oversees, represents and defends the legal interests of the people of the State of Colorado and its sovereignty.

FY 2012-13 Appropriation		FY 2013-14 Request	
Total Appropriation	\$57,294,289	Total Appropriation	\$61,769,338
General Fund		General Fund	
Appropriation	\$10,416,092	Appropriation	\$11,915,957
Total Full Time Equivalent	429.7	Total Full Time Equivalent	437.6
Employees (FTE):		Employees (FTE):	

FY 2013-14 Request by Fund Source



FY 2013-14 Request by Long Bill Division



Department in Summary FY 2013-14

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 defense 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, under the Department of Regulatory Agencies. The section also represents the Department of Agriculture and the Independent Ethics Commission.
- Legal Services to State Agencies/ Revenue and Utilities – Provides litigation and legal counsel representing 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 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 (including the various Governor’s offices), and provides legal advice and counsel to the Public Utilities Commission, and the State Higher Education Institutions.
- Legal Services to State Agencies/Civil Litigation and Employment Law Section – Defends State employees and agencies in State and federal courts. Cases may involve personal injury suits, property damage, or employment discrimination among others. The Section also prosecutes civil rights violations in administrative and state courts and provides employment law legal advice to all state agencies.
- Consumer Protection Section – Protects Colorado consumers against fraud and provides a competitive business environment through enforcement of state and federal consumer protection, charitable solicitations, antitrust, consumer lending, fair debt collection practices, and numerous other consumer protection statutes. The Section also represents the state Office of Consumer Counsel, advocating before the Public Utilities Commission on behalf of residential, small business, and agricultural rate payers.

Leading Budget Change Requests for FY 2013-14:

The FY 2013-14 budget request highlights include the following:

- Decision Item #1 – Appellate FTE Increase to Manage Backlog. The department is requesting 5.5 additional FTE and \$554,200 spending authority to support the salaries, state paid benefits, and operating expenses for the new FTE. This request will allow the Department of Law, to reduce the growing appeals backlog. The Department witnessed an increase of 210 cases in the backlog, growing from 398 at the beginning of the fiscal year to 608 by the end of FY 2012.
- Decision Item #2 – Additional FTE for Special Prosecution. The department is requesting 1.9 additional FTE and \$298,907 of spending authority. This request will allow the Department of Law to better protect Colorado citizens in the investigation and prosecution of complex criminal conspiracies, environmental crimes, and gang activities. This request includes the FTE and spending authority for a First Assistant Attorney and a Program Assistant I. Additionally, this request includes the salary and associated costs for a Criminal Investigator II.
- Decision Item #3 - Tobacco Litigation Funding. The Department of Law (Department) is requesting a refinance of \$676,952 GF. This request will allow the Department to continue to advocate for the state’s interests on Tobacco Litigation efforts. The department’s Tobacco efforts have traditionally been funded by the Tobacco Settlement Defense Account within the Tobacco Litigation Settlement Cash Fund. The department is projecting that the balance within this fund will be exhausted by the end of FY 2012-13, thereby leaving no resources for these efforts moving forward. Because of this, the Department is making a GF request to continue the support of the Tobacco Litigation efforts on behalf of the state.

- Decision Item #4 – Refinance PIO in Administration. The Department of Law is requesting a refinance of the current Public Information Office Position (PIO) from the Consumer Protection/Antitrust line item to the Administration Personal Services Line Item.
- 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 includes an increase in state paid Health, Life and Dental insurance contributions for each employee’s chosen coverage for the request year. Lastly, this request includes salary survey increases for all state employees at 1.5% and an additional salary increase based on the merit pay system.

Key Issues and Legislation from 2012:

- SB 12-110 modified the fee structure for insurance fraud by providing a tiered fee based on the amount of business each insurance registrant conducts in the state. Additionally, this bill appropriated 2.0 additional FTE to bolster the Department’s insurance fraud efforts and administratively allows the Department to bring the 2.5 FTE dedicated to Worker’s Compensation Fraud cases traditionally focused on Pinnacle cases to prioritize cases and workload on behalf of the entire state insurance industry.
- HB 12-1248 authorizes the Department to spend gifts, grants, and donations without an appropriation, and it created a new cash fund for purposes of accounting for moneys received from state agencies for the provision of legal services.

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/>

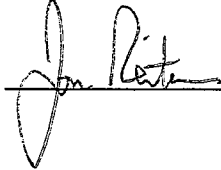
Department of Law
Schedule 10
FY 2013-14 Budget Request

Priority	Number	Division	Request	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Decision Items									
	DI-1	Criminal Justice and Appellate	Appellate FTE Increase to Manage Backlog	5.5	\$554,200	\$554,200			\$0
	DI-2	Criminal Justice and Appellate	Additional FTE for Special Prosecution	1.9	\$298,906	\$211,233	\$43,837	\$43,837	\$0
	DI-3	Consumer Protection and Special Purpose	Tobacco Litigation Funding	0.0	\$0	\$676,952	(\$676,952)		\$0
	DI-4	Administration	PIO Refinance	0.0	\$89,278	(\$68,933)	(\$95,071)	\$249,684	\$3,597
Total - Decision Items				7.4	\$942,384	\$1,373,452	(\$728,186)	\$293,521	\$3,597
Base Reduction Items									
Total - Base Reduction Items				0.0	\$0	\$0	\$0	\$0	\$0
Non-Prioritized Items									
		Administration	Risk Management: Employee Engagement Service Adjustment Decision Item	0.0	\$3,284	\$0	\$0	\$3,284	\$0
Total Non Prioritized Items				0.0	\$3,284	\$0	\$0	\$3,284	\$0
Grand Total November 1, 2011				7.4	\$945,668	\$1,373,452	(\$728,186)	\$296,805	\$3,597

Schedule 13

Funding Request for the 2013-14 Budget Cycle

Department: Law
 Request Title: Appellate FTE Increase to Manage Backlog
 Priority Number: 1

Dept. Approval by:  10/23/12
 Date

Decision Item FY 2013-14
 Base Reduction Item FY 2013-14
 Supplemental FY 2012-13
 Budget Amendment FY 2013-14

OSPB Approval by: _____
 Date

Line Item Information		FY 2012-13		FY 2013-14		FY 2014-15
		1	2	3	4	6
		Appropriation FY 2012-13	Supplemental Request FY 2012-13	Base Request FY 2013-14	Funding Change Request FY 2013-14	Continuation Amount FY 2014-15
	Fund					
Total of All Line Items	Total	2,709,335	-	2,709,335	554,200	537,166
	FTE	32.0	-	32.0	5.5	6.0
	GF	2,195,709	-	2,195,709	554,200	537,166
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	513,626	-	513,626	-	-
	FF	-	-	-	-	-
(3) Criminal Justice and Appellate: Appellate Unit						
	Total	2,709,335	-	2,709,335	554,200	537,166
	FTE	32.0	-	32.0	5.5	6.0
	GF	2,195,709	-	2,195,709	554,200	537,166
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	513,626	-	513,626	-	-
	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:
 Approval by OIT? Yes: No: Not Required:
 Schedule 13s from Affected Departments: NA
 Other Information:



DEPARTMENT OF LAW

*FY 2013-14 Funding Request
November 1, 2012*

*John W. Suthers
Attorney General*

*Cynthia Coffman
Chief Deputy Attorney General*

**Department Priority: 1
Request Title Appellate FTE Increase to Manage Backlog**

Summary of Incremental Funding Change for FY 2013-14	Total Funds	GF	FTE
Appellate Unit Total	\$554,200	\$554,200	5.5
Appellate Unit	\$554,200	\$554,200	5.5

Summary of Incremental Funding Change for FY 2014-15	Total Funds	GF	FTE
Appellate Unit Total	\$537,166	\$537,166	6.0
Appellate Unit	\$537,166	\$537,166	6.0

Request Summary:

This request is to accommodate resources to reduce the growing appeal backlog. The Department of Law is requesting 5.5 FTE Assistant Attorney Generals in FY 2013-14 and increasing to 6.0 FTE in out years. This equates to 11 months of effort in the first year, due to the pay date shift on GF employees, with associated operating costs to address the growing backlog of cases requiring Appellate responses. This request calculates to \$554,200 GF for FY 14 and \$537,166 in FY 15 and out years. The Department is estimating a reduction in FY 17 of 1.0 FTE and another reduction of 4.0 FTE in FY 18, once the backlog is reduced to a manageable number.

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 are 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 2012, Appellate Division attorneys filed 894 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 available 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 backlog. The

Department has not been successful with this goal over the course of FY 2011-12. The Department has witnessed an increase of 210 cases in the backlog, growing from 398 at the beginning of the fiscal year to 608 by the end of April, 2012. (See chart at end of request)

As a result, the Department has addressed efficiencies to accommodate the growing workload within existing resources. These include:

- directed cases to the extent possible to people with subject matter expertise in particular areas (not always possible, because appeals seldom involve single issues);
- assigned second and subsequent appeals on the same defendant, or related appeals, to the attorney who originally handled the case;
- prioritized cases according to complexity of issues;
- provided a variety of resource materials and short cuts to try to speed up case processing.

Additionally, in February of 2012, the Chief Deputy Attorney General and the Deputy Solicitor General met with the Chief Judge of the Court of Appeals and Clerk of the Combined Courts to discuss the AG's appellate backlog and brainstorm ideas for trying to reduce it. One of the ideas that has been implemented is the use of an "experimental docket" in which the AG would file an abbreviated brief that would provide a special panel with the basic info necessary to evaluate the defendant's claims without full briefing on all the issues raised. The Department has met with the Court once since then to refine that process, but it is too soon to see any significant results of that effort.

The department is hopeful that the experimental docket will help move less complicated cases through the system at a faster rate. However, that still leaves hundreds of more serious cases needing attention.

In addition, representatives of the Attorney General's Office, the appellate court, the Public Defender's Office, and the Office of Alternate Defense Counsel met and discussed possible systemic changes that might help reduce the number of appeals. Not surprisingly, the parties' different orientations resulted in little consensus as to what changes would be either appropriate or desirable.

All did agree, however, that there needs to be a working group review of our procedures, rules, and practices for handling postconviction appeals, and all committed to participating in that review and recommending changes.

At present, Crim. P. 35(c) and section 16-5-402 work together to govern the procedures for postconviction review. Those authorities provide for time limits for filing for review in all but capital cases, and impose limitations on successive filings, etc. As a practical matter, however, litigants – particularly pro se litigants – frequently ignore these rules. The litigants file their motions; the courts entertain them, even if they deny the motions as time-barred or successive; and the defendants appeal those denials – often over and over again. This ties up judicial resources in both the trial and appellate courts, and requires attorney involvement in the trial court, and on appeal by both the AG's Office and often the public defenders or ADC.

One possible solution would be to provide counsel for all defendants for their first postconviction appeal (there is no constitutional right to counsel on postconviction motions, and only a limited statutory right to such representation). As a practical matter, however, the interests of justice are best served if all legitimate challenges are raised as soon as possible after a conviction becomes final, and litigated at that time to the extent the trial court feels it is appropriate. The outcome of that proceeding could be appealed by either party.

Thereafter, there should be stricter limitations on any further postconviction motions, barring exceptional circumstances.

Ideally, this would cut down significantly on the number of postconviction motions filed in the trial courts and thereafter appealed, and would insure that legitimate claims are reviewed by an attorney trained to recognize and argue them in a timely fashion.

Staffing Concerns:

Since July 1, 2010, the Unit has witnessed a turnover of 8 attorneys. Within the attorneys, this calculates to an 30% turnover rate (8/27=30%) (The number of attorneys does not include the Deputy Attorney General in the calculation). Of the 8 attorneys that have left; 3 went to the private sector and 3 accepted positions in other sections of the department, all of which were at higher salaries.

Anticipated Outcomes:

The department is expecting that this solution will help, at a minimum, to reduce the appeals backlog. Six additional attorneys coupled with anticipated efficiencies established with the court on the experimental docket, and a full complement of attorneys within the current FTE allocation, will address backlog issue by FY 17. Once the backlog is at a manageable 68, the Department is suggesting reducing the number of attorney FTE by 4, thereby providing the appropriate resources to address annual incoming workload.

Assumptions for Calculations:

The Assistant Attorney General positions are requested at the midpoint of the salary range. These position will be filled July 1, 2013, thereby requiring 11 months of salary and benefits for FY 2013-14, due to pay date shift.

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, with the

likelihood that the backlog will continue to grow. Delays in the processing of appeals are detrimental to all of the parties involved. When a case is reversed after many years, both sides generally have difficulty preparing the case for retrial – witnesses are gone; memories fade; and evidence is lost or misplaced. This does a disservice to all of the people affected by that case, most significantly victims and defendants. In addition, we have seen an increase in the number of instances in which defendants are seeking to have their convictions vacated because they have allegedly been denied their right to a speedy appeal. While our state appellate courts have not been receptive to those claims, it is not inconceivable that there will come a point where a court agrees with this argument, and vacates an otherwise valid conviction. The United States Court of Appeals for the Tenth Circuit has concluded that “delay in adjudicating a direct criminal appeal beyond two years from the filing of the notice of appeal gives rise to a presumption that the state appellate process is ineffective. *Harris v. Champion*, 15 F.3d 1538, *1556 (10th Cir. 1994).

Because the Appellate Division is a reactive division, it has no control over its incoming caseload. Regardless of staffing, whatever cases come in must be handled, and must be handled to the best of our ability. Every case in the state or federal appellate courts has the potential to result in a published decision that affects all of Colorado criminal law. An unfavorable decision could result in the release of inmates, retrials, or the inability to retry cases because of the loss of witnesses or evidence, resulting in a high cost to other parts of the legal system, to public confidence, and to public safety as a whole.

Impact to Other State Government Agency:

NA

Current Statutory Authority or Needed Statutory Change: NA

Salary Range for Assistant Attorney General FY 2012-13

Range	Minimum	Maximum
ASST ATTORNEY GENERAL	\$63,922	\$93,326

Decision Item Calculations	FY 14	FY 15
Supplies @ \$500	\$ 3,000	\$ 3,000
Computer @ \$2,489/\$0	\$ 14,934	\$ -
Office Suite Software @ \$395/\$0 *6	\$ 2,370	\$ -
Office Equipment @ \$7,267/\$0 (includes cubicle and chair) *6	\$ 43,602	\$ -
Telephone Base @ \$450/\$450	\$ 2,700	\$ 2,700
Litigation Expenses Est \$5,000	\$ 5,000	\$ 5,000
Total Operating	\$ 71,606	\$ 10,700

Monthly Salary Asst Attorney General (mid range)	\$ 6,552	\$ 6,552
Monthly Salary for 5.5 FTE AAG FY 14 and 6.0 FTE in FY 15	\$ 39,312	\$ 39,312
Annual Salary	\$ 432,432	\$ 471,744
PERA at 10.15%	\$ 43,892	\$ 47,882
Medicare at 1.45%	\$ 6,270	\$ 6,840
Total PS	\$ 482,594	\$ 526,466

Total	\$ 554,200	\$ 537,166
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Appellate Brief Resolution FY 08-FY 12 Actuals and out year estimates

	Cases Opened	Briefs Filed by Division	Cases Resolved Other Ways	Backlog
FY 08	-	-	-	280
FY 09	1240	1029	87	395
FY 10	1152	1054	62	434
FY 11	1050	1021	66	398
FY 12	1171	894	67	608
FY 13 Estimate	1153	1018	65	678
FY 14 Estimate (Assumes 6 additional Attorneys)	1153	1250	65	516
FY 15 Estimate	1153	1250	65	354
FY 16 Estimate	1153	1250	65	192
FY 17 Estimate (Assumes 5 of 6 attorneys will stay)	1153	1212	65	68
FY 18 Estimate (Assumes 2 of 6 attorneys will stay)	1153	1095	66	60

Assumptions:

Assumes 4 year average on cases opened (FY 08- FY 12)

Assumes each attorney will on average handle 38.7 cases through filed briefs and other resolution (FY 11 and FY 12, 2 year avg)

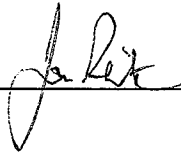
Assumes 3 year average on "Cases Resolved Other Ways."

Assumes one attorney will be let go in FY 17.

Assumes 3 additional attorneys will be let go in FY 18 and out years.

Schedule 13 Funding Request for the 2013-14 Budget Cycle

Department: Law
Request Title: Additional FTE for Special Prosecution Unit
Priority Number: 2

Dept. Approval by:  10/23/12
Date

Decision Item FY 2013-14
Base Reduction Item FY 2013-14
Supplemental FY 2012-13
Budget Amendment FY 2013-14

OSPB Approval by: _____
Date

Line Item Information		FY 2012-13		FY 2013-14		FY 2014-15
		1	2	3	4	6
	Fund	Appropriation FY 2012-13	Supplemental Request FY 2012-13	Base Request FY 2013-14	Funding Change Request FY 2013-14	Continuation Amount FY 2014-15
Total of All Line Items	Total	3,013,205	-	2,994,782	298,906	290,220
	FTE	32.5	-	32.5	1.9	2.0
	GF	1,391,287	-	1,391,287	211,233	207,130
	GFE	-	-	-	-	-
	CF	1,067,153	-	1,048,730	43,837	41,545
	RF	554,765	-	554,765	43,837	41,545
	FF	-	-	-	-	-
(3) Criminal Justice and Appellate: Special Prosecution Unit	Total	3,013,205	-	2,994,782	298,906	290,220
	FTE	32.5	-	32.0	1.9	2.0
	GF	1,391,287	-	1,391,287	211,233	207,130
	GFE	-	-	-	-	-
	CF	1,067,153	-	1,048,730	43,837	41,545
	RF	554,765	-	554,765	43,837	41,545
	FF	-	-	-	-	-

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

Cash or Federal Fund Name and COFRS Fund Number: Fund #16Z Insurance Cash Fund
Reappropriated Funds Source, by Department and Line Item Name: DORA Securities
Approval by OIT? **Yes:** _____ **No: X** **Not Required:** _____
Schedule 13s from Affected Departments: NA
Other Information: _____



DEPARTMENT OF LAW

John W. Suthers
Attorney General

FY 2013-14 Funding Request
November 1, 2012

Cynthia Coffman
Chief Deputy Attorney General

Department Priority:
Request Title Additional FTE for Special Prosecution

Summary of Incremental Funding Change for FY 2013-14	Total Funds	GF	CF	RF	FTE
Total	\$ 298,907	\$ 211,233	\$ 43,837	\$ 43,837	1.9
Special Prosecution Unit	\$ 298,907	\$ 211,233	\$ 43,837	\$ 43,837	1.9

Summary of Incremental Funding Change for FY 2014-15	Total Funds	GF	CF	RF	FTE
Total	\$ 290,220	\$ 207,130	\$ 41,545	\$ 41,545	2.0
Special Prosecution Unit	\$ 290,220	\$ 207,130	\$ 41,545	\$ 41,545	2.0

Request Summary:

The Department of Law is requesting 1.9 FTE and \$298,907 in FY 2013-14 annualized to \$290,220 and 2.0 FTE spending authority to support the efforts and workload needs of the Special Prosecution unit. This request includes a Program Assistant I FTE a First Assistant Attorney General FTE, and the salary and associated benefits and operating costs for a Criminal Investigator II.

The Attorney General's law enforcement efforts are focused in multiple areas: 1) Complex Crimes, 2) Environmental Crimes, 3) Gang Prosecution, 4) Foreign Prosecutions, (5) Auto Theft and 6) the Violent Crime Assistance Team (VCAT). Of these duties, the "Special Prosecutions Unit" (hereinafter SPU) dealt with all six areas. The SPU is also involved in several outreach programs associated with mitigating gang activity, preventing school violence and responding to child abductions.

This request will allow the Department of Law to better protect Colorado citizens in the investigation and prosecution of complex criminal conspiracies, environmental crimes, and gang activities. Specifically, the new investigator will focus efforts on human trafficking and election fraud, as well as provide support to the ongoing efforts outlined above. The Program Assistant position will serve the entire efforts of the Special Prosecution Unit, some of which are highlighted herein. The First Assistant Attorney General will assist in the supervision and management of the Special Prosecutions Unit.

1. Complex Crimes

The Complex Crimes Unit prosecutes cases that: 1) Are referred to the agency because of the specialized knowledge and experience of the staff, or 2) Are multi-jurisdictional cases investigated through the use of the statewide grand jury..

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.

There are several areas of expertise and responsibility, including racketeering cases, domestic terrorism, identity theft, large check fraud schemes, methamphetamine rings, mortgage fraud, tax fraud, and an increasing number of anti-human trafficking needs.

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 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, as well as through 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 of 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 significant resources to adequately investigate and prosecute. Investigations often require 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. An attorney from the Attorney General's Criminal Justice Section is the legal advisor to the Colorado Gang Advisory Board ("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.

4. Financial Fraud

The Attorney General's Office has original jurisdiction to both investigate and prosecute crime relating to securities and insurance fraud. These Units provides investigative and prosecutorial resources for combating securities fraud statewide.

Request:

Specifically, the investigator position will primarily focus efforts on human trafficking and election fraud, as well as support the ongoing efforts outlined above. In 2011, with financial support from Hunt Alternatives Fund and staff assistance from the Office of Governor John W. Hickenlooper, the Colorado Department of Human Services convened an inter-governmental and community working group to develop strategy recommendations for examining commercial sex in the State of Colorado. Human trafficking often involves force, fraud and coercion or mental duress. It is a growing, complex issue in many of the states near international entry points, such as Denver International Airport.

Human trafficking involves the sale, exchange, barter or lease of a person for labor or sex acts. Trafficking adults is a class 3 felony unless those trafficked are illegally in the country, in which case trafficking is a class 2 felony. Trafficking in children is a class 2 felony. The Special Prosecution Unit, along with the efforts of various police agencies, has demonstrated a very successful track record with prosecuting this crime over the last year. Our prosecutor is a member of a inter-agency effort that, in 2011, conducted over 105 enforcement operations and arrested over 400 individuals. The group is a collaboration of local, state, and federal law enforcement agencies working together with organizations providing comprehensive services to trafficking victims to identify and rescue victims of human trafficking; and proactively investigate, identify, apprehend, and prosecute those engaged in human trafficking. Our prosecutor is regarded as an expert by law enforcement agencies around the state.

Despite our success in prosecuting these cases, the problem continues to grow. This issue continues to become a growing concern with the Attorney General and the department does not currently have a criminal investigator on staff trained in this area of law. Without an investigator, the Attorney General's Office is unable to initiate investigations, conduct witness interviews, or arrest those individuals engaged in human trafficking. The department is hoping to

expand the expertise and impact of the Special Prosecution Unit by securing this talent within the staff to better serve the victims of these crimes.

In addition, through the investigator, we seek to increase the election fraud investigation and prosecution capacity of the office, and generally support the ongoing focus of the agency.

The department had a retirement of a Criminal Investigator position during FY 2011-12. The department requested, and received approval for, a supplemental amount of \$29,814 to cover the unexpected and late fiscal impact of this retirement.

Due to the various across the board reductions in line items, including a \$27,047 total funds reduction in the Special Prosecution Line Item for FY 13 figure setting, the department was unable to fill this vacant Criminal Investigator Position. Instead, the department added 0.5 FTE capacity of a Legal Assistant, with the other half of the FTE supporting the Auto Theft Grant Line Item in an effort to address the lack of support staff described above.

A Program Assistant is required to support the efforts of the attorneys and investigators throughout the Criminal Justice Section. There are currently far more prosecutors and investigators than support staff. Rather than having experienced attorneys handle clerical duties as they do currently, we are seeking to add a Program Assistant who will provide the prosecutors with the police paperwork, court files, assistance in filing legal documents with the courts.

The Department is also requesting an additional First Assistant Attorney General FTE position to assist in the supervision and management of the Special Prosecutions Unit. Currently there are two First Assistant Attorney Generals in the Special Prosecutions Unit who supervise 29.5 FTE including administrative staff, attorneys and criminal investigators. The ratio of one supervisor to 14.75 FTE is among the highest in

the office and makes it very challenging to effectively manage the staff while also carrying a full time caseload. Further this position would also be utilized to assist the Deputy Attorney General of the Criminal Justice Section with section-wide management and administrative issues.

The Deputy Attorney General for the Criminal Justice Section has a complex and unique assignment within the Department of Law. The Deputy supervises the Special Prosecution Unit (complex crimes, foreign prosecution, environmental prosecution, drug offenses, and the Violent Crimes Assistance Team), Financial Fraud Unit (securities and insurance fraud units), Medicaid Fraud Unit, the Colorado Justice Review Project, and the Peace Officer Standards and Training (POST) Unit. The section is involved in complex criminal matters throughout the state and coordinates investigations and prosecution efforts through the utilization of the Statewide Grand Jury, by and through agreement with the twenty-two elected District Attorneys, and also through matters in which the Attorney General has original jurisdiction such as securities, insurance and environmental prosecutions. The Deputy in this section also oversees the Statewide Grand Jury, is very active in the legislature on matters related to criminal law and serves as a designee of the Attorney General on numerous task forces and working groups dedicated to criminal issues.

Management of the Criminal Justice Section includes overseeing a total of 60 employees (attorneys, criminal investigators and support staff) and responsibility for hiring, performance management, resolution of personnel matters, planning and prioritizing the work of the section, and developing the section's strategic plan and annual budget. The Deputy also works with the Attorney General on policy development, legislative matters, and issues of potential public importance.

Accomplishing the responsibilities of the Deputy position requires time and effort well above what

is typically expected of a full time management-level position. Additionally, the work of the Deputy position is regularly conducted outside of the office. With only three subordinate supervisors in the section, the Deputy position has a primary role in the day-to-day operations and management activities in the section. Given the many other responsibilities/priorities of the position, it is very challenging to timely address the internal administrative, management and personnel issues.

This new First position would help resolve the two most significant issues, as identified above. The ratio of employees to supervisors in the Special Prosecutions Unit would drop from 14.75 to one to 9.8 to one. This is much more in line with the Departmental average, as well as a much more manageable and effective span of control. Additionally, with this position assisting the Deputy with internal administrative and managerial issues, there would be significant improvement in the efficiency and operations of the section.

As such, the department does not have the resources to fund any portion of these FTE.

Anticipated Outcomes:

With the additional resources the unit will be better equipped to address human trafficking investigations and prosecutions, as well as build up the election fraud efforts. Additionally, the Special Prosecution Unit will be bolstered to better manage administrative functions and supervision of the unit and its work products.

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. As such, the unit requires a personnel with professional experience, in order to best serve the program and Colorado citizens. The Criminal Investigator and Program Assistant will

be funded by the General Fund due to their primary responsibilities assisting Special Prosecution. The First Assistant Attorney General will be funded equally through the General Fund, Insurance Fraud Cash Fund, and Securities Fraud transfer from the Department of Regulatory Agencies. This is to acknowledge that this FTE will support all of the efforts of this line item.

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. However, the prioritization will come at the expense of best serving all areas of this unit's responsibilities. With an investigator handling human trafficking investigations, the Attorney General's Office would contribute more results in this ongoing, important effort.

Impact to Other State Government Agency:

This decision item, if funded, would increase the annual transfer of resources from the Securities Division in the Department of Regulatory Agencies.

Current Statutory Authority or Needed Statutory Change:

No statutory changes needed. 24-31-105. C.R.S. states, "There is hereby established, within the department of law and under the control of the attorney general, a criminal enforcement section. The criminal enforcement section or any attorney in the department of law authorized by the attorney general shall prosecute all criminal cases for the attorney general and shall perform other functions as may be required by the attorney general."

Decision Item Calculations for CI and Program Asst 1

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
Mileage use on state vehicle (assume 12,000miles at \$.212/mile	\$ 2,544	\$ 2,544
Assume 2 overnight stays in hotel per month at \$75/night	\$ 1,800	\$ 1,800
Assume avg per diem at \$66 per day for 2 nights each month	\$ 1,584	\$ 1,584
Specific New Investigator Operating Expenses		
Badge (Flat) and Badge Case \$102.25 with shipping	\$ 102	
Glock Pistol \$477.00	\$ 477	
Holster \$20.00	\$ 20	
Mag Pouch \$20.00	\$ 20	
Handcuff Case \$27.99	\$ 28	
Vest (protective) \$840.00	\$ 840	
Body Armor vest carrier cover	\$ 150	
Nextel Phone \$150.00	\$ 150	
Motorola XTS 2500 Digital portable radio battery and charger	\$ 2,618	
Pepper Spray (Foam) \$15.95	\$ 16	
Pepper Spray Carrying Case \$30.95	\$ 31	
Range User Fee (annual) \$225.00	\$ 225	\$ 225
Hearing Protectors \$19.95	\$ 20	
Shooting Glasses \$15.95	\$ 16	
Portable radio accessories(battery/charger/conditioner	\$ -	
Portable radio extended life battery	\$ -	
Stinger Rechargeable flashlight	\$ 103	
Cell Phone \$80/month	\$ 960	\$ 960
5.11 brand response coat	\$ 68	
Total Operating	\$ 28,438	\$ 14,013

Monthly Salary Criminal Invest II (mid range)	\$ 6,775	\$ 6,775
Monthly Salary Program Asst I (mid range)	\$ 4,534	\$ 4,534
Annual Salary 11 months FY 13, 12 months FY 14	\$ 124,396	\$ 135,705
PERA at 10.15%	\$ 12,626	\$ 13,774
Medicare at 1.45%	\$ 1,804	\$ 1,968
Total PS	\$ 138,826	\$ 151,447

Total	\$ 167,265	\$ 165,460
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Decision Item Calculations For Asst Deputy Attorney General

	FY 13	FY 14
Supplies @ \$500/\$500	\$ 500	\$ 500
Computer @ \$2,489/\$0	\$ 2,489	\$ -
Office Suite Software @ \$395/\$0	\$ 395	\$ -
Office Equipment @ \$3,998/\$0 (includes cubicle and chair) *1	\$ 3,998	\$ -
Telephone Base @ \$450/\$450	\$ 450	\$ 450
Litigation Expenses Est \$5,000 per current AAG	\$ 5,000	\$ 5,000
Cell Phone \$80/month	\$ 960	\$ 960
Total Operating	\$ 13,792	\$ 6,910

Monthly Salary First AAG	\$ 8,800	\$ 8,800
Annual Salary	\$ 105,600	\$ 105,600
PERA at 10.15%	\$ 10,718	\$ 10,718
Medicare at 1.45%	\$ 1,531	\$ 1,531
Total PS	\$ 117,850	\$ 117,850

Total	\$ 131,642	\$ 124,760
GF	\$ 43,968	\$ 41,670
CF	\$ 43,837	\$ 41,545
RF	\$ 43,837	\$ 41,545


Total Decision Item Request	\$ 298,907	\$ 290,220
GF	\$ 211,233	\$ 207,130
CF	\$ 43,837	\$ 41,545
RF	\$ 43,837	\$ 41,545

Operating	\$ 42,230	\$ 20,923
GF	\$ 33,044	\$ 16,321
CF	\$ 4,593	\$ 2,301
RF	\$ 4,593	\$ 2,301

PS	\$ 256,676	\$ 269,297
GF	\$ 178,188	\$ 190,809
CF	\$ 39,244	\$ 39,244
RF	\$ 39,244	\$ 39,244

Schedule 13
Funding Request for the 2013-14 Budget Cycle

Department: Law
Request Title: Tobacco Litigation Funding
Priority Number: 3

Dept. Approval by:  10/23/12
Date

OSPB Approval by: _____
Date

Decision Item FY 2013-14
Base Reduction Item FY 2013-14
Supplemental FY 2012-13
Budget Amendment FY 2013-14

Line Item Information		FY 2012-13		FY 2013-14		FY 2014-15
		1	2	3	4	6
	Fund	Appropriation FY 2012-13	Supplemental Request FY 2012-13	Base Request FY 2013-14	Funding Change Request FY 2013-14	Continuation Amount FY 2014-15
Total of All Line Items	Total	9,546,036	-	12,356,989	-	-
	FTE	26.0	-	26.0	-	-
	GF	2,595,979	-	3,322,924	676,952	676,952
	GFE	-	-	-	-	-
	CF	2,584,734	-	2,475,093	(676,952)	(676,952)
	RF	4,136,643	-	6,234,812	-	-
	FF	228,680	-	324,160	-	-
(5) Consumer Protection: Consumer Protection and Antitrust	Total	2,170,214	-	2,135,804	-	-
	FTE	26.0	-	26.0	-	-
	GF	931,023	-	931,023	153,795	153,795
	GFE	-	-	-	-	-
	CF	997,710	-	963,300	(153,795)	(153,795)
	RF	241,481	-	241,481	-	-
	FF	-	-	-	-	-
(1) Administration: Health, Life, Dental	Total	2,620,363	-	2,875,285	-	-
	FTE	-	-	-	-	0.0
	GF	712,358	-	745,725	6,064	6,064
	GFE	-	-	-	-	-
	CF	307,246	-	293,081	(6,064)	(6,064)
	RF	1,497,893	-	1,708,446	-	-
	FF	102,866	-	128,034	-	-
(1) Administration: Short- Term Disability	Total	49,196	-	57,762	-	-
	FTE	-	-	-	-	0.0
	GF	13,008	-	14,626	160	160
	GFE	-	-	-	-	-
	CF	4,457	-	5,966	(160)	(160)
	RF	30,127	-	34,828	-	-
	FF	1,604	-	2,342	-	-
(1) Administration: SB 04- 257 Amortization	Total	965,510	-	1,165,243	-	-

Line Item Information		FY 2012-13		FY 2013-14		FY 2014-15
		1	2	3	4	6
	Fund	Appropriation FY 2012-13	Supplemental Request FY 2012-13	Base Request FY 2013-14	Funding Change Request FY 2013-14	Continuation Amount FY 2014-15
Equalization Disbursement	FTE	-	-	-	-	0.0
	GF	271,731	-	295,318	3,025	3,025
	GFE	-	-	-	-	-
	CF	93,597	-	119,329	(3,025)	(3,025)
	RF	559,668	-	703,769	-	-
	FF	40,514	-	46,827	-	-
(1) Administration: SB 06-235 Supplemental Amortization Equalization Disbursement	Total	828,618	-	1,051,954	-	-
	FTE	-	-	-	-	0.0
	GF	232,402	-	266,606	2,731	2,731
	GFE	-	-	-	-	-
	CF	80,435	-	107,727	(2,731)	(2,731)
	RF	480,964	-	635,347	-	-
	FF	34,817	-	42,274	-	-
(1) Administration: Salary Survey For Exempt Employees	Total	-	-	535,539	-	-
	FTE	-	-	-	-	0.0
	GF	-	-	135,578	1,225	1,225
	GFE	-	-	-	-	-
	CF	-	-	15,877	(1,225)	(1,225)
	RF	-	-	380,584	-	-
	FF	-	-	3,500	-	-
(1) Administration: Merit Pay for Exempt Employees	Total	-	-	349,478	-	-
	FTE	-	-	-	-	0.0
	GF	-	-	82,074	1,153	1,153
	GFE	-	-	-	-	-
	CF	-	-	9,534	(1,153)	(1,153)
	RF	-	-	254,063	-	-
	FF	-	-	3,807	-	-
(1) Administration: Workers' Compensation	Total	73,256	-	74,366	-	-
	FTE	-	-	-	-	0.0
	GF	19,388	-	18,970	175	175
	GFE	-	-	-	-	-
	CF	7,666	-	9,499	(175)	(175)
	RF	43,950	-	43,671	-	-
	FF	2,252	-	2,226	-	-
(1) Administration: Continuing Legal Education	Total	99,263	-	99,263	-	-
	FTE	-	-	-	-	0.0
	GF	21,769	-	21,769	375	375
	GFE	-	-	-	-	-
	CF	3,000	-	3,000	(375)	(375)
	RF	72,525	-	72,525	-	-
	FF	1,969	-	1,969	-	-
(1) Administration: Capitol Complex/ Carr Building Lease Costs	Total	1,273,320	-	2,926,487	-	-
	FTE	-	-	-	-	0.0
	GF	335,366	-	753,437	6,871	6,871
	GFE	-	-	-	-	-

Line Item Information		FY 2012-13		FY 2013-14		FY 2014-15
		1	2	3	4	6
	Fund	Appropriation FY 2012-13	Supplemental Request FY 2012-13	Base Request FY 2013-14	Funding Change Request FY 2013-14	Continuation Amount FY 2014-15
	CF	132,620	-	366,927	(6,871)	(6,871)
	RF	766,375	-	1,718,514	-	-
	FF	38,959	-	87,609	-	-
(1) Administration: Security for State Services Building	Total	140,489	-	140,000	-	-
	FTE	-	-	-	-	0.0
	GF	37,180	-	36,044	329	329
	GFE	-	-	-	-	-
	CF	14,704	-	17,554	(329)	(329)
	RF	84,287	-	82,211	-	-
	FF	4,318	-	4,191	-	-
(1) Administration: Information Technology Asset Maintenance	Total	445,807	-	445,807	-	-
	FTE	-	-	-	-	0.0
	GF	21,754	-	21,754	1,049	1,049
	GFE	-	-	-	-	-
	CF	63,299	-	63,299	(1,049)	(1,049)
	RF	359,373	-	359,373	-	-
	FF	1,381	-	1,381	-	-
(6) Special Purpose: Tobacco Litigation	Total	880,000	-	500,000	-	-
	FTE	-	-	-	-	0.0
	GF	-	-	-	500,000	500,000
	GFE	-	-	-	-	-
	CF	880,000	-	500,000	(500,000)	(500,000)
	RF	-	-	-	-	-
	FF	-	-	-	-	-
Letternote Text Revision Required? Yes: No: If yes, describe the Letternote Text Revision: Cash or Federal Fund Name and COFRS Fund Number: Tobacco Litigation Defense Account 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 2013-14 Funding Request
November 1, 2012*

*John W. Suthers
Attorney General*

*Cynthia Coffman
Chief Deputy Attorney General*

**Department Priority: 3
Request Title Tobacco Litigation Funding**

Summary of Incremental Funding Change for FY 2013-14	Total Funds	GF	CF	RF	FTE
Total Request	\$0	\$676,952	(\$676,952)	\$0	0.0
Consumer Protection and Antitrust	\$0	\$153,795	(\$153,795)	\$0	0.0
Indirect Cost Assessment	\$0	\$0	\$0	\$0	0.0
Salary Survey	\$0	\$1,225	(\$1,225)	\$0	0.0
Merit Pay	\$0	\$1,153	(\$1,153)	\$0	0.0
AED @ 3.6% (Common Policy Request in FY 14)	\$0	\$3,025	(\$3,025)	\$0	0.0
SAED @ 3.25% (Common Policy Request in FY 14)	\$0	\$2,731	(\$2,731)	\$0	0.0
STD @.177% (Common Policy Request in FY 14)	\$0	\$160	(\$160)	\$0	0.0
HLD (Assumes Employee only HLD coverage for FTE)	\$0	\$6,064	(\$6,064)	\$0	0.0
Workers' Compensation (Common Policy Request)	\$0	\$175	(\$175)	\$0	0.0
Continuing Legal Education (Common Policy Request)	\$0	\$375	(\$375)	\$0	0.0
IT Asset Maintenance (Common Policy Request)	\$0	\$1,049	(\$1,049)	\$0	0.0
Carr Bldg Lease Costs	\$0	\$6,871	(\$6,871)	\$0	0.0
Security for State Services (Common Policy Request)	\$0	\$329	(\$329)	\$0	0.0
Tobacco Litigation	\$0	\$500,000	(\$500,000)	\$0	0.0

Request Summary:

The Department of Law (Department) is requesting a refinance of \$676,952 GF. This request will allow the Department to continue to advocate for the state's interests on Tobacco Litigation efforts.

Background:

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. 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.

Under the terms of the MSA, the Participating Manufacturers to the agreement may initiate an arbitration proceeding to attempt to reduce future payments on the basis of past sales by NPMs. Colorado is currently engaged in the NPM Adjustment Diligent Enforcement Arbitration, a multi-state arbitration regarding the amount that all MSA States' payments can be reduced due to NPM sales in 2003. Colorado is a contested state in this arbitration. Colorado's state-specific hearing, along with Arizona and Washington, is scheduled for December 2012. Final resolution of this arbitration is likely to be in late 2013 or early 2014 and will likely influence payment adjustments in future years.

This unit, along with outside counsel, represents Colorado in these arbitrations. Colorado's counsel represent Colorado at all multi-state meetings and all arbitration hearings, negotiate with counsel for Participating Manufacturers on behalf of Colorado and other States, and monitor all contested state arbitration to prepare for the current arbitration hearing and future arbitrations. Due to the fact that attorney from this unit, as well as past attorneys, will be witnesses for Colorado in its state-specific hearing, outside counsel is necessary to help develop and present the case

The Antitrust, Tobacco and Consumer Protection Unit has one full time lawyer who is funded out of the tobacco settlement funds with associated operating and litigation costs. Additionally, this effort is also supported by the Tobacco Litigation Line Item which accommodates the costs for outside counsel representation.

The department's Tobacco efforts have traditionally been funded by the Tobacco Settlement Defense Account within the Tobacco Litigation Settlement Cash Fund. The department is projecting that the balance within this fund will be exhausted by the end of FY 2012-13, thereby leaving no resources for these efforts moving forward. Because of this, the Department is making a GF request to continue the support of the Tobacco Litigation efforts on behalf of the state.

Anticipated Outcomes:

The department is expecting this solution to allow the department to continue to protect state interests and minimize risk with Tobacco settlement negotiations and enforcement of the tobacco related statutes.

Assumptions for Calculations:

The department is using the current salary and associated state paid benefits and associated operating budget for this position. Additionally, on the Tobacco Litigation Line Item, the Department is assuming a \$500,000 need in FY

2013-14 for outside counsel efforts. The reduction of \$380,000 is due to the State being through its State specific meetings with the arbitration team requiring less time and out of state travel. Outside counsel will continue to work on either the confirmation of the award the State receives during FY 2012-13 or the challenge of that decision, as well as the continued monitoring of other state proceedings to help determine how those issues could impact Colorado.

An alternative to funding this request as GF is to fund it directly out of annual Tobacco revenues. However, the Department understands that this would require legislation to modify the current allocation methodology. The Attorney General is agreeable to this direction.

Consequences if not Funded:

If this request is not funded, the department will have no legitimate source of funds to address Tobacco Settlement efforts on behalf of the state.

Impact to Other State Government Agency:

The department works closely with the Department of Revenue on nonparticipating manufacturers escrow payments. The Department of Law will not have the legal expertise on this matter to support the Department of Revenue, without the continuation of these efforts.

Current Statutory Authority or Needed Statutory Change:

24-31-402(1) C.R.S. states, "general assembly hereby finds that both the tobacco settlement and the smokeless tobacco settlement impose numerous duties and obligations on the parties to those settlement agreements relating to the marketing and advertising of tobacco products and the payment of damages to the state. The general assembly further finds that most of these duties and obligations continue for a minimum of twenty-five years from the dates of the settlement agreements. Therefore, the attorney general shall oversee and take the necessary actions to enforce compliance with the provisions of the tobacco

settlement agreement and the smokeless tobacco settlement agreement, consistent with the duties and obligations set forth in said settlement agreements and with Colorado law."There is no statutory modification necessary to implement this request.

FY 12 Tobacco expenses by
Line Item

Consumer Protection/Antitrust	\$140,292
Consumer Protection Indirect	\$12,404
Tobacco Litigation	\$745,624
Total	\$898,320

FY 13 Line Item Budgets

Consumer Protection/Antitrust	\$166,199
Consumer Protection Indirect	\$12,404
Tobacco Litigation	\$880,000
Total	\$1,058,603
Avg Monthly Expense	\$88,217

FY 13 estimates Tobacco Litigation Defense Fund Account:

FY 13 Beginning FB	\$ 1,025,710
FY 13 Est Interest Revenue	\$ 9,220
FY 13 Est Expenditures	\$ 1,058,603
FY 13 End of Year FB	\$ (23,673)

This assumes that the full budget amount for FY 13 is used in its entirety. The Department of Law is assuming that some of the FY 13 appropriations will not be fully used thereby maintaining a positive fund balance at FY end. This chart is provided to demonstrate the worst case scenario.


Tobacco Position and Program Costs

	FY 14 Calculations
Monthly Salary Asst Attorney General	\$6,805
Annual Salary	\$81,660
PERA at 10.15%	\$8,288
Medicare at 1.45%	\$1,184
Salary Survey at 1.5%	\$1,225
Merit Pay	\$1,153
AED @ 3.6% (Common Policy Request in FY 14)	\$3,025
SAED @ 3.25% (Common Policy Request in FY 14)	\$2,731
STD @.19% (Common Policy Request in FY 14)	\$160
HLD (Assumes Employee only HLD coverage for FTE)	\$6,064
Total PS	\$105,491

Operating and Litigation Expenses	\$62,662
Workers' Compensation (Common Policy Request)	\$175
Continuing Legal Education (Common Policy Request)	\$375
IT Asset Maintenance (Common Policy Request)	\$1,049
Carr Bldg Lease Costs	\$6,871
Security for State Services (Common Policy Request)	\$329
Tobacco Litigation	\$500,000
Total	\$676,952

Schedule 13
Funding Request for the 2013-14 Budget Cycle

Department: Law
 Request Title: PIO Refinance
 Priority Number: 4

Dept. Approval by:  10/23/12
 Date

Decision Item FY 2013-14
Base Reduction Item FY 2013-14
Supplemental FY 2012-13
Budget Amendment FY 2013-14

OSPB Approval by: _____
 Date

Line Item Information		FY 2012-13		FY 2013-14		FY 2014-15
		1	2	3	4	6
	Fund	Appropriation FY 2012-13	Supplemental Request FY 2012-13	Base Request FY 2013-14	Funding Change Request FY 2013-14	Continuation Amount FY 2014-15
Total of All Line Items	Total	17,789,440	-	20,813,771	89,278	89,278
	FTE	99.7	-	99.7	-	-
	GF	4,759,318	-	5,156,325	(68,933)	(68,933)
	GFE	-	-	-	-	-
	CF	2,288,405	-	2,650,107	(95,071)	(95,071)
	RF	10,358,857	-	12,490,500	249,684	249,684
	FF	382,860	-	516,839	3,597	3,597
(1) Administration: Personal Services	Total	3,049,837	-	3,049,837	89,284	89,284
	FTE	41.7	-	41.7	1.0	1.0
	GF	14,072	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	3,035,765	-	3,049,837	89,284	89,284
	FF	-	-	-	-	-
(1) Administration: Health, Life, Dental	Total	2,620,363	-	2,875,285	-	-
	FTE	-	-	-	-	0.0
	GF	712,358	-	745,725	6,064	6,064
	GFE	-	-	-	-	-
	CF	307,246	-	293,081	(6,064)	(6,064)
	RF	1,497,893	-	1,708,446	-	-
	FF	102,866	-	128,034	-	-
(1) Administration: Short- Term Disability	Total	49,196	-	57,762	-	-
	FTE	-	-	-	-	0.0
	GF	13,008	-	14,626	144	144
	GFE	-	-	-	-	-
	CF	4,457	-	5,966	(144)	(144)
	RF	30,127	-	34,828	-	-
	FF	1,604	-	2,342	-	-
(1) Administration: SB 04- 257 Amortization	Total	965,510	-	1,165,243	-	-

Line Item Information		FY 2012-13		FY 2013-14		FY 2014-15
		1	2	3	4	6
	Fund	Appropriation FY 2012-13	Supplemental Request FY 2012-13	Base Request FY 2013-14	Funding Change Request FY 2013-14	Continuation Amount FY 2014-15
Equalization Disbursement	FTE	-	-	-	-	0.0
	GF	271,731	-	295,318	2,923	2,923
	GFE	-	-	-	-	-
	CF	93,597	-	119,329	(2,923)	(2,923)
	RF	559,668	-	703,769	-	-
	FF	40,514	-	46,827	-	-
(1) Administration: SB 06-235 Supplemental Amortization Equalization Disbursement	Total	828,618	-	1,051,954	-	-
	FTE	-	-	-	-	0.0
	GF	232,402	-	266,606	2,639	2,639
	GFE	-	-	-	-	-
	CF	80,435	-	107,727	(2,639)	(2,639)
	RF	480,964	-	635,347	-	-
	FF	34,817	-	42,274	-	-
(1) Administration: Salary Survey	Total	-	-	264,304	-	-
	FTE	-	-	-	-	0.0
	GF	-	-	64,048	1,200	1,200
	GFE	-	-	-	-	-
	CF	-	-	54,723	(1,200)	(1,200)
	RF	-	-	123,985	-	-
	FF	-	-	21,548	-	-
(1) Administration: Merit Pay	Total	-	-	156,999	-	-
	FTE	-	-	-	-	0.0
	GF	-	-	56,721	-	-
	GFE	-	-	-	-	-
	CF	-	-	26,060	-	-
	RF	-	-	61,913	-	-
	FF	-	-	12,305	-	-
(1) Administration: Workers' Compensation	Total	73,256	-	74,366	-	-
	FTE	-	-	-	-	0.0
	GF	19,388	-	18,970	175	175
	GFE	-	-	-	-	-
	CF	7,666	-	9,499	(175)	(175)
	RF	43,950	-	43,671	-	-
	FF	2,252	-	2,226	-	-
(1) Administration: Capitol Complex/ Carr Building Lease Costs	Total	1,273,320	-	2,926,487	-	-
	FTE	-	-	-	-	0.0
	GF	335,366	-	753,437	6,871	6,871
	GFE	-	-	-	-	-
	CF	132,620	-	366,927	(6,871)	(6,871)
	RF	766,375	-	1,718,514	-	-
	FF	38,959	-	87,609	-	-
(1) Administration: Security for State Services Building	Total	140,489	-	140,000	-	-
	FTE	-	-	-	-	0.0
	GF	37,180	-	36,044	329	329
	GFE	-	-	-	-	-

Line Item Information		FY 2012-13		FY 2013-14		FY 2014-15
		1	2	3	4	6
	Fund	Appropriation FY 2012-13	Supplemental Request FY 2012-13	Base Request FY 2013-14	Funding Change Request FY 2013-14	Continuation Amount FY 2014-15
	CF	14,704	-	17,554	(329)	(329)
	RF	84,287	-	82,211	-	-
	FF	4,318	-	4,191	-	-
(2) Legal Services to State Agencies: Indirect Cost Assessment	Total	2,950,911	-	3,185,490	67,610	67,610
	FTE	-	-	-	-	0.0
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	2,950,911	-	3,185,490	67,610	67,610
	FF	-	-	-	-	-
(3) Criminal Justice and Appellate: Appellate Unit	Total	2,709,335	-	2,709,335	-	-
	FTE	32.0	-	32.0	-	0.0
	GF	2,195,709	-	1,973,807	(89,278)	(89,278)
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	513,626	-	735,528	89,278	89,278
	FF	-	-	-	-	-
(3) Criminal Justice and Appellate: Indirect Cost Assessment	Total	446,544	-	480,426	10,197	10,197
	FTE	-	-	-	-	0.0
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	215,830	-	232,206	4,928	4,928
	RF	73,184	-	78,736	1,671	1,671
	FF	157,530	-	169,484	3,597	3,597
(4) Natural Resources and Water: Indirect Cost Assessment	Total	43,414	-	46,708	991	991
	FTE	-	-	-	-	0.0
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	-	-	-	-	-
	RF	43,414	-	46,708	991	991
	FF	-	-	-	-	-
(5) Consumer Protection: Consumer Protection and Antitrust	Total	2,167,295	-	2,135,804	(89,284)	(89,284)
	FTE	26.0	-	26.0	(1.0)	(1.0)
	GF	928,104	-	931,023	-	-
	GFE	-	-	-	-	-
	CF	997,710	-	963,300	(89,284)	(89,284)
	RF	241,481	-	241,481	-	-
	FF	-	-	-	-	-
(5) Consumer Protection: Indirect Cost Assessment	Total	471,352	-	493,771	10,480	10,480
	FTE	-	-	-	-	0.0
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	434,140	-	453,735	9,630	9,630
	RF	37,212	-	40,035	850	850
	FF	-	-	-	-	-

Line Item Information		FY 2012-13		FY 2013-14		FY 2014-15
		1	2	3	4	6
	Fund	Appropriation FY 2012-13	Supplemental Request FY 2012-13	Base Request FY 2013-14	Funding Change Request FY 2013-14	Continuation Amount FY 2014-15
<p> Letternote Text Revision Required? Yes: No: If yes, describe the Letternote Text Revision: Cash or Federal Fund Name and COFRS Fund Number: All Department Cash Funds and RF funds that pay indirects 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: </p>						



DEPARTMENT OF LAW

John W. Suthers
Attorney General

*FY 2013-14 Funding Request
November 1, 2012*

Cynthia Coffman
Chief Deputy Attorney General

Department Priority: 4
Request Title Refinance PIO in Administration

Summary of Incremental Funding Change for FY 2013-14	Total Funds	GF	CF	RF	FF	FTE
Total Request	\$89,278	(\$68,933)	(\$95,071)	\$249,685	\$3,597	0.0
Consumer Protection and Antitrust	(\$89,284)	\$0	(\$89,284)	\$0	\$0	(1.0)
Administration Personal Services	\$89,284	\$0	\$0	\$89,284	\$0	1.0
Salary Survey	\$0	\$1,200	(\$1,200)	\$0	\$0	0.0
Merit Pay	\$0	\$0	\$0	\$0	\$0	0.0
AED @ 3.6% (Common Policy Request in FY 14)	\$0	\$2,923	(\$2,923)	\$0	\$0	0.0
SAED @ 3.25% (Common Policy Request in FY 14)	\$0	\$2,639	(\$2,639)	\$0	\$0	0.0
STD @ .177% (Common Policy Request in FY 14)	\$0	\$144	(\$144)	\$0	\$0	0.0
HLD (Assumes Employee only HLD coverage for FTE)	\$0	\$6,064	(\$6,064)	\$0	\$0	0.0
Workers' Compensation (Common Policy Request)	\$0	\$175	(\$175)	\$0	\$0	0.0
Carr Bldg Lease Costs	\$0	\$6,871	(\$6,871)	\$0	\$0	0.0
Security for State Services (Common Policy Request)	\$0	\$329	(\$329)	\$0	\$0	0.0
LSSA Indirect Recoveries	\$67,610	\$0	\$0	\$67,610	\$0	0.0
Criminal Justice and Appellate Indirect Recoveries	\$10,197	\$0	\$4,928	\$1,671	\$3,597	0.0
Water and Natural Resources Indirect Recoveries	\$991	\$0	\$0	\$991	\$0	0.0
Consumer Protection and Antitrust Indirect Recoveries	\$10,480	\$0	\$9,630	\$850	\$0	0.0
Appellate Unit	\$0	(\$89,278)	\$0	\$89,278	\$0	0.0

Request Summary:

The Department of Law is requesting a refinance of the current Public Information Office Position (PIO) from the Consumer Protection/Antitrust line item to the Administration Personal Services Line Item. This request will reduce \$89,284 of CF spending authority in the Consumer Protection/Antitrust Line Item, with a like increase of RF in the Administration Personal Services Line Item. Additionally, the Personal Services POTS for this position will change from CF to GF with a like increase of RF in Appellate to cover the additional indirect recoveries associated.

This request will allow the Department of Law (department) to move the department's Public Information Officer Position from the Consumer Protection/Antitrust line item to the Administration Personal Services Line Item to be funded through indirect recoveries.

Anticipated Outcomes:

This solution will allow a better alignment of appropriated dollars and FTE. This position, assuming the request is approved, will be paid from indirect recoveries generated by all department cash and federal revenues. The PIO position supports all of the department's units, much like the other overhead units, including accounting, budgeting, IT services, Human Resources, and the Attorney General's Office. As such, this position should be paid from the areas served.

Assumptions for Calculations:

The department is using the current salary, PERA, and Medicare rates to calculate the costs of this position. It is assumed that all other centrally appropriated POTS budgets for this position, like HLD, AED, SAED, and STD and all operating POST, will be budgeted as GF. However, these costs are included in the overall indirect recovery calculations and distributed to the various Indirect Recovery Line items. This means that the GF is offset by a like increase in RF in a line item that has indirect recoveries applied, most likely the Appellate Unit line item.

Consequences if not Funded:

If this request is not funded, the department will continue to utilize the UCCC Custodial (#16B) at \$80,000 annually, with the balance coming from the Consumer Protection Custodial (#146).

Impact to Other State Government Agency:

Based on FY 13 figure setting and rate setting numbers, if this request is approved it would increase the hourly blended billing rate by an estimated \$0.18/hour to client agencies. This calculation is based on the Legal Services to State Agencies Indirect Recovery calculation that supports the Attorney General's Office and associated overhead costs.

Current Statutory Authority or Needed Statutory Change:

24-31-101(3) C.R.S. states, "The attorney general may appoint such deputies and assistants as are necessary for the efficient operation of his office within the limitations of appropriations made therefor by the general assembly." There is no statutory modification necessary to implement this request.

FY 14 PIO Cost Calculations: Chart 1

	FY 14 Calculations
Monthly Salary General Professional IV	\$6,667
Annual Salary	\$80,004
PERA at 10.15%	\$8,120
Medicare at 1.45%	\$1,160
Salary Survey	\$1,200
Merit Pay	
AED @ 3.6% (Common Policy Request in FY 14)	\$2,923
SAED @ 3.25% (Common Policy Request in FY 14)	\$2,639
STD @.177% (Common Policy Request in FY 14)	\$144
HLD (Assumes Employee only HLD coverage for FTE)	\$6,064
Workers' Compensation	\$175
Carr Bldg	\$6,871
Security for State Services Bldg	\$329
Total	\$109,629

Schedule 13
Funding Request for the 2013-14 Budget Cycle

Department: Department of Law
 Request Title: Risk Management: Employee Engagement Service Adjustment Decision Item
 Priority Number: Non Prioritized

Dept. Approval by:  10/23/12
 Date

Decision Item FY 2013-14 Base Reduction Item FY 2013-14 Supplemental FY 2012-13 Budget Amendment FY 2013-14
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OSPB Approval by: _____
 Date

Line Item Information		FY 2012-13		FY 2013-14		FY 2014-15
		1	2	3	4	6
	Fund	Appropriation FY 2012-13	Supplemental Request FY 2012-13	Base Request FY 2013-14	Funding Change Request FY 2013-14	Continuation Amount FY 2014-15
Total of All Line Items	Total	87,949	-	126,831	3,284	-
	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	CF	-	-	-	-	-
	HUTF	-	-	-	-	-
	RF	87,949	-	126,831	3,284	-
	FF	-	-	-	-	-
(1) Administration	Total	87,949	-	126,831	3,284	-
Vehicle Lease Payments	FTE	-	-	-	-	-
	GF	-	-	-	-	-
	CF	-	-	-	-	-
	HUTF	-	-	-	-	-
	RF	87,949	-	126,831	3,284	-
	FF	-	-	-	-	-

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

Cash or Federal Fund Name and COFRS Fund Number: All Cash and RF funds that pay indirects

Reappropriated Funds Source, by Department and Line Item Name:

Approval by OIT? Yes: No: Not Required:

Schedule 13s from Affected Departments:

Other Information:

Colorado Department of Law

FY 2013-14 Budget Request

SCHEDULE 2 - PROGRAM SUMMARY

	Actual FY11		Actual FY12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Administration	3,669,726	38.5	3,783,349	39.1	10,250,333	41.7	4,286,805	41.7	13,991,491	42.7
General Fund	518,677	0.0	511,476	0.0	1,712,353	0.0	621,906	0.0	2,603,484	0.0
General Fund Exempt	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Cash Fund	-	0.0	-	0.0	889,950	0.0	154,370	0.0	1,082,499	0.0
Reappropriated Funds	3,151,049	0.0	3,271,874	0.0	7,414,030	0.0	3,471,246	0.0	9,941,716	0.0
Federal Funds	-	0.0	-	0.0	234,000	0.0	39,283	0.0	363,792	0.0
Legal Services to State Agencies	25,240,327	218.0	27,016,722	226.3	25,239,816	238.7	29,022,691	238.7	25,510,138	238.5
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	1,582,388	0.0	1,560,550	0.0	280,576	0.0	280,576	0.0	280,576	0.0
Reappropriated Funds	23,657,939	0.0	25,456,172	0.0	24,959,240	0.0	28,742,115	0.0	25,229,562	0.0
Federal Funds	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Criminal Justice and Appellate	11,062,461	84.5	11,380,239	84.6	10,815,135	92.0	12,151,791	92.0	11,693,897	99.4
General Fund	5,054,115	0.0	4,740,206	0.0	4,082,558	0.0	4,853,474	0.0	4,536,811	0.0
General Fund Exempt	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Cash Fund	3,713,847	0.0	3,860,058	0.0	3,966,603	0.0	4,246,740	0.0	4,013,321	0.0
Reappropriated Funds	917,910	0.0	1,326,543	0.0	1,423,809	0.0	1,514,696	0.0	1,786,050	0.0
Federal Funds	1,376,588	0.0	1,453,431	0.0	1,342,165	0.0	1,536,882	0.0	1,357,716	0.0
Water and Natural Resources	1,691,208	11.9	1,760,857	12.0	2,448,124	12.0	2,617,366	12.0	2,342,409	12.0
General Fund	570,211	0.0	558,888	0.0	513,883	0.0	639,627	0.0	513,883	0.0
General Fund Exempt	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Cash Fund	354,516	0.0	465,460	0.0	955,198	0.0	955,197	0.0	845,198	0.0
Reappropriated Funds	766,481	0.0	736,510	0.0	979,043	0.0	1,022,542	0.0	983,328	0.0
Federal Funds	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Consumer Protection	3,973,212	37.7	3,932,469	37.2	4,163,482	46.0	4,838,236	46.0	4,062,921	45.0
General Fund	1,088,018	0.0	1,035,387	0.0	931,023	0.0	1,124,810	0.0	1,084,818	0.0
General Fund Exempt	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0

SCHEDULE 2 - PROGRAM SUMMARY

	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Cash Fund	2,579,882	0.0	2,593,312	0.0	2,953,766	0.0	3,409,210	0.0	2,695,737	0.0
Reappropriated Funds	305,312	0.0	303,770	0.0	278,693	0.0	304,216	0.0	282,366	0.0
Federal Funds	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Special Purpose	4,035,881	0.0	3,718,402	0.0	4,550,238	0.0	4,550,238	0.0	4,168,480	0.0
General Fund	2,263,229	0.0	2,479,847	0.0	2,656,368	0.0	2,656,368	0.0	3,176,960	0.0
General Fund Exempt	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Cash Fund	1,235,079	0.0	996,518	0.0	1,843,870	0.0	1,843,870	0.0	941,520	0.0
Reappropriated Funds	537,573	0.0	242,037	0.0	50,000	0.0	50,000	0.0	50,000	0.0
Federal Funds	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
GRAND TOTAL Department of Law	49,672,814	390.6	51,592,037	399.2	57,467,128	430.4	57,467,128	430.4	61,769,338	437.6
General Fund	9,494,250	0.0	9,325,804	0.0	9,896,185	0.0	9,896,185	0.0	11,915,957	0.0
General Fund Exempt	-	0.0	-	0.0	-	0.0	-	0.0	-	0.0
Cash Funds	9,465,711	0.0	9,475,897	0.0	10,889,963	0.0	10,889,962	0.0	9,858,851	0.0
Reappropriated Funds	29,336,265	0.0	31,336,905	0.0	35,104,815	0.0	35,104,815	0.0	38,273,023	0.0
Federal Funds	1,376,588	0.0	1,453,431	0.0	1,576,165	0.0	1,576,165	0.0	1,721,507	0.0

**Colorado Department of Law
FY 2013-14 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 2013-14 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) 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.
(K) 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
(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) Administrative Law Judge Services	Payment for services received from the Division of Administrative Hearings in the Department of Personnel.	24-31-101 & 102 C.R.S. (1988)
(N) Purchase of Services from Computer Center	net adjustment to reflect the common policy request and fund splits for the FY 11-12: \$405,007 including \$18,658 General Fund,	24-30-1606 C.R.S.
(O) Payment to Risk Management and Property Funds	\$386,349 Cash Funds, and \$0 Reappropriated Funds. These	N/A
(P) 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

**Colorado Department of Law
FY 2013-14 Budget Request
Schedule 5: Line Item to Statute**

(1) Administration (Continue)

Line Item Name	Line Item Description	Statutory Citation
(Q) ADP Capital Outlay	This funds the computer and capital outlay for a new FTE.	N/A
(R) Information Technology Asset Maintenance	This funds IT Asset Maintenance replacement such as desk top computer, laptop computer and servers.	N/A
(S) Lease Space	This funds the off site storage lease space for the Department.	N/A
(T)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
(U) Security for State Services Building	This funds the building security for 1525 Sherman building where the Attorney General's Office resides.	N/A
(V) Communications Services Payments	This funds for all the telephone equipment and services for the Department's employees.	N/A
(W) COFERS MODERNIZATION	This line will help support OIT and DPA's efforts in analyzing and planning for the upgrade or replacement of the current state fiscal system.	N/A
(X) 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)

**Colorado Department of Law
FY 2013-14 Budget Request
Schedule 5: Line Item to Statute**

(2) Legal Services to State Agencies (Continue)

Line Item Name	Line Item Description	Statutory Citation
(C) Indirect Costs Assessment	This line item funds the overhead expenses of the Department of Law including statewide indirect recoveries.	24-31-101 & 102 C.R.S. (1988)

(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.
(G) Indirect Costs Assessment	This line item funds the overhead expenses of the Department of Law including statewide indirect recoveries.	24-31-101 & 102 C.R.S. (1988)

**Colorado Department of Law
FY 2013-14 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)
(G) Indirect Costs Assessment	This line item funds the overhead expenses of the Department of Law including statewide indirect recoveries.	24-31-101 & 102 C.R.S. (1988)

**Colorado Department of Law
FY 2013-14 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.
(G) Indirect Costs Assessment	This line item funds the overhead expenses of the Department of Law including statewide indirect recoveries.	24-31-101 & 102 C.R.S. (1988)

(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
(D) Lobato Litigation Expenses	This line item pays for the operating and litigation expenses of the Lobato Law Suit.	N/A
(E) Lowry Range Litigation Expenses	This line item pays for the operating and litigation expenses of the Lowry Range Law Suit.	N/A

Colorado Department of Law

FY 2013-14 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 2012-13									
HB 12-1303	Certification of Speech Lang Pathologists	LSSA PS	0.10	\$ 14,990				\$ 14,990	
		LSSA OP		\$ 1,666				\$ 1,666	
		Total	0.10	\$ 16,656				\$ 16,656	
HB 12-1300	Sunset Continue Prof Review Committee	LSSA PS	0.00	\$ 2,044				\$ 2,044	
		LSSA OP		\$ 227				\$ 227	
		Total	0.00	\$ 2,271				\$ 2,271	
HB 12-1311	Sunset Continue Pharmacy Board	LSSA PS	0.20	\$ 20,783				\$ 20,783	
		LSSA OP		\$ 2,309				\$ 2,309	
		Total	0.20	\$ 23,092				\$ 23,092	
HB 12-1330	Hearing Process Wildlife	LSSA PS	0.00	\$ 2,725				\$ 2,725	
		LSSA OP		\$ 303				\$ 303	
		Total	0.00	\$ 3,028				\$ 3,028	
LSSA Total		Total	0.3	\$ 40,542	\$ -	\$ -	\$ -	\$ 40,542	\$ -
HB 12-1246	Reverse Portion of Paydate Shift	Appellate	0.00	\$ 5,880	\$ 5,880			\$ -	
		Consumer Prot/Antitrust		\$ 2,919	\$ 2,919			\$ -	
		Total	0.00	\$ 8,799	\$ 8,799			\$ -	
SB 12-110	Insurance Fraud Fees	Special Pros Unit	2.00	\$ 196,677	\$ -	\$ 196,677	\$ 196,677	\$ -	
				\$ -	\$ -		\$ -		
		Total	2.00	\$ 196,677	\$ -	\$ 196,677	\$ 196,677	\$ -	
FY 2012-13 Department Total			2.30	\$ 246,018	\$ 8,799	\$ 196,677	\$ 196,677	\$ 40,542	\$ -
FY 2011-12									
SB11-088	Sunset Review Direct Entry Midwives DORA	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 DORA	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	LSSA PS	0.00	\$ 3,962				\$ 3,962	
		LSSA OP		\$ 440				\$ 440	

Colorado Department of Law

FY 2013-14 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)	Total	0.00	\$ 4,402				\$ 4,402	
SB 11-128	Child-only Health Insurance Plans	LSSA PS	0.00	\$ 2,642				\$ 2,642	
		LSSA OP		\$ 293				\$ 293	
	(DORA)	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	
	(DORA)	Total	0.30	\$ 38,886				\$ 38,886	
SB11-187	Sunset Mental Health Prof	LSSA PS	1.40	\$ 158,479				\$ 158,479	
	(DORA)	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	
	(DORA)	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	
	(DORA)	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	
	(DORA)	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)				
		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)

Colorado Department of Law

FY 2013-14 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 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 archit (DORA)	LSSA PS	0.00	\$ (10,176)				\$ (10,176)	
		LSSA OP		\$ (1,131)				\$ (1,131)	
		Total	0.00	\$ (11,307)				\$ (11,307)	
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	

Colorado Department of Law

FY 2013-14 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
HB10-1260	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

Colorado Department of Law
 FY 2013-14 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
HB 12-1189	(1) Administration						
	Vehicle Lease Payments	0.0	(\$4,187)	\$ (711)	(\$1,790)	(\$1,539)	(\$147)
	Total	0.0	(\$4,187)	(\$711)	(\$1,790)	(\$1,539)	(\$147)
HB 12-1335 Long Bill Add on	(3) Legal Services to State Agencies						
	Special Prosecutions unit	0.0	\$29,814	\$29,814	\$0	\$0	\$0
	Total	0.0	\$29,814	\$29,814	\$0	\$0	\$0
Total HB 12-1189 and 1335		0.0	\$25,627	\$29,103	(\$1,790)	(\$1,539)	(\$147)
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 SB 11-144		6.2	\$1,865,798	(\$104,630)	\$285,207	\$1,685,091	\$130

Colorado Department of Law
 FY 2013-14 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
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. Cei	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)
	(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						

Colorado Department of Law
 FY 2013-14 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
	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)

**Department of Law
Schedule 8**

Fiscal Year	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Health/Dental/Life					
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	\$232,646	\$232,646	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$1,341,104	\$0	\$0	\$1,341,104	\$0
(3) Criminal Justice and Appellate	\$414,224	\$234,534	\$87,056	\$32,556	\$60,078
(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	\$60,078
Total Appropriated	\$2,261,494	\$577,900	\$237,546	\$1,385,970	\$60,078
(Under)/Over Expenditures	(\$20,098)	\$0	\$0	\$0	(\$20,098)
FY 2012-13					
(1) Administration	\$259,541	\$259,541	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$1,451,332	\$0	\$0	\$1,451,332	\$0
(3) Criminal Justice and Appellate	\$537,721	\$316,402	\$107,368	\$33,784	\$80,167
(4) Water and Natural Resources	\$64,398	\$52,374	\$0	\$12,024	\$0
(5) Consumer Protection	\$284,672	\$84,041	\$199,878	\$753	\$0
Total Expenditures	\$2,597,664	\$712,358	\$307,246	\$1,497,893	\$80,167
Total Appropriated	\$2,620,363	\$712,358	\$307,246	\$1,497,893	\$102,866
(Under)/Over Expenditures	(\$22,699)	\$0	\$0	\$0	(\$22,699)
FY 2013-14					
(1) Administration	\$2,875,285	\$757,853	\$280,953	\$1,708,446	\$128,034
(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	\$2,875,285	\$757,853	\$280,953	\$1,708,446	\$128,034
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 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	\$4,301	\$4,301	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$28,726	\$0	\$0	\$28,726	\$0
(3) Criminal Justice and Appellate	\$9,752	\$6,045	\$1,750	\$675	\$1,282
(4) Water and Natural Resources	\$1,517	\$1,020	\$0	\$497	\$0
(5) Consumer Protection	\$4,578	\$1,642	\$2,707	\$229	\$0
Total Expenditures	\$48,874	\$13,008	\$4,457	\$30,127	\$1,282
Total Appropriated	\$49,196	\$13,008	\$4,457	\$30,127	\$1,604
(Under)/Over Expenditures	(\$322)	\$0	\$0	\$0	(\$322)
FY 2013-14					
(1) Administration	\$57,762	\$14,930	\$5,662	\$34,828	\$2,342
(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	\$57,762	\$14,930	\$5,662	\$34,828	\$2,342
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 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	\$92,746	\$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			
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	\$72,181	\$72,181	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$447,651	\$0	\$0	\$447,651	\$0
(3) Criminal Justice and Appellate	\$159,822	\$90,669	\$30,251	\$16,178	\$22,724
(4) Water and Natural Resources	\$24,820	\$17,405	\$0	\$7,415	\$0
(5) Consumer Protection	\$68,573	\$22,972	\$40,254	\$5,347	\$0
(6) Special Purpose	\$52	\$52			
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	\$89,852	\$89,852	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$533,635	\$0	\$0	\$533,635	\$0
(3) Criminal Justice and Appellate	\$208,003	\$126,358	\$36,731	\$12,539	\$32,375
(4) Water and Natural Resources	\$30,555	\$21,322	\$0	\$9,233	\$0
(5) Consumer Protection	\$95,326	\$34,199	\$56,866	\$4,261	\$0
Total Expenditures	\$957,371	\$271,731	\$93,597	\$559,668	\$32,375
Total Appropriated	\$965,510	\$271,731	\$93,597	\$559,668	\$40,514
(Under)/Over Expenditures	(\$8,139)	\$0	\$0	\$0	(\$8,139)
FY 2013-14					
(1) Administration	\$1,165,243	\$301,266	\$113,381	\$703,769	\$46,827
(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	\$1,165,243	\$301,266	\$113,381	\$703,769	\$46,827
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 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 2011-12					
(1) Administration	\$57,991	\$57,991	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$359,719	\$0	\$0	\$359,719	\$0
(3) Criminal Justice and Appellate	\$127,572	\$72,002	\$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 2012-13					
(1) Administration	\$76,849	\$76,849	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$458,593	\$0	\$0	\$458,593	\$0
(3) Criminal Justice and Appellate	\$178,226	\$108,068	\$31,564	\$10,775	\$27,819
(4) Water and Natural Resources	\$26,170	\$18,236	\$0	\$7,934	\$0
(5) Consumer Protection	\$81,782	\$29,249	\$48,871	\$3,662	\$0
Total Expenditures	\$821,620	\$232,402	\$80,435	\$480,964	\$27,819
Total Appropriated	\$828,618	\$232,402	\$80,435	\$480,964	\$34,817
(Under)/Over Expenditures	(\$6,998)	\$0	\$0	\$0	(\$6,998)
FY 2013-14					
(1) Administration	\$1,051,954	\$271,976	\$102,357	\$635,347	\$42,274
(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	\$1,051,954	\$271,976	\$102,357	\$635,347	\$42,274
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
Salary Survey for Classified Employees					
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
FY 2013-14					
(1) Administration	\$264,303	\$65,248	\$53,523	\$123,984	\$21,548
(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	\$264,303	\$65,248	\$53,523	\$123,984	\$21,548
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 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
FY 2013-14					
(1) Administration	\$563,778	\$143,952	\$15,489	\$400,653	\$3,684
(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	\$563,778	\$143,952	\$15,489	\$400,653	\$3,684
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
Merit Pay for Classified Employees					
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
FY 2013-14					
(1) Administration	\$165,278	\$59,712	\$27,434	\$65,178	\$12,954
(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	\$165,278	\$59,712	\$27,434	\$65,178	\$12,954
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
Merit Pay for Exempt Employees					
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
FY 2013-14					
(1) Administration	\$367,907	\$87,555	\$8,884	\$267,460	\$4,008
(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	\$367,907	\$87,555	\$8,884	\$267,460	\$4,008
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 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	\$6,721	\$6,721	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$37,418	\$0	\$0	\$37,418	\$0
(3) Criminal Justice and Appellate	\$15,686	\$9,675	\$2,956	\$958	\$2,097
(4) Water and Natural Resources	\$578	\$0	\$0	\$578	\$0
(5) Consumer Protection	\$6,440	\$1,982	\$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	\$7,190	\$7,190	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$41,777	\$0	\$0	\$41,777	\$0
(3) Criminal Justice and Appellate	\$15,282	\$8,930	\$3,075	\$1,025	\$2,252
(4) Water and Natural Resources	\$2,120	\$1,502	\$0	\$618	\$0
(5) Consumer Protection	\$6,887	\$1,766	\$4,591	\$530	\$0
Total Expenditures	\$73,256	\$19,388	\$7,666	\$43,950	\$2,252
Total Appropriated	\$73,256	\$19,388	\$7,666	\$43,950	\$2,252
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2013-14					
(1) Administration	\$74,366	\$19,320	\$9,149	\$43,671	\$2,226
(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	\$74,366	\$19,320	\$9,149	\$43,671	\$2,226
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
Vehicle Lease Payments					
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	\$1,887	\$1,887	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$18,485	\$0	\$0	\$18,485	\$0
(3) Criminal Justice and Appellate	\$30,564	\$13,085	\$10,405	\$4,411	\$2,663
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$15,053	\$3,305	\$11,748	\$0	\$0
Total Expenditures	\$65,989	\$18,277	\$22,153	\$22,896	\$2,663
Total Appropriated	\$65,989	\$18,277	\$22,153	\$22,896	\$2,663
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$2,647	\$2,647	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$21,625	\$0	\$0	\$21,625	\$0
(3) Criminal Justice and Appellate	\$30,442	\$12,439	\$10,824	\$4,564	\$2,615
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$15,571	\$4,894	\$10,677	\$0	\$0
Total Expenditures	\$70,285	\$19,980	\$21,501	\$26,189	\$2,615
Total Appropriated	\$70,285	\$19,980	\$21,501	\$26,189	\$2,615
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2013-14					
(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 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	\$100,104	\$100,104	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$718,796	\$0	\$0	\$718,796	\$0
(3) Criminal Justice and Appellate	\$308,143	\$214,726	\$34,575	\$18,398	\$40,444
(4) Water and Natural Resources	\$11,102	\$0	\$0	\$11,102	\$0
(5) Consumer Protection	\$145,916	\$38,065	\$98,335	\$9,516	\$0
Total Expenditures	\$1,284,061	\$352,895	\$132,910	\$757,812	\$40,444
Total Appropriated	\$1,284,061	\$352,895	\$132,910	\$757,812	\$40,444
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$124,368	\$124,368	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$728,790	\$0	\$0	\$728,790	\$0
(3) Criminal Justice and Appellate	\$264,318	\$154,467	\$53,169	\$17,723	\$38,959
(4) Water and Natural Resources	\$36,668	\$25,973	\$0	\$10,695	\$0
(5) Consumer Protection	\$119,176	\$30,558	\$79,451	\$9,167	\$0
Total Expenditures	\$1,273,320	\$335,366	\$132,620	\$766,375	\$38,959
Total Appropriated	\$1,273,320	\$335,366	\$132,620	\$766,375	\$38,959
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2013-14					
(1) Administration	\$2,926,487	\$767,179	\$353,185	\$1,718,514	\$87,609
(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	\$2,926,487	\$767,179	\$353,185	\$1,718,514	\$87,609
Total Appropriated	\$2,926,487	\$767,179	\$353,185	\$1,718,514	\$87,609
(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 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	\$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
FY 2013-14					
(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
Information Technology					
FY 2010-11					
(1) Administration	\$14,946	\$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	\$14,946	\$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 2012-13					
(1) Administration	\$21,754	\$21,754	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$348,280	\$0	\$0	\$348,280	\$0
(3) Criminal Justice and Appellate	\$33,685	\$0	\$26,253	\$6,051	\$1,381
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$42,088	\$0	\$37,046	\$5,042	\$0
Total Expenditures	\$445,807	\$21,754	\$63,299	\$359,373	\$1,381
Total Appropriated	\$445,807	\$21,754	\$63,299	\$359,373	\$1,381
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2013-14					
(1) Administration	\$445,807	\$22,803	\$62,250	\$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	\$22,803	\$62,250	\$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 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	\$669	\$669	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$19,985	\$0	\$0	\$19,985	\$0
(3) Criminal Justice and Appellate	\$4,083	\$3,911	\$0	\$0	\$172
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$3,052	\$0	\$3,052	\$0	\$0
Total Expenditures	\$27,789	\$4,580	\$3,052	\$19,985	\$172
Total Appropriated	\$27,789	\$4,580	\$3,052	\$19,985	\$172
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2013-14					
(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 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	\$0	\$0	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$0	\$0	\$0	\$0	\$0
(3) Criminal Justice and Appellate	\$8,967	\$3,090	\$2,384	\$960	\$2,533
(4) Water and Natural Resources	\$0	\$0	\$0	\$0	\$0
(5) Consumer Protection	\$1,647	\$675	\$484	\$488	\$0
Total Expenditures	\$10,614	\$3,765	\$2,868	\$1,448	\$2,533
Total Appropriated	\$10,614	\$3,765	\$2,868	\$1,448	\$2,533
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2013-14					
(1) Administration	\$8,205	\$3,285	\$1,843	\$1,119	\$1,958
(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	\$8,205	\$3,285	\$1,843	\$1,119	\$1,958
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 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	\$1,875	\$1,875	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$70,013	\$0	\$0	\$70,013	\$0
(3) Criminal Justice and Appellate	\$16,875	\$14,081	\$1,125	\$825	\$844
(4) Water and Natural Resources	\$3,750	\$2,438	\$0	\$1,312	\$0
(5) Consumer Protection	\$5,625	\$3,375	\$1,875	\$375	\$0
Total Expenditures	\$98,138	\$21,769	\$3,000	\$72,525	\$844
Total Appropriated	\$99,263	\$21,769	\$3,000	\$72,525	\$1,969
(Under)/Over Expenditures	(\$1,125)	\$0	\$0	\$0	(\$1,125)
FY 2013-14					
(1) Administration	\$99,263	\$22,144	\$2,625	\$72,525	\$1,969
(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	\$99,263	\$22,144	\$2,625	\$72,525	\$1,969
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 2010-11					
(1) Administration	\$11,880	\$11,880	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$67,055	\$0	\$0	\$67,055	\$0
(3) Criminal Justice and Appellate	\$25,837	\$16,171	\$5,288	\$1,186	\$3,192
(4) Water and Natural Resources	\$4,595	\$2,584	\$0	\$2,011	\$0
(5) Consumer Protection	\$11,552	\$3,952	\$6,688	\$912	\$0
Total Expenditures	\$120,919	\$34,587	\$11,976	\$71,164	\$3,192
Total Appropriated	\$120,919	\$34,587	\$11,976	\$71,164	\$3,192
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2011-12					
(1) Administration	\$12,611	\$12,611	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$70,213	\$0	\$0	\$70,213	\$0
(3) Criminal Justice and Appellate	\$26,804	\$15,509	\$5,547	\$1,797	\$3,951
(4) Water and Natural Resources	\$3,718	\$2,634	\$0	\$1,084	\$0
(5) Consumer Protection	\$12,084	\$3,718	\$7,436	\$930	\$0
Total Expenditures	\$125,430	\$34,472	\$12,983	\$74,024	\$3,951
Total Appropriated	\$125,430	\$34,472	\$12,983	\$74,024	\$3,951
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2012-13					
(1) Administration	\$13,788	\$13,788	\$0	\$0	\$0
(2) Legal Services to State Agencies	\$80,120	\$0	\$0	\$80,120	\$0
(3) Criminal Justice and Appellate	\$29,302	\$17,125	\$5,894	\$1,965	\$4,318
(4) Water and Natural Resources	\$4,065	\$2,879	\$0	\$1,186	\$0
(5) Consumer Protection	\$13,214	\$3,388	\$8,810	\$1,016	\$0
Total Expenditures	\$140,489	\$37,180	\$14,704	\$84,287	\$4,318
Total Appropriated	\$140,489	\$37,180	\$14,704	\$84,287	\$4,318
(Under)/Over Expenditures	\$0	\$0	\$0	\$0	\$0
FY 2013-14					
(1) Administration	\$140,000	\$36,702	\$16,896	\$82,211	\$4,191
(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	\$140,000	\$36,702	\$16,896	\$82,211	\$4,191
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
ALJ					
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	\$1,135	\$0	\$1,135	\$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 2013-14					
(1) Administration	\$4,315	\$0	\$4,315	\$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	\$4,315	\$0	\$4,315	\$0	\$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 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
Actual FY 11-12					
Administration	\$232,646	\$232,646	\$0	\$0	\$0
Legal Services to State Agencies	\$1,341,104	\$0	\$0	\$1,341,104	\$0
Appellate	\$150,263	\$150,263			
Medicaid Fraud	\$80,104	\$20,026			\$60,078
POST Board	\$49,285		\$49,285		
Special Prosecution	\$65,035	\$59,426	\$5,609		
Securities Fraud	\$32,556	\$0		\$32,556	
Insurance Fraud	\$32,162		\$32,162	\$0	
Safe2Tell	\$4,819	\$4,819			
Federal & Interstate Water	\$24,306	\$24,306			
CERCLA	\$11,009	\$0		\$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	\$20,098				\$20,098
Department Total FY 11-12	\$2,281,592	\$577,900	\$237,546	\$1,385,970	\$80,176

SCHEDULE 8
Common Policy Summary

Health/Dental/Life	Total Funds	GF	CF	RA	FF
Estimate FY 12-13					
Administration	\$259,541	\$259,541			
Legal Services to State Agencies	\$1,451,332			\$1,451,332	
Appellate	\$196,445	\$196,445			
Medicaid Fraud	\$107,117	\$26,950			\$80,167
POST Board	\$46,496		\$46,496		
Special Prosecution	\$89,266	\$89,266		\$0	
Securities Fraud	\$33,784			\$33,784	
Insurance Fraud	\$60,872		\$60,872		
Safe2Tell	\$3,741	\$3,741			
Federal & Interstate Water	\$36,342	\$36,342			
CERCLA	\$12,024			\$12,024	
RMA Litigation	\$0				
Colorado River Litigation	\$16,032	\$16,032			
Consumer Protection & Anti-Trust	\$156,941	\$84,041	\$72,147	\$753	
Collection Agency Board	\$47,247		\$47,247		
UCCC	\$80,484		\$80,484		
Reversions/Lapsed Appropriation	\$22,699				\$22,699
Department Total FY 12-13	\$2,620,363	\$712,358	\$307,246	\$1,497,893	\$102,866
Request FY 13-14					
Administration	\$2,875,285	\$757,853	\$280,953	\$1,708,446	\$128,034
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 13-14	\$2,875,285	\$757,853	\$280,953	\$1,708,446	\$128,034

SCHEDULE 8
Common Policy Summary

Short Term Disability	Total Funds	GF	CF	RA	FF
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
Actual 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	\$0	\$663		\$0
Special Prosecution	\$2,124	\$1,831	\$293	\$0	
Securities Fraud	\$1,023	\$0	\$0	\$1,023	
Insurance Fraud	\$956	\$0	\$956	\$0	
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	\$599	\$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

SCHEDULE 8
Common Policy Summary

Short Term Disability	Total Funds	GF	CF	RA	FF
Estimate FY 12-13					
Administration	\$4,301	\$4,301			
Legal Services to State Agencies	\$28,726			\$28,726	
Appellate	\$3,380	\$3,380			
Medicaid Fraud	\$1,793	\$511			\$1,282
POST Board	\$639		\$639		\$0
Special Prosecution	\$2,016	\$2,016	\$0		
Securities Fraud	\$675			\$675	
Insurance Fraud	\$1,111		\$1,111		
Safe2Tell	\$138	\$138			
Federal & Interstate Water	\$683	\$683			
CERCLA	\$497	\$0		\$497	
RMA Litigation	\$0			\$0	
Colorado River Litigation	\$337	\$337			
Consumer Protection & Anti-Trust	\$2,795	\$1,642	\$924	\$229	
Collection Agency Board	\$487	\$0	\$487	\$0	
UCCC	\$1,296		\$1,296		
Reversions/Lapsed Appropriation	\$322				\$322
Department Total FY 12-13	\$49,196	\$13,008	\$4,457	\$30,127	\$1,604
Request FY 13-14					
Administration	\$57,762	\$14,930	\$5,662	\$34,828	\$2,342
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 13-14	\$57,762	\$14,930	\$5,662	\$34,828	\$2,342

SCHEDULE 8
Common Policy Summary

S.B. 04-257 Amortization Equalization Disbursement	Total Funds	GF	CF	RA	FF
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	\$6,474			\$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
Actual FY 11-12					
Administration	\$72,181	\$72,181			
Legal Services to State Agencies	\$447,651			\$447,651	
Appellate	\$53,083	\$53,083			
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	\$11,333	\$11,333			
CERCLA	\$7,415			\$7,415	
District Attorney Salaries	\$52	\$52			
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				\$2,657
Department Total FY 11-12	\$775,756	\$203,279	\$70,505	\$476,591	\$25,381

SCHEDULE 8
Common Policy Summary

S.B. 04-257 Amortization Equalization Disbursement	Total Funds	GF	CF	RA	FF
Estimate FY 12-13					
Administration	\$89,852	\$89,852			
Legal Services to State Agencies	\$533,635			\$533,635	
Appellate	\$70,602	\$70,602			
Medicaid Fraud	\$43,055	\$10,680			\$32,375
POST Board	\$13,414		\$13,414		
Special Prosecution	\$42,119	\$42,119	\$0		
Securities Fraud	\$12,539			\$12,539	
Insurance Fraud	\$23,317		\$23,317		
Safe2Tell	\$2,957	\$2,957			
Federal & Interstate Water	\$14,282	\$14,282			
CERCLA	\$9,233			\$9,233	
Colorado River Litigation	\$7,040	\$7,040			
Consumer Protection & Anti-Trust	\$57,886	\$34,199	\$19,426	\$4,261	
Collection Agency Board	\$10,230		\$10,230		
UCCC	\$27,210		\$27,210		
Reversions/Lapsed Appropriation	\$8,139				\$8,139
Department Total FY 12-13	\$965,510	\$271,731	\$93,597	\$559,668	\$40,519
Request FY 13-14					
Administration	\$1,165,243	\$301,266	\$113,381	\$703,769	\$46,827
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 13-14	\$1,165,243	\$301,266	\$113,381	\$703,769	\$46,827

SCHEDULE 8
Common Policy Summary

S.B. 06-235 Supplemental Amortization Equalization	Total Funds	GF	CF	RA	FF
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
Actual FY 11-12					
Administration	\$57,991	\$57,991			
Legal Services to State Agencies	\$359,719			\$359,719	
Appellate	\$43,098	\$43,098			
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

SCHEDULE 8
Common Policy Summary

S.B. 06-235 Supplemental Amortization Equalization	Total Funds	GF	CF	RA	FF
Estimate FY 12-13					
Administration	\$76,849	\$76,849			
Legal Services to State Agencies	\$458,593			\$458,593	
Appellate	\$60,383	\$60,383			
Medicaid Fraud	\$36,953	\$9,134			\$27,819
POST Board	\$11,527		\$11,527		
Special Prosecution	\$36,022	\$36,022	\$0		
Securities Fraud	\$10,775			\$10,775	
Insurance Fraud	\$20,037		\$20,037		
Safe2Tell	\$2,529	\$2,529			
Federal & Interstate Water	\$12,215	\$12,215			
CERCLA	\$7,934			\$7,934	
RMA Litigation	\$0				
Colorado River Litigation	\$6,021	\$6,021			
Consumer Protection & Anti-Trust	\$49,606	\$29,249	\$16,695	\$3,662	
Collection Agency Board	\$8,791		\$8,791		
UCCC	\$23,385		\$23,385		
Reversions/Lapsed Appropriation	\$6,998				\$6,998
Department Total FY 12-13	\$828,618	\$232,402	\$80,435	\$480,964	\$34,817
Request FY13-14					
Administration	\$1,051,954	\$271,976	\$102,357	\$635,347	\$42,274
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 13-14	\$1,051,954	\$271,976	\$102,357	\$635,347	\$42,274

SCHEDULE 8
Common Policy Summary

Salary Survey for Classified Employees	Total Funds	GF	CF	RA	FF
Actual FY 10-11					
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 10-11	\$0	\$0	\$0	\$0	\$0
Actual 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

SCHEDULE 8

Common Policy Summary

Salary Survey for Classified Employees	Total Funds	GF	CF	RA	FF
Estimate 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
Request FY 13-14					
Administration	\$264,303	\$65,248	\$53,523	\$123,984	\$21,548
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 13-14	\$264,303	\$65,248	\$53,523	\$123,984	\$21,548

SCHEDULE 8
Common Policy Summary

Salary Survey for Exempt Employees	Total Funds	GF	CF	RA	FF
Actual FY 10-11					
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 10-11	\$0	\$0	\$0	\$0	\$0
Actual 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

SCHEDULE 8
Common Policy Summary

Salary Survey for Exempt Employees	Total Funds	GF	CF	RA	FF
Estimate FY 12-13					
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 12-13	\$0	\$0	\$0	\$0	\$0
Request FY 13-14					
Administration	\$563,778	\$143,952	\$15,489	\$400,653	\$3,684
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 13-14	\$563,778	\$143,952	\$15,489	\$400,653	\$3,684

SCHEDULE 8
Common Policy Summary

Performance-based Pay Awards for Classified Employees	Total Funds	GF	CF	RA	FF
Actual FY 10-11					
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 10-11	\$0	\$0	\$0	\$0	\$0
Actual 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

SCHEDULE 8
Common Policy Summary

Performance-based Pay Awards for Classified Employees	Total Funds	GF	CF	RA	FF
Estimate 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
Request FY 13-14					
Administration	\$165,278	\$59,712	\$27,434	\$65,178	\$12,954
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 13-14	\$165,278	\$59,712	\$27,434	\$65,178	\$12,954

SCHEDULE 8
Common Policy Summary

Employees Performance-Pay Awards for Exempt Employees	Total Funds	GF	CF	RA	FF
Actual FY 10-11					
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 10-11	\$0	\$0	\$0	\$0	\$0
Actual 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

SCHEDULE 8
Common Policy Summary

Employees Performance-Pay Awards for Exempt Employees	Total Funds	GF	CF	RA	FF
Estimate 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
Request FY 13-14					
Administration	\$367,907	\$87,555	\$8,884	\$267,460	\$4,008
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 13-14	\$367,907	\$87,555	\$8,884	\$267,460	\$4,008

SCHEDULE 8
Common Policy Summary

Workers' Compensation	Total Funds	GF	CF	RA	FF
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
Actual FY 11-12					
Administration	\$6,721	\$6,721			
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	\$4,193	\$3,681	\$512		
Securities Fraud	\$958			\$958	
Insurance Fraud	\$1,288		\$1,288		
Safe2Tell	\$0	\$0			
Federal & Interstate Water	\$0	\$0			
CERCLA	\$578			\$578	
RMA Litigation	\$0				
Colorado River Litigation	\$0	\$0			
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

SCHEDULE 8 Common Policy Summary

Workers' Compensation	Total Funds	GF	CF	RA	FF
Estimate FY 12-13					
Administration	\$7,190	\$7,190	\$0	\$0	\$0
Legal Services to State Agencies	\$41,777			\$41,777	
Appellate	\$5,653	\$5,653			
Medicaid Fraud	\$3,003	\$751			\$2,252
POST Board	\$1,237		\$1,237		
Special Prosecution	\$2,526	\$2,526	\$0		
Securities Fraud	\$1,025			\$1,025	
Insurance Fraud	\$1,838		\$1,838		
Safe2Tell	\$0				
Federal & Interstate Water	\$972	\$972			
CERCLA	\$618			\$618	
RMA Litigation	\$0				
Colorado River Litigation	\$530	\$530			
Consumer Protection & Anti-Trust	\$3,710	\$1,766	\$1,414	\$530	
Collection Agency Board	\$972		\$972		
UCCC	\$2,205		\$2,205		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$73,256	\$19,388	\$7,666	\$43,950	\$2,252
Request FY 13-14					
Administration	\$74,366	\$19,320	\$9,149	\$43,671	\$2,226
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 13-14	\$74,366	\$19,320	\$9,149	\$43,671	\$2,226

SCHEDULE 8
Common Policy Summary

ALJ	Total Funds	GF	CF	RA	FF
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Actual FY 10-11

Administration	
Legal Services to State Agencies	
Appellate	
Medicaid Fraud	
POST Board	
Special Prosecution	
Securities Fraud	
Insurance Fraud	
Safe2Tell	
Federal & Interstate Water	
CERCLA	
RMA Litigation	
Colorado River Litigation	
Consumer Protection & Anti-Trust	
Collection Agency Board	
UCCC	
Reversions/Lapsed Appropriation	\$0

Department Total FY 10-11

Actual FY 11-12

Administration	
Legal Services to State Agencies	
Appellate	
Medicaid Fraud	
POST Board	
Special Prosecution	
Securities Fraud	
Insurance Fraud	
Safe2Tell	
Federal & Interstate Water	
CERCLA	
RMA Litigation	
Colorado River Litigation	
Consumer Protection & Anti-Trust	
Collection Agency Board	
UCCC	
Reversions/Lapsed Appropriation	

Department Total FY 11-12

SCHEDULE 8
Common Policy Summary

ALJ	Total Funds	GF	CF	RA	FF
Estimate FY 12-13					
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	\$378		\$378		
UCCC	\$757		\$757		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$1,135	\$0	\$1,135	\$0	\$0
Request FY 13-14					
Administration	\$4,315	\$0	\$4,315	\$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 13-14	\$4,315	\$0	\$4,315	\$0	\$0

SCHEDULE 8
Common Policy Summary

Vehicle Lease Payments	Total Funds	GF	CF	RA	FF
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
Actual FY 11-12					
Administration	\$1,887	\$1,887			
Legal Services to State Agencies	\$18,485			\$18,485	
Appellate	\$0	\$0			
Medicaid Fraud	\$3,551	\$888			\$2,663
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		\$0	
Collection Agency Board	\$0				
UCCC	\$11,748		\$11,748		
Reversions/Lapsed Appropriation	\$0				
Department Total FY11-12	\$65,989	\$18,277	\$22,153	\$22,896	\$2,663

SCHEDULE 8
Common Policy Summary

Vehicle Lease Payments	Total Funds	GF	CF	RA	FF
Estimate FY 12-13					
Administration	\$2,647	\$2,647			
Legal Services to State Agencies	\$21,625			\$21,625	
Appellate	\$0				
Medicaid Fraud	\$3,487	\$872			\$2,615
POST Board	\$2,477		\$2,477		
Special Prosecution	\$11,567	\$11,567			
Securities Fraud	\$4,564			\$4,564	
Insurance Fraud	\$8,347		\$8,347		
Safe2Tell	\$0				
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$4,894	\$4,894			
Collection Agency Board	\$0				
UCCC	\$10,677		\$10,677		
Reversions/Lapsed Appropriation	\$0		\$0		
Department Total FY 12-13	\$70,285	\$19,980	\$21,501	\$26,189	\$2,615
Request FY 13-14					
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 13-14	\$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 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
Actual FY 11-12					
Administration	\$100,104	\$100,104			
Legal Services to State Agencies	\$718,796			\$718,796	
Appellate	\$71,507	\$71,507			
Medicaid Fraud	\$53,925	\$13,481			\$40,444
POST Board	\$0		\$0		
Special Prosecution	\$164,313	\$129,738	\$34,575		
Securities Fraud	\$18,398			\$18,398	
Insurance Fraud	\$0		\$0		
Safe2Tell	\$0	\$0			
Federal & Interstate Water	\$0	\$0			
CERCLA	\$11,102			\$11,102	
RMA Litigation	\$0				
Colorado River Litigation	\$0	\$0			
Consumer Protection & Anti-Trust	\$66,614	\$38,065	\$19,033	\$9,516	
Collection Agency Board	\$17,446		\$17,446		
UCCC	\$61,856		\$61,856		
Reversions/Lapsed Appropriation	\$0				
Department Total FY11-12	\$1,284,061	\$352,895	\$132,910	\$757,812	\$40,444

SCHEDULE 8
Common Policy Summary

Capitol Complex Leased Space Carr Building	Total Funds	GF	CF	RA	FF
Estimate FY 12-13					
Administration	\$124,368	\$124,368			
Legal Services to State Agencies	\$728,790			\$728,790	
Appellate	\$97,783	\$97,783			
Medicaid Fraud	\$51,946	\$12,987			\$38,959
POST Board	\$21,390		\$21,390		
Special Prosecution	\$43,697	\$43,697	\$0		
Securities Fraud	\$17,723			\$17,723	
Insurance Fraud	\$31,779		\$31,779		
Safe2Tell	\$0				
Federal & Interstate Water	\$16,806	\$16,806			
CERCLA	\$10,695			\$10,695	
RMA Litigation	\$0				
Colorado River Litigation	\$9,167	\$9,167			
Consumer Protection & Anti-Trust	\$64,172	\$30,558	\$24,447	\$9,167	
Collection Agency Board	\$16,806		\$16,806		
UCCC	\$38,198		\$38,198		
Reversions/Lapsed Appropriation	\$0		\$0		
Department Total FY 12-13	\$1,273,320	\$335,366	\$132,620	\$766,375	\$38,959
Request FY 13-14					
Administration	\$2,926,487	\$767,179	\$353,185	\$1,718,514	\$87,609
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 13-14	\$2,926,487	\$767,179	\$353,185	\$1,718,514	\$87,609

SCHEDULE 8
Common Policy Summary

Communication Service Payments	Total Funds	GF	CF	RA	FF
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
Actual 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 FY11-12	\$8,365	\$2,946	\$2,269	\$1,146	\$2,004

SCHEDULE 8

Common Policy Summary

Communication Service Payments	Total Funds	GF	CF	RA	FF
Estimate FY 12-13					
Administration	\$0				
Legal Services to State Agencies	\$0				
Appellate	\$0				
Medicaid Fraud	\$3,377	\$844			\$2,533
POST Board	\$0				
Special Prosecution	\$2,246	\$2,246	\$0		
Securities Fraud	\$960			\$960	
Insurance Fraud	\$2,384		\$2,384		
Federal & Interstate Water	\$0				
CERCLA	\$0				
RMA Litigation	\$0				
Colorado River Litigation	\$0				
Consumer Protection & Anti-Trust	\$1,647	\$675	\$484	\$488	
Collection Agency Board	\$0				
UCCC	\$0				
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$10,614	\$3,765	\$2,868	\$1,448	\$2,533
Request FY 13-14					
Administration	\$8,205	\$3,285	\$1,843	\$1,119	\$1,958
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 13-14	\$8,205	\$3,285	\$1,843	\$1,119	\$1,958

SCHEDULE 8
Common Policy Summary

ADP	Total Funds	GF	CF	RA	FF
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				
\$0	\$0	\$0	\$0	\$0	\$0
Actual FY 11-12					
Administration	\$0	\$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 11-12	\$0	\$0	\$0	\$0	\$0

SCHEDULE 8
Common Policy Summary

ADP	Total Funds	GF	CF	RA	FF
Administration	\$154,370		\$154,370		
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
Request FY 13-14					
Administration	\$0	\$0	\$0	\$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 13-14	\$0	\$0	\$0	\$0	\$0

SCHEDULE 8
Common Policy Summary

Information Technology	Total Funds	GF	CF	CFE
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		
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
Actual FY 11-12				
Administration	\$15,291	\$15,291		
Legal Services to State Agencies	\$321,177			\$321,177
Appellate	\$0			
Medicaid Fraud	\$1,381	\$0		
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	\$59,588	\$331,407

SCHEDULE 8
Comon Policy Summary

Information Technology	Total Funds	GF	CF	RA
Estimate FY 12-13				
Administration	\$21,754	\$21,754		
Legal Services to State Agencies	\$348,280			\$348,280
Appellate	\$0			
Medicaid Fraud	\$1,381			
POST Board	\$9,082		\$9,082	
Special Prosecution	\$0		\$0	
Securities Fraud	\$6,051			\$6,051
Insurance Fraud	\$17,171		\$17,171	
Federal & Interstate Water	\$0			
CERCLA	\$0			
RMA Litigation	\$0			
Colorado River Litigation	\$0			
Consumer Protection & Anti-Trust	\$13,275		\$8,233	\$5,042
Collection Agency Board	\$8,562		\$8,562	
UCCC	\$20,251		\$20,251	
Reversions/Lapsed Appropriation	\$0			
Department Total FY 12-13	\$445,807	\$21,754	\$63,299	\$359,373
Request FY 13-14				
Administration	\$445,807	\$22,803	\$62,250	\$359,373
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 13-14	\$445,807	\$22,803	\$62,250	\$359,373

SCHEDULE 8 Common Policy Summary

CLE Registration Fees	Total Funds	GF	CF	RA	FF
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
Actual 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			\$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 11-12	\$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 12-13					
Administration	\$1,875	\$1,875			
Legal Services to State Agencies	\$70,013			\$70,013	
Appellate	\$11,250	\$11,250			
Medicaid Fraud	\$1,125	\$281		\$0	\$844
POST Board	\$0				
Special Prosecution	\$2,550	\$2,550			
Securities Fraud	\$825			\$825	
Insurance Fraud	\$1,125		\$1,125		
Federal & Interstate Water	\$1,688	\$1,688			
CERCLA	\$1,312	\$0		\$1,312	
RMA Litigation	\$0				
Colorado River Litigation	\$750	\$750			
Consumer Protection & Anti-Trust	\$4,125	\$3,375	\$375	\$375	
Collection Agency Board	\$375		\$375		
UCCC	\$1,125		\$1,125		
Reversions/Lapsed Appropriation	\$1,125				\$1,125
Department Total FY 12-13	\$99,263	\$21,769	\$3,000	\$72,525	\$1,969
Request FY 13-14					
Administration	\$99,263	\$22,144	\$2,625	\$72,525	\$1,969
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 13-14	\$99,263	\$22,144	\$2,625	\$72,525	\$1,969

SCHEDULE 8
Common Policy Summary

Lease Space	Total Funds	GF	CF	CFE	FF
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 11-12	\$26,220	\$4,321	\$2,880	\$18,857	\$162
Actual 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			\$0	
Department Total FY 11-12	\$26,220	\$4,321	\$2,880	\$18,857	\$162

Common Policy Summary

###	Total Funds	GF	CF	RA	FF
Estimate FY 12-13					
Administration	\$669	\$669			
Legal Services to State Agencies	\$19,985			\$19,985	
Appellate	\$947	\$947			
Medicaid Fraud	\$229	\$57			\$172
POST Board	\$0				
Special Prosecution	\$2,907	\$2,907			
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	\$1,011		\$1,011		
UCCC	\$2,041		\$2,041		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$27,789	\$4,580	\$3,052	\$19,985	\$172
Request FY 13-14					
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 13-14	\$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 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		
UCCC	\$3,800		\$3,800		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 10-11	\$120,919	\$34,587	\$11,976	\$71,164	\$3,192
Actual FY 11-12					
Administration	\$12,611	\$12,611			
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

Common Policy Summary

Security for State Services Building	Total Funds	GF	CF	RA	FF
Estimate FY 12-13					
Administration	\$13,788	\$13,788	\$0	\$0	\$0
Legal Services to State Agencies	\$80,120			\$80,120	
Appellate	\$10,841	\$10,841			
Medicaid Fraud	\$5,758	\$1,440			\$4,318
POST Board	\$2,371		\$2,371		
Special Prosecution	\$4,844	\$4,844	\$0		
Securities Fraud	\$1,965			\$1,965	
Insurance Fraud	\$3,523		\$3,523		
Safe2Tell	\$0	\$0			
Federal & Interstate Water	\$1,863	\$1,863			
CERCLA	\$1,186			\$1,186	
RMA Litigation	\$0				
Colorado River Litigation	\$1,016	\$1,016			
Consumer Protection & Anti-Trust	\$7,115	\$3,388	\$2,711	\$1,016	
Collection Agency Board	\$1,863		\$1,863		
UCCC	\$4,236		\$4,236		
Reversions/Lapsed Appropriation	\$0				
Department Total FY 12-13	\$140,489	\$37,180	\$14,704	\$84,287	\$4,318
Request FY 13-14					
Administration	\$140,000	\$36,702	\$16,896	\$82,211	\$4,191
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 13-14	\$140,000	\$36,702	\$16,896	\$82,211	\$4,191

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 12W- Non-Profit Health Care Review
 6-19-406(1)(b), C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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 2013-14 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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	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 2013-14 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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 2013-14 Budget Request
 Fund 13H - Attorney Fees & Cost
 24-31-108, C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Cash in Beginning Fund Balance ¹	588,787	690,231	1,125,012	739,131	739,131
Actual / anticipated revenue from court awards	\$123,861	\$442,207	\$50,000	\$50,000	\$50,000
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	\$123,861	\$442,207	\$50,000	\$50,000	\$50,000
Actual Expenditure -	\$22,417	\$7,426	\$435,881	\$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	\$22,417	\$7,426	\$435,881	\$50,000	\$50,000
Available Liquid Fund Balance Prior to New Requests	\$690,231	\$1,125,012	\$739,131	\$739,131	\$739,131
Actual / Anticipated Liquid Fund Balance	\$690,231	\$1,125,012	\$739,131	\$739,131	\$739,131

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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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 2013-14 Budget Request
 Fund 13H - Attorney Fees & Cost
 24-31-108, C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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	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 2013-14 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Division Name: Water & Natural Resources					
ADP Capital Outlay	\$0	\$0	\$154,370	\$0	\$0
Consultant Expense	\$9,379	\$7,426	\$50,000	\$50,000	\$50,000
Roll Forward #180 Hill and Robbins	\$12,935	\$0			
Roll Forward #181 Deere and Ault	\$103	\$0			
Division Subtotal	\$22,417	\$7,426	\$204,370	\$50,000	\$50,000
Division Name: Special Purpose					
Litigation Management Fund	\$0	\$0	\$231,511	\$0	\$0
Division Subtotal	\$0	\$0	\$231,511	\$0	\$50,000
TOTAL	\$22,417	\$7,426	\$435,881	\$50,000	\$50,000

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 14D - Mortgage Fraud Settlement Custodial
 24-31-108(3), C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Cash in Beginning Fund Balance ¹	\$0	\$0	\$2,703,852	\$750,040	\$500,040
Actual / Revenue	\$0	\$2,703,852	\$49,170,188	\$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	\$2,703,852	\$49,170,188	\$0	\$0
Actual Expenditure	\$0	\$0	\$51,124,000	\$250,000	\$250,000
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	\$0	\$0	\$51,124,000	\$250,000	\$250,000
Available Liquid Fund Balance Prior to New Requests	\$0	\$2,703,852	\$750,040	\$500,040	\$250,040
Actual / Anticipated Liquid Fund Balance	\$0	\$2,703,852	\$750,040	\$500,040	\$250,040

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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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 2013-14 Budget Request
 Fund 14D - Mortgage Fraud Settlement Custodial
 24-31-108(3), C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2010-11	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	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: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 14D - Mortgage Fraud Settlement 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2013-14
Division Name: N/A					
Custodial Fund	\$0	\$0	\$51,124,000	\$250,000	\$250,040
Division Subtotal	\$0	\$0	\$51,124,000	\$250,000	\$250,040
TOTAL	\$0	\$0	\$51,124,000	\$250,000	\$250,040

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 14P - POST Custodial
 24-31-108(3), C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Cash in Beginning Fund Balance ¹	\$4,364	\$4,434	\$4,477	\$4,527	\$4,577
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$69	\$43	\$50	\$50	\$50
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$69	\$43	\$50	\$50	\$50
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 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	\$4,434	\$4,477	\$4,527	\$4,577	\$4,627
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	\$4,434	\$4,477	\$4,527	\$4,577	\$4,627

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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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 2013-14 Budget Request
 Fund 14P - POST Custodial
 24-31-108(3), C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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 2013-14 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2011-12 Budget Request
 Fund 16B - UCCC Custodial
 24-31-108(3), C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Cash in Beginning Fund Balance ¹	\$788,403	\$705,653	\$904,908	\$914,377	\$1,019,377
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$223,495	\$448,066	\$170,000	\$170,000	\$35,000
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$223,495	\$448,066	\$170,000	\$170,000	\$35,000
Actual / appropriated / projected cash expenditures	\$306,245	\$248,811.29	\$160,531	\$65,000	\$65,000
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	\$306,245	\$248,811	\$160,531	\$65,000	\$65,000
Available Liquid Fund Balance Prior to New Requests	\$705,653	\$904,908	\$914,377	\$1,019,377	\$989,377
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	\$705,653	\$904,908	\$914,377	\$1,019,377	\$989,377

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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Division Name: Consumer Protection					
Consumer Protection & Anti-Trust	\$80,000	\$80,000	\$83,127	\$0	\$0
CP Indirect Costs	\$13,940	\$12,404	\$12,404	\$0	\$0
Division Subtotal	\$93,940	\$92,404	\$95,531	\$0	\$0
Division Name: Custodial Fund					
Custodial Fund	\$212,305	\$156,407	\$65,000	\$65,000	\$65,000
Division Subtotal	\$212,305	\$156,407	\$65,000	\$65,000	\$65,000
TOTAL	\$306,245	\$248,811	\$160,531	\$65,000	\$65,000

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 16Z- Insurance Fraud
 24-31-104.5 (2), C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Cash in Beginning Fund Balance ¹	\$0	\$79,612	\$110,244	\$167,946	\$129,198
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$861,831	\$874,178	\$1,425,361	\$1,454,318	\$1,485,345
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$861,831	\$874,178	\$1,425,361	\$1,454,318	\$1,485,345
Actual / appropriated / projected cash expenditures	\$782,219	\$843,547	\$1,367,659	\$1,493,066	\$1,493,066
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	\$782,219	\$843,547	\$1,367,659	\$1,493,066	\$1,493,066
Available Liquid Fund Balance Prior to New Requests	\$79,612	\$110,244	\$167,946	\$129,198	\$121,477
	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	\$79,612	\$110,244	\$167,946	\$129,198	\$121,477

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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Insurance Fraud Annual Fee	\$860,185	\$860,185	\$1,422,861	\$1,451,318	\$1,480,345
Intrest	\$1,646	\$1,646	\$2,500	\$3,000	\$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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds; calculated based on % of revenue from fees)	\$79,612	\$110,244	\$167,946	\$129,198	\$121,477
Target/Alternative Fee Reserve Balance (amount set in statute or 16.5% of total expenses)	\$129,066	\$139,185	\$225,664	\$246,356	N/A
Excess Uncommitted Fee Reserve Balance	(\$49,454)	(\$28,942)	(\$57,718)	(\$117,158)	\$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	\$500 or \$1,894 fee based on previous year insurance premiums
Non-Fee Sources	Interest
Long Bill Groups Supported by Fund	Special Prosecution
Non-appropriated Fund Obligations	None
Statutory or Other Restriction on Use of Fund	None
Revenue Drivers	Number of insurance providers registering to be able to do business in the state
Expenditure Drivers	Expenses associated with salaries, state paid benefits, and associated operating costs
Explanation of any Long-term Liability Funding Requirements	N/A

Fund Expenditures Line Item Detail	Actual	Actual	Estimated	Request	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Division Name: Criminal Justice and Appellate					
Special Prosecutions Unit	\$688,812	\$746,796	\$1,238,657	\$1,351,331	\$1,351,331
Indirect Cost Assessment	\$93,407	\$96,751	\$129,002	\$141,735	\$141,735
Division Subtotal	\$782,219	\$843,547	\$1,367,659	\$1,493,066	\$1,493,066
Division Name:					
	\$0		\$0	\$0	\$0
	\$0		\$0	\$0	\$0
TOTAL	\$782,219	\$843,547	\$1,367,659	\$1,493,066	\$1,493,066

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 19A - CAB Custodial
 24-31-108(3), C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Cash in Beginning Fund Balance¹	\$139,735	\$175,216	\$248,351	\$248,351	\$248,351
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$40,513	\$80,189	\$9,000	\$5,000	\$5,000
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$40,513	\$80,189	\$9,000	\$5,000	\$5,000
Actual / appropriated / projected cash expenditures	\$5,032	\$7,053	\$9,000	\$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	\$5,032	\$7,053	\$9,000	\$5,000	\$5,000
Available Liquid Fund Balance Prior to New Requests	\$175,216	\$248,351	\$248,351	\$248,351	\$248,351
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	\$175,216	\$248,351	\$248,351	\$248,351	\$248,351

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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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 2013-14 Budget Request
 Fund 19A - CAB Custodial
 24-31-108(3), C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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 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 2013-14 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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	\$5,032	\$7,053	\$9,000	\$5,000	\$5,000
Division Subtotal	\$5,032	\$7,053	\$9,000	\$5,000	\$5,000
TOTAL	\$5,032	\$7,053	\$9,000	\$5,000	\$5,000

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 26Q- Legal Services Cash Fund
 24-31-108(2.5), C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Cash in Beginning Fund Balance ¹	\$0	\$0	\$0	\$0	\$0
Actual / Revenue	\$0	\$0	\$29,022,691	\$31,466,270	\$31,466,270
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	\$29,022,691	\$31,466,270	\$31,466,270
Actual Expenditure	\$0	\$0	\$29,022,691	\$31,466,270	\$31,466,270
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	\$29,022,691	\$31,466,270	\$31,466,270
Available Liquid Fund Balance Prior to New Requests	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Liquid Fund Balance	\$0	\$0	\$0	\$0	\$0

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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Attorney hourly Rate	N/A	N/A	\$79.87	\$86.60	\$86.60
Legal Assistant Hourly Rate	N/A	N/A	\$64.79	\$70.25	\$70.25
3. Fee Name	N/A	N/A	N/A	N/A	N/A

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 26Q- Legal Services Cash Fund
 24-31-108(2.5), C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2010-11	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	This fund accomodates all the revenues and expenses associated with providing legal representation to client agencies
Fee Sources	Fees are long bill established hourly rates charged by attorneys and legal assistants
Non-Fee Sources	Interest
Long Bill Groups Supported by Fund	Legal Services to State Agencies
Non-appropriated Fund Obligations	None
Statutory or Other Restriction on Use of Fund	None
Revenue Drivers	Hourly rates. FY 14 Fee estimated at 8% greater than FY 13 fees based solely on requested dollar increase
Expenditure Drivers	personal service and operating costs and some litigation expenses
Explanation of any Long-term Liability Funding Requirements	N/A

Fund Expenditures Line Item Detail	Actual	Actual	Estimated	Request	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2013-14
Division Name: Legal Services to State Agencies					
Personal Services	\$0	\$0	\$23,079,682	\$24,331,068	\$24,331,068

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 26Q- Legal Services Cash Fund
 24-31-108(2.5), C.R.S.

Operating	\$0	\$0	\$2,992,098	\$3,882,102	\$3,882,102
Indirect Expenses	\$0	\$0	\$2,950,911	\$3,253,100	\$3,253,100
Litigation, Management and Technology	\$0	\$0	\$0		
Division Subtotal	\$0	\$0	\$29,022,691	\$31,466,270	\$31,466,270
TOTAL	\$0	\$0	\$29,022,691	\$31,466,270	\$31,466,270

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 146 - Consumer Protection Custodial
 24-31-108(3), C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-134	FY 2014-15
Cash in Beginning Fund Balance ¹	\$5,351,471	\$7,464,555	\$9,868,900	\$12,761,655	\$11,226,845
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$2,952,912	\$3,819,847	\$5,200,000	\$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	\$2,952,912	\$3,819,847	\$5,200,000	\$900,000	\$900,000
Actual / appropriated / projected cash expenditures	\$839,829	\$1,415,502	\$2,307,245	\$2,434,810	\$2,434,810
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	\$839,829	\$1,415,502	\$2,307,245	\$2,434,810	\$2,434,810
Available Liquid Fund Balance Prior to New Requests	\$7,464,555	\$9,868,900	\$12,761,655	\$11,226,845	\$9,692,035
Actual / Anticipated Liquid Fund Balance	\$7,464,555	\$9,868,900	\$12,761,655	\$11,226,845	\$9,692,035

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 2010-11	FY 2011-12	FY 2012-13	FY 2013-134	FY 2014-15
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 2013-14 Budget Request
 Fund 146 - Consumer Protection Custodial
 24-31-108(3), C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Requested	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-134	FY 2014-15
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	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 2013-14 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-134	FY 2014-15
Division Name: Consumer Protection					
Consumer Protection & Anti-Trust	\$436,475	\$416,840	\$845,993	\$944,012	\$944,012
CP Indirect Costs	\$41,819	\$49,616	\$161,252	\$190,798	\$190,798
Division Subtotal	\$478,294	\$466,456	\$1,007,245	\$1,134,810	\$1,134,810
Custodial Fund	\$0	\$0	\$0	\$0	\$0
Custodial Fund	\$361,535	\$949,046	\$1,300,000	\$1,300,000	\$1,300,000
Division Subtotal	\$361,535	\$949,046	\$1,300,000	\$1,300,000	\$1,300,000
TOTAL	\$839,829	\$1,415,502	\$2,307,245	\$2,434,810	\$2,434,810

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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Cash in Beginning Fund Balance¹	\$33,499	\$14,284	\$29,599	\$51,468	\$51,588
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated cash transferred in	\$383	\$15,314	\$21,869	\$120	\$400
Actual / anticipated other noncash assets converted to cash ²	\$0	\$0	\$0	\$0	\$0
Actual / Anticipated Cash Inflow During Fiscal Year	\$383	\$15,314	\$21,869	\$120	\$400
Actual / appropriated / projected cash expenditures	\$19,597	\$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	\$19,597	\$0	\$0	\$0	\$0
Available Liquid Fund Balance Prior to New Requests	\$14,284	\$29,599	\$51,468	\$51,588	\$51,988
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	\$14,284	\$29,599	\$51,468	\$51,588	\$51,988

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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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	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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Division Name: Water & Natural Resources					
Line Item Name	\$0	\$0	\$0	\$0	\$0
Custodial Fund	\$19,597	\$0	\$0	\$0	\$0
Division Subtotal	\$19,597	\$0	\$0	\$0	\$0
TOTAL	\$19,597	\$0	\$0	\$0	\$0

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Cash in Beginning Fund Balance ¹	\$136,422	\$138,308	\$9,609	\$9,624	\$9,639
Actual / Revenue	\$2,668	\$9,608	\$15	\$15	\$15
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	\$2,668	\$9,608	\$15	\$15	\$15
Actual Expenditure	\$782	\$138,307	\$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	\$782	\$138,307	\$0	\$0	\$0
Available Liquid Fund Balance Prior to New Requests	\$138,308	\$9,609	\$9,624	\$9,639	\$9,654
Actual / Anticipated Liquid Fund Balance	\$138,308	\$9,609	\$9,624	\$9,639	\$9,654

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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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 2013-14 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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	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: Cash Funds Reports
 Department of Law
 FY 2013-14 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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	\$782	\$138,307	\$0	\$0	\$0
Division Subtotal	\$782	\$138,307	\$0	\$0	\$0
TOTAL	\$782	\$138,307	\$0	\$0	\$0

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 150 - Collection Agency Board
 12-14-136, C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Cash in Beginning Fund Balance¹	\$181,571	\$156,956	\$86,341	\$85,963	\$65,145
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$449,151	\$415,331	\$529,459	\$550,189	\$581,585
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	\$449,151	\$415,331	\$529,459	\$550,189	\$581,585
Actual Expenditure	\$473,766	485,946	\$529,837	\$571,008	\$571,008
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	\$473,766	\$485,946	\$529,837	\$571,008	\$571,008
Available Liquid Fund Balance Prior to New Requests	\$156,956	\$86,341	\$85,963	\$65,145	\$75,722
Change Requests Using Liquid Assets	N/A	N/A	N/A	\$0	\$0
Actual / Anticipated Liquid Fund Balance	\$156,956	\$86,341	\$85,963	\$65,145	\$75,722

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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
1. Business Registration	\$442,725	\$412,050	\$523,259	\$544,189	\$575,585
2. Other Fines	N/A	N/A	N/A	N/A	N/A
3. Interest Income	\$6,426	\$3,281	\$6,200	\$6,000	\$6,000

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 150 - Collection Agency Board
 12-14-136, C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Request	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds; calculated based on % of revenue from fees)	\$150,530	\$83,061	\$85,963	\$59,145	\$69,722
Target/Alternative Fee Reserve Balance (amount set in statute or 16.5% of total expenses)	\$78,171	\$80,181	\$87,423	\$94,216	\$94,216
Excess Uncommitted Fee Reserve Balance	\$72,359	\$2,880	(\$1,460)	(\$29,072)	(\$18,495)
Assessment of Potential for Compliance (check all that apply)	<input type="checkbox"/> Already in Compliance <input type="checkbox"/> Statute Change ² <input checked="" 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 regulation and the licensing of collection agencies to protect the public from illegal and oppressive collection practices.
Fee Sources	Investigation Fee \$300, Renewal Fee \$375, and License Fee \$750 in FY 12 Investigation Fee \$300, Renewal Fee \$500, and License Fee \$1,000 in FY 13
Non-Fee Sources	Penalites, 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: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 150 - Collection Agency Board
 12-14-136, 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
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	\$408,735	\$417,724	\$461,615	\$491,963	\$491,963
Indirect Costs	\$65,031	\$68,222	\$68,222	\$79,045	\$79,045
Division Subtotal	\$473,766	\$485,946	\$529,837	\$571,008	\$571,008
Division Name: SPECIAL PURPOSE					
	\$0	\$0	\$0	\$0	\$0
Division Subtotal	\$0	\$0	\$0	\$0	\$0
TOTAL	\$473,766	\$485,946	\$529,837	\$571,008	\$571,008

Schedule 9B: Cash Funds Reports

Department of Law

FY 2013-14 Budget Request

Fund 150 - Collection Agency Board

12-14-136, C.R.S.

Schedule 9.B Compliance Plan	
Action	
Plan Description	Fee decrease in FY 12 to address compliance. At end of FY 12, fund is only slightly over.
Assumptions and Calculations	The Department raised fees due to increased resources from FY 12 decision. The increase in spending authority will allow this fund to be in compliance as of end of FY 13

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 151 - Uniform Consumer Credit Code
 5-6-204, C.R.S.

Available Liquid Cash Fund Balance	Actual	Actual	Estimated	Requested	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Cash in Beginning Fund Balance¹	\$364,809	\$499,262	\$635,540	\$515,286	\$178,275
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$1,461,282	\$1,484,755	\$1,428,492	\$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	\$1,461,282	\$1,484,755	\$1,428,492	\$1,338,492	\$1,488,492
Actual / appropriated / projected cash expenditures	\$1,326,829	\$1,348,477	\$1,548,746	\$1,675,503	\$1,675,503
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	\$1,326,829	\$1,348,477	\$1,548,746	\$1,675,503	\$1,675,503
Available Liquid Fund Balance Prior to New Requests	\$499,262	\$635,540	\$515,286	\$178,275	(\$8,736)
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	\$499,262	\$635,540	\$515,286	\$178,275	(\$8,736)

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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
1. Business Registration	\$1,386,677	\$1,386,677	\$1,350,000	\$1,338,492	\$1,488,492
2. Other Fines/Forfeitures	\$67,596	\$67,596	N/A	N/A	N/A
3. Interest Income	\$7,009	\$7,009	N/A	N/A	N/A

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 151 - Uniform Consumer Credit Code
 5-6-204, C.R.S.

Cash Fund Reserve Balance ¹	Actual	Actual	Estimated	Requested	Projected
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds; calculated based on % of revenue from fees)	\$492,253	\$628,531	\$515,286	\$178,275	(\$8,736)
Target/Alternative Fee Reserve Balance (amount set in statute or 16.5% of total expenses) 33% per HB09-1041	\$437,853	\$444,997	\$511,086	\$552,916	\$552,916
Excess Uncommitted Fee Reserve Balance	\$54,400	\$183,534	\$4,200	(\$374,641)	(\$561,652)
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 \$800; Supervised lender Branch License \$800; UCCC Notification Fee \$100; UCCC Volume Fee \$30 per \$100,000; Rent to Own Notification Fee: \$100
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 2013-14 Budget Request
 Fund 151 - Uniform Consumer Credit Code
 5-6-204, 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Division Name: Consumer Protection & Anti-Trust					
Consumer Credit Unit line	\$1,179,032	\$1,193,427	\$1,368,888	\$1,481,980	\$1,481,980
Indirect Costs	\$147,797	\$155,050	\$179,858	\$193,523	\$193,523
Division Subtotal	\$1,326,829	\$1,348,477	\$1,548,746	\$1,675,503	\$1,675,503
Division Name: Consumer Protection & Anti-Trust					
State Service Building Security	\$0	\$0	\$0	\$0	\$0
Division Subtotal	\$0	\$0	\$0	\$0	\$0
TOTAL	\$1,326,829	\$1,348,477	\$1,548,746	\$1,675,503	\$1,675,503

Schedule 9B: Cash Funds Reports
 Department of Law
 FY 2013-14 Budget Request
 Fund 151 - Uniform Consumer Credit Code
 5-6-204, C.R.S.

Schedule 9.B Compliance Plan	
Action	
Plan Description	
	<p>Increased spending authority due to FY 13 Decision item. This coupled with a fee increase that does not fully accommodate for the increase in revenue need will allow the fund to come into compliance by FY 14</p>

Schedule 9A: Cash Funds Reports
 Department of Law
 FY 2013-14 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Cash in Beginning Fund Balance¹	\$557,008	\$645,306	\$811,749	\$827,575	\$860,707
Actual / anticipated accounts receivable collections	\$0	\$0	\$0	\$0	\$0
Actual / anticipated fees collections	\$2,736,776	\$2,866,245	\$2,894,908	\$2,923,857	\$2,953,095
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	\$2,736,776	\$2,866,245	\$2,894,908	\$2,923,857	\$2,953,095
Actual / appropriated / projected cash expenditures	\$2,648,477	\$2,699,803	\$2,879,081	\$2,890,725	\$2,890,725
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	\$2,648,477	\$2,699,803	\$2,879,081	\$2,890,725	\$2,890,725
Available Liquid Fund Balance Prior to New Requests	\$645,306	\$811,749	\$827,575	\$860,707	\$923,077
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	\$645,306	\$811,749	\$827,575	\$860,707	\$923,077

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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
1. Additional Motor Vehicle Registration Fee	\$2,617,216	\$2,661,454	\$2,706,440	\$2,752,186	\$2,798,705
2. Professional/Occupational Licenses	\$113,245	\$124,510	\$125,000	\$125,000	\$120,000
3. Certification/Inspections fee	\$1,200	\$875	\$1,000	\$1,000	\$1,000
4. Sale of Publications & Maps	\$5,115	\$5,815	\$5,000	\$5,000	\$5,000
5. Reimbursement Prior YR Exp	\$0	\$73,591	\$0	\$0	\$0

Schedule 9A: Cash Funds Reports

Department of Law

FY 2013-14 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Uncommitted Fee Reserve Balance (total reserve balance minus exempt assets and previously appropriated funds; calculated based on % of revenue from fees)	\$645,306	\$811,749	\$827,575	\$860,707	\$923,077
Target/Alternative Fee Reserve Balance (amount set in statute or 16.5% of total expenses) (NA Fees established in Statute . Shown for Info only)	\$436,999	\$445,467	\$475,048	\$476,970	\$476,970
Excess Uncommitted Fee Reserve Balance	\$208,308	\$366,281	\$352,527	\$383,737	\$446,107
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	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 : (\$.60) (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 2013-14 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 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Division Name: POST Board					
POST line item	\$2,565,711	\$2,612,975	\$2,792,253	\$2,795,326	\$2,795,326
Indirect Cost	\$82,766	\$86,828	\$86,828	\$95,399	\$95,399
Division Subtotal	\$2,648,477	\$2,699,803	\$2,879,081	\$2,890,725	\$2,890,725
	\$0	\$0	\$0	\$0	\$0
Division Subtotal	\$0	\$0	\$0	\$0	\$0
TOTAL	\$2,648,477	\$2,699,803	\$2,879,081	\$2,890,725	\$2,890,725

Table I

Legal Services Provided to State Agencies

Department	Actual Year			Actual Year			Estimate Year		Request Year	
	FY 11			FY 12			FY13		FY14	
	Attorney	Legal Asst	Total	Attorney	Legal Asst	Total	@77.25/hr.			
	Hours	Hours	Amount	Hours	Hours	Amount	Hours	Amount	Hours	Amount
AGRICULTURE, DEPT. OF	2924.7	775.5	\$269,884.48	3576.4	778.4	\$329,281.10	4653.00	\$359,444.00	4653.00	\$359,444.00
CORRECTIONS, DEPT. OF	12144	2475.4	\$1,075,919.07	11085.7	2251.6	\$1,010,581.77	15298.00	\$1,181,771.00	15298.00	\$1,181,771.00
GOVERNOR'S ENERGY OFFICE	1204.6	89.7	\$97,369.39	1096.6	16.9	\$87,127.78	230.00	\$17,768.00	230.00	\$17,768.00
EDUCATION, DEPT. OF	3164.9	914.6	\$296,578.26	2979.9	704.8	\$277,875.66	4900.00	\$378,525.00	4900.00	\$378,525.00
GOVERNOR, OFFICE OF	10531.45	3176.9	\$994,892.77	6673.74	1504.91	\$617,717.54	5051.00	\$390,190.00	5051.00	\$390,190.00
HLTH CARE POLICY & FINANCE	8739.25	2242.45	\$801,945.36	9723.5	2161.8	\$898,093.34	13592.00	\$1,049,982.00	13592.00	\$1,049,982.00
HIGHER EDUCATION, DEPT.	11894.4	984.4	\$967,352.23	11369.7	1632.5	\$994,275.43	13454.00	\$1,039,322.00	13454.00	\$1,039,322.00
HIGHWAYS, DEPT. OF	11485.55	3408.55	\$1,081,661.36	11630.4	3513	\$1,132,067.71	16432.00	\$1,269,372.00	16432.00	\$1,269,372.00
PUBLIC HEALTH & ENVIRONMNT	23386.3	3933.6	\$2,021,919.86	26051.49	3693.11	\$2,275,228.50	30788.00	\$2,378,373.00	30788.00	\$2,378,373.00
HUMAN SERVICES DEPARTMENT	14115.5	5523.8	\$1,409,466.98	13517.1	5344.8	\$1,394,457.67	18439.00	\$1,424,413.00	18439.00	\$1,424,413.00
INNOVATION & TECHNOLOGY	0	0	\$0.00	0	0	\$0.00	489.00	\$37,775.00	489.00	\$37,775.00
JUDICIAL DEPARTMENT	1515.6	184.8	\$126,825.12	1959.6	184.9	\$165,346.60	3104.00	\$239,784.00	3104.00	\$239,784.00
LABOR & EMPLOYMENT DEPT.	7116.4	1764.3	\$649,317.21	7621.6	1784.1	\$709,549.22	8355.00	\$645,424.00	8355.00	\$645,424.00
LEGISLATIVE BRANCH	77.7	20.5	\$7,163.82	66.1	0.2	\$5,200.73	188.00	\$14,523.00	188.00	\$14,523.00
LOCAL AFFAIRS DEPT.	1543.5	113.3	\$124,662.97	1382	111.3	\$115,419.23	1790.00	\$138,278.00	1790.00	\$138,278.00
LAW, DEPARTMENT OF	154	0	\$11,759.44				0.00	\$0.00	0.00	\$0.00
MILITARY AFFAIRS, DEPT.	472.1	37.5	\$38,300.63	122.3	1.8	\$9,711.80	110.00	\$8,498.00	110.00	\$8,498.00
NATURAL RESOURCES, DEPT.	37060.9	7552.9	\$3,283,382.01	36488.1	7367.4	\$3,323,637.18	49049.00	\$3,789,035.00	49010.00	\$3,786,023.00
PERA PENSION PLANS	1.5	0	\$114.54	1.9	0	\$149.14	29.00	\$2,240.00	29.00	\$2,240.00
ADMINISTRATION	2718.7	266.6	\$223,604.37	2534.6	232.7	\$213,463.37	2893.00	\$223,484.00	2893.00	\$223,484.00
PERSONNEL - RISK MANAGEMENT	24029.9	8280.1	\$2,331,985.82	22845.8	8722.6	\$2,337,117.77	31860.00	\$2,461,185.00	31860.00	\$2,461,185.00
PUBLIC SAFETY, DEPT OF	1980.2	181	\$162,073.49	3167.6	687.9	\$291,544.51	2163.00	\$167,092.00	2163.00	\$167,092.00
REGULATORY AGENCIES	87902.15	12879.1	\$7,485,354.36	85510.05	10385.3	\$7,359,709.09	104884.00	\$8,102,289.00	104600.00	\$8,102,289.00
REVENUE, DEPT. OF	21049.4	2177.8	\$1,738,069.29	32567.12	4899.28	\$2,864,901.31	38842.00	\$3,000,545.00	39307.00	\$3,036,466.00
COLO ST. FAIR AUTHORITY	139.9	0.50	\$118,501.32	332.5	24.30	\$27,614.42	180.00	\$13,905.00	180.00	\$13,905.00
SECRETARY OF STATE	4293.30	764.60	\$373,735.93	5466.00	1179.10	\$502,593.91	7118.00	\$549,866.00	7118.00	\$549,866.00
TREASURY, DEPT. OF	1244.80	390.60	\$118,501.32	1893.90	292.20	\$166,883.96	575.00	\$44,419.00	575.00	\$44,419.00
Totals	290890.70	58138.50	\$25,810,341.40	299663.70	57474.90	\$27,109,548.74	374466.00	\$28,927,502.00	374608.00	\$28,960,411.00

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 12-13 To Request
	8	9	10	11	12	FY 08-12	FY 12-13	FY 12-13	FY 13-14	FY 13-14	FY 13-14
AG AGRICULTURE, DEPT. OF	3915.6	4277.8	3941.6	3700.2	4354.8	4,038	4,653	615	4,653	615	0
CO CORRECTIONS, DEPT. OF	11748.4	14618.9	18647.1	14619.4	13337.3	14,594	15,298	704	15,298	704	0
EC GOVERNOR'S ENERGY OFFICE	507.6	656.8	729.1	1294.3	1113.5	860	230	(630)	230	(630)	0
ED EDUCATION, DEPT. OF	4786.4	5711.9	4610.3	4079.5	3684.7	4,575	4,900	325	4,900	325	0
EX GOVERNOR, OFFICE OF	727.6	1996.1	5712.4	13708.35	8178.65	6,065	5,051	(1,014)	5,051	(1,014)	0
HC HLTH CARE POLICY & FINANCE	10249.3	11681.9	10147.1	10981.7	11885.3	10,989	13,592	2,603	13,592	2,603	0
HE HIGHER EDUCATION, DEPT.	10141.5	13401.61	13114.02	12878.8	13002.2	12,508	13,454	946	13,454	946	0
HI HIGHWAYS, DEPT. OF	16902.3	18242.3	15846.4	14894.1	15143.4	16,206	16,432	226	16,432	226	0
HL PUBLIC HEALTH & ENVIRONMNT	26494.7	28815.7	28244.9	27474.8	29744.6	28,155	30,788	2,633	30,788	2,633	0
HS HUMAN SERVICES DEPARTMENT	19849.2	21072.1	21015.1	19639.3	18861.9	20,088	18,439	(1,649)	18,439	(1,649)	0
IT INNOVATION & TECHNOLOGY	33.1	0	0	0	0	7	489		489		
JD JUDICIAL DEPARTMENT	2697.5	2948.9	2457.7	1700.4	2144.5	2,390	3,104	714	3,104	714	0
LA LABOR & EMPLOYMENT DEPT.	7926	8337.7	8169.3	8880.7	9405.7	8,544	8,355	(189)	8,355	(189)	0
LE LEGISLATIVE BRANCH	264	151.7	106.4	98.2	66.3	137	188	51	188	51	0
LO LOCAL AFFAIRS DEPT.	2461.5	980.4	1917.1	1656.8	1493.3	1,702	1,790	88	1,790	88	0
LW LAW, DEPARTMENT OF	248.9	226.7	76.7	154	0	141	0	(141)	0	(141)	0
MA MILITARY AFFAIRS, DEPT.	14.5	43.1	131.2	509.6	124.1	165	110	(55)	110	(55)	0
NR NATURAL RESOURCES, DEPT.	40010.2	41237.3	43305.1	44613.8	43855.5	42,604	49,049	6,445	49,049	6,445	0
PA PERA PENSION PLANS	5.3	12.5	29.2	1.5	1.9	10	29	19	29	19	0
PE DEPARTMENT OF PERSONNEL & ADMINISTRATION	4683	4461.4	3519.8	2985.3	2767.3	3,683	2,893	(790)	2,893	(790)	0
PERISK PERSONNEL - RISK MANAGEMENT	36488.2	30249.5	28190.5	32310	31568.4	31,761	31,860	99	31,860	99	0
PS PUBLIC SAFETY, DEPT OF	1953.1	2146	1682.4	2161.2	3855.5	2,360	2,163	(197)	2,163	(197)	0
RG REGULATORY AGENCIES	90368.8	98007.9	99427.2	100781.25	95895.35	96,896	104,884	7,988	104,884	7,988	0
RV REVENUE, DEPT. OF	12629.5	12789.2	12836.2	23227.2	37466.4	19,790	38,842	19,052	38,842	19,052	0
SF COLO ST. FAIR AUTHORITY	399.1	223	187.7	140.4	356.8	261	180	(81)	180	(81)	0
ST SECRETARY OF STATE	4125.3	3065.6	4187.2	5057.9	6645.1	4,616	7,118	2,502	7,118	2,502	0
TR TREASURY, DEPT. OF	756.4	1219.7	1675.4	1635.4	2186.10	1,495	575	(920)	575	(920)	0
	310,387	326,576	329,907	349,184	357,139	334,639	374,466	39,827	374,466	39,827	0

D) 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 10-11 Actual	FY 11-12 Actual	FY 12-13 Approp.	FY 13-14 Request
Office of the Attorney General	8.8	9.1	9.0	9.0
Human Resources	3.5	3.5	3.5	3.5
Fiscal and Accounting	7.5	7.4	7.5	7.5
Information Technology Services	13.7	14.2	15.2	15.2
Legal Support Services	5.0	5.0	5.5	5.5
Total	38.5	39.1	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>Administration</u>	<u>Department</u>	
<u>FY</u>	<u>Section Staff</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
12-13	31.7	429.9	\$57,294,289

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

NA

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	FY11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 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 tenets at the new building at 13th and Lincoln.

Performance Measure	Outcome	FY11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 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 tenets for space planning, security, data management, security, and other shared services within the building.			

3. Upgrade Building State Services Building Security

Performance Measure	FY11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 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

DEPARTMENT OF LAW

FY 2013-14 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 2012-13 Long Bill Appropriation (HB 12-1335)	\$3,049,837	41.7	\$14,072	\$0	\$3,035,765	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$3,049,837	41.7	\$14,072	\$0	\$3,035,765	\$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	\$0	0.0	\$0	\$0	\$0	\$0
Switch GF to Indirect Recoveries	\$0	0.0	(\$14,072)	\$0	\$14,072	\$0
FY 13-14 Base Request	\$3,049,837	41.7	\$0	\$0	\$3,049,837	\$0
PIO Refinance Decision Item	\$89,284	1.0	\$0	\$0	\$89,284	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2013-14 November 1st Request	\$3,139,121	42.7	\$0	\$0	\$3,139,121	\$0
(B) Health, Life and Dental						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$2,620,363	0.0	\$712,358	\$307,246	\$1,497,893	\$102,866
	\$0		\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$2,620,363		\$712,358	\$307,246	\$1,497,893	\$102,866
Common Policy Adjustment	\$254,922		\$33,367	(\$14,165)	\$210,553	\$25,168
FY 13-14 Base Request	\$2,875,285	0.0	\$745,725	\$293,081	\$1,708,446	\$128,034
PIO Refinance Decision Item	\$0		6,064	(6,064)	-	-
Tobacco Refinance Decision Item	\$0		\$6,064	(\$6,064)	\$0	\$0
FY 2013-14 November 1st Request	\$2,875,285	0.0	\$757,853	\$280,953	\$1,708,446	\$128,034
(C) Short-term Disability						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$49,196	0.0	\$13,008	\$4,457	\$30,127	\$1,604
FY 2012-13 Total Appropriation	\$49,196		\$13,008	\$4,457	\$30,127	\$1,604
Common Policy Adjustment	\$8,566	0.0	\$1,618	\$1,509	\$4,701	\$738
FY 13-14 Base Request	\$57,762	0.0	14,626	\$5,966	\$34,828	\$2,342
PIO Refinance Decision Item	\$0	0.0	144	(144)	-	-
Tobacco Refinance Decision Item	\$0	0.0	\$160	(\$160)	\$0	\$0
FY 2013-14 November 1st Request	\$57,762	0.0	\$14,930	\$5,662	\$34,828	\$2,342
(D) SB 04-257 Amortization Equalization Distribution						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$965,510	0.0	\$271,731	\$93,597	\$559,668	\$40,514

DEPARTMENT OF LAW

FY 2013-14 RECONCILIATION OF DEPARTMENT REQUEST

(I) Administration

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
FY 2012-13 Total Appropriation	\$965,510		\$271,731	\$93,597	\$559,668	\$40,514
Common Policy Adjustment	\$199,733	0.0	\$23,587	\$25,732	\$144,101	\$6,313
FY 13-14 Base Request	\$1,165,243	0.0	\$295,318	\$119,329	\$703,769	\$46,827
PIO Refinance Decision Item	\$0	0.0	2,923	(2,923)		
Tobacco Refinance Decision Item	-	0.0	3,025	(3,025)	-	-
FY 2013-14 November 1st Request	\$1,165,243	0.0	\$301,266	\$113,381	\$703,769	\$46,827
(E) SB 06-235 Supplemental Amortization Equalization Distribution						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$828,618	0.0	\$232,402	\$80,435	\$480,964	\$34,817
FY 2012-13 Total Appropriation	\$828,618		\$232,402	\$80,435	\$480,964	\$34,817
Common Policy Adjustment	\$223,336	0.0	\$34,204	\$27,292	\$154,383	\$7,457
FY 13-14 Base Request	\$1,051,954	0.0	\$266,606	\$107,727	\$635,347	\$42,274
PIO Refinance Decision Item			2,639	(2,639)		
Tobacco Refinance Decision Item			2,731	(2,731)	-	-
FY 2013-14 November 1st Request	\$1,051,954	0.0	\$271,976	\$102,357	\$635,347	\$42,274
(F) Salary Survey for Classified Employees						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$0		\$0	\$0	\$0	\$0
Common Policy Adjustment	\$264,303		64,048	54,723	123,984	21,548
FY 13-14 Base Request	\$264,303	0.0	\$64,048	\$54,723	\$123,984	\$21,548
PIO Refinance Decision Item	\$0	0.0	\$1,200	(\$1,200)	\$0	\$0
FY 2013-14 November 1st Request	\$264,303	0.0	\$65,248	\$53,523	\$123,984	\$21,548
(G) Salary Survey for Exempt Employees						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$0		\$0	\$0	\$0	\$0
Common Policy Adjustment	\$563,778		\$142,727	\$16,714	\$400,653	\$3,684
FY 13-14 Base Request	\$563,778	0.0	\$142,727	\$16,714	\$400,653	\$3,684
Tobacco Refinance DI	\$0	0.0	\$1,225	(\$1,225)	\$0	\$0
FY 2013-14 November 1st Request	\$563,778	0.0	\$143,952	\$15,489	\$400,653	\$3,684
(H) Merit Pay for Classified Employees						

DEPARTMENT OF LAW
FY 2013-14 RECONCILIATION OF DEPARTMENT REQUEST

(1) Administration

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$0		\$0	\$0	\$0	\$0
Common Policy Adjustment	\$165,278		\$59,712	\$27,434	\$65,178	\$12,954
FY 13-14 Base Request	\$165,278	0.0	\$59,712	\$27,434	\$65,178	\$12,954
PIO Refinance Decision Item	\$0	0.0	\$0	\$0	\$0	\$0
FY 2013-14 November 1st Request	\$165,278	0.0	\$59,712	\$27,434	\$65,178	\$12,954
(I) Merit Pay Awards for Non Classified Employees						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$0		\$0	\$0	\$0	\$0
Common Policy Adjustment	\$367,907		\$86,402	\$10,037	\$267,460	\$4,008
FY 13-14 Base Request	\$367,907	0.0	\$86,402	\$10,037	\$267,460	\$4,008
Tobacco Refinance DI	\$0	0.0	\$1,153	(\$1,153)	\$0	\$0
FY 2013-14 November 1st Request	\$367,907	0.0	\$87,555	\$8,884	\$267,460	\$4,008
(J) Continuing Legal Education						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$99,263	0.0	\$21,769	\$3,000	\$72,525	\$1,969
FY 2012-13 Total Appropriation	\$99,263		\$21,769	\$3,000	\$72,525	\$1,969
FY 13-14 Base Request	\$99,263	0.0	\$21,769	\$3,000	\$72,525	\$1,969
Tobacco Refinance DI	\$0	0.0	\$375	(\$375)		
FY 2013-14 November 1st Request	\$99,263	0.0	\$22,144	\$2,625	\$72,525	\$1,969
(K) Workers' Compensation						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$73,256	0.0	\$19,388	\$7,666	\$43,950	\$2,252
FY 2012-13 Total Appropriation	\$73,256		\$19,388	\$7,666	\$43,950	\$2,252
DPA Common Policy Adjustment	\$1,110	0.0	(\$418)	\$1,833	(\$279)	(\$26)
FY 13-14 Base Request	\$74,366	0.0	\$18,970	\$9,499	\$43,671	\$2,226
PIO Refinance DI	\$0	0.0	\$175	(\$175)	\$0	\$0
Tobacco Refinance DI			\$175	(\$175)		
FY 2013-14 November 1st Request	\$74,366	0.0	\$19,320	\$9,149	\$43,671	\$2,226
(L) Operating Expenses						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$193,513	0.0	\$0	\$0	\$193,513	\$0

DEPARTMENT OF LAW

FY 2013-14 RECONCILIATION OF DEPARTMENT REQUEST

(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 2012-13 Total Appropriation	\$193,513	0.0	\$0	\$0	\$193,513	\$0
Annualization of FY 12 DI #3 Case Mgt System	(\$2,884)	0.0	\$0	\$0	(\$2,884)	\$0
FY 13-14 Base Request	\$190,629	0.0	\$0	\$0	\$190,629	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2013-14 November 1st Request	\$190,629	0.0	\$0	\$0	\$190,629	\$0
(M) Purchase of Services from Computer Center						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$107,588	0.0	\$0	\$0	\$107,588	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$107,588	0.0	\$0	\$0	\$107,588	\$0
OIT Common Policy Adjustment	(\$53,733)	0.0	\$0	\$0	(\$53,733)	\$0
FY 13-14 Base Request	\$53,855	0.0	\$0	\$0	\$53,855	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2013-14 November 1st Request	\$53,855	0.0	\$0	\$0	\$53,855	\$0
(N) Multiuse Network						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$0	0.0	\$0	\$0	\$0	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$0	0.0	\$0	\$0	\$0	\$0
OIT Common Policy	\$118,313	0.0	\$0	\$0	\$118,313	\$0
FY 13-14 Base Request	\$118,313	0.0	\$0	\$0	\$118,313	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2013-14 November 1st Request	\$118,313	0.0	\$0	\$0	\$118,313	\$0
(O) Payment to Risk Management						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$87,949	0.0	\$0	\$0	\$87,949	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$87,949	0.0	\$0	\$0	\$87,949	\$0
DPA Common Policy Adjustment	\$38,882	0.0	\$0	\$0	\$38,882	\$0
FY 13-14 Base Request	\$126,831	0.0	\$0	\$0	\$126,831	\$0
Risk Management Decision Item	\$3,284	0.0	\$0	\$0	\$3,284	\$0
FY 2013-14 November 1st Request	\$130,115	0.0	\$0	\$0	\$130,115	\$0
(P) Vehicle Lease Payments						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$70,285	0.0	\$19,980	\$21,501	\$26,189	\$2,615
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$70,285	0.0	\$19,980	\$21,501	\$26,189	\$2,615
	\$0	0.0	\$0	\$0	\$0	\$0
FY 13-14 Base Request	\$70,285	0.0	\$19,980	\$21,501	\$26,189	\$2,615

DEPARTMENT OF LAW

FY 2013-14 RECONCILIATION OF DEPARTMENT REQUEST

(1) Administration

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
DPA DI State Fleet	(\$0)	0.0	\$0	\$0	\$0	(\$0)
FY 2013-14 November 1st Request	\$70,285	0.0	\$19,980	\$21,501	\$26,189	\$2,615
(Q) Information Technology Asset Maintenance						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$445,807	0.0	\$21,754	\$63,299	\$359,373	\$1,381
	\$0	0	\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$445,807	0.0	\$21,754	\$63,299	\$359,373	\$1,381
	\$0	0.0	\$0	\$0	\$0	\$0
FY 13-14 Base Request	\$445,807	0.0	\$21,754	\$63,299	\$359,373	\$1,381
Tobacco Refinance DI	\$0	0.0	\$1,049	(\$1,049)	\$0	\$0
FY 2013-14 November 1st Request	\$445,807	0.0	\$22,803	\$62,250	\$359,373	\$1,381
(R) Lease Space						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$27,789	0.0	\$4,580	\$3,052	\$19,985	\$172
	\$27,789	0.0	\$4,580	\$3,052	\$19,985	\$172
FY 2012-13 Total Appropriation	\$27,789	0.0	\$4,580	\$3,052	\$19,985	\$172
	\$0	0.0	\$0	\$0	\$0	\$0
FY 13-14 Base Request	\$27,789	0.0	\$4,580	\$3,052	\$19,985	\$172
		0.0				
FY 2013-14 November 1st Request	\$27,789	0.0	\$4,580	\$3,052	\$19,985	\$172
(S) Capitol Complex Leased Space/Carr Building Lease Costs						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$1,273,320	0.0	\$335,366	\$132,620	\$766,375	\$38,959
		0				
FY 2012-13 Total Appropriation	\$1,273,320	0.0	\$335,366	\$132,620	\$766,375	\$38,959
DPA Common Policy Adjustment	(\$1,273,320)	0.0	(\$335,366)	(\$132,620)	(\$766,375)	(\$38,959)
FY 13-14 Base Request	\$0	0.0	\$0	\$0	\$0	\$0
Carr Building Lease Costs	\$2,926,487	0.0	\$753,437	\$366,927	\$1,718,514	\$87,609
Tobacco Refinance DI			\$6,871	(\$6,871)		
PIO Refinance DI	\$0		\$6,871	(\$6,871)	\$0	
FY 2013-14 November 1st Request	\$2,926,487	0.0	\$767,179	\$353,185	\$1,718,514	\$87,609
(T) Communication Services Payments						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$10,614	0.0	\$3,765	\$2,868	\$1,448	\$2,533
	\$0	0	\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$10,614	0.0	\$3,765	\$2,868	\$1,448	\$2,533
OIT Common Policy Adjustment	(\$2,409)		(\$480)	(\$1,025)	(\$329)	(\$575)
FY 13-14 Base Request	\$8,205	0.0	\$3,285	\$1,843	\$1,119	\$1,958

DEPARTMENT OF LAW
FY 2013-14 RECONCILIATION OF DEPARTMENT REQUEST

(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 2013-14 November 1st Request	\$8,205	0.0	\$3,285	\$1,843	\$1,119	\$1,958
(U) Building Security						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$140,489	0.0	\$37,180	\$14,704	\$84,287	\$4,318
	\$0	0	\$0	\$0	\$0	\$0
	\$0		\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$140,489	0.0	\$37,180	\$14,704	\$84,287	\$4,318
Common Policy Adjustment	(\$489)	0.0	(\$1,136)	\$2,850	(\$2,076)	(\$127)
FY 13-14 Base Request	\$140,000	0.0	\$36,044	\$17,554	\$82,211	\$4,191
Tobacco Refinance DI	\$0	0.0	\$329	(\$329)	\$0	\$0
PIO Refinance DI	\$0		\$329	(\$329)	\$0	
FY 2013-14 November 1st Request	\$140,000	0.0	\$36,702	\$16,896	\$82,211	\$4,191
(V) Administrative Law Judges						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$1,135	0.0	\$0	\$1,135	\$0	\$0
	\$0	0	\$0	\$0	\$0	\$0
	\$0		\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$1,135	0.0	\$0	\$1,135	\$0	\$0
DPA Common Policy Adjustment				\$3,180		
FY 13-14 Base Request	\$4,315	0.0	\$0	\$4,315	\$0	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
	\$0		\$0	\$0	\$0	\$0
FY 2013-14 November 1st Request	\$4,315	0.0	\$0	\$4,315	\$0	\$0
(W) ADP Capital Outlay						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$154,370	0.0	\$0	\$154,370	\$0	\$0
FY 2012-13 Total Appropriation	\$154,370	0.0	\$0	\$154,370	\$0	\$0
FY 2012-13 out year for DI #3 Case Management	\$0			(\$154,370)	\$0	\$0
FY 13-14 Base Request	\$0	0.0	\$0	\$0	\$0	\$0
	\$0	0.0		\$0	\$0	
FY 2013-14 November 1st Request	\$0	0.0	\$0	\$0	\$0	\$0
(X) COFRS Modernization						
FY 2012-13 Total Appropriation	\$46,431	0.0	\$0	\$0	\$46,431	\$0
FY 2012-13 Total Appropriation	\$46,431	0.0	\$0	\$0	\$46,431	\$0
OIT Common Policy	\$0		\$0	\$0	\$0	\$0
FY 13-14 Base Request	\$46,431	0.0	\$0	\$0	\$46,431	\$0
		0.0				

DEPARTMENT OF LAW

FY 2013-14 RECONCILIATION OF DEPARTMENT REQUEST

(1) Administration

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$46,431	0.0	\$0	\$0	\$46,431	\$0
(Y) Attorney General Discretionary Fund						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$5,000	0.0	\$5,000	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$5,000	0.0	\$5,000	\$0	\$0	\$0
FY 13-14 Base Request	\$5,000	0.0	\$5,000	\$0	\$0	\$0
		0.0				
FY 2013-14 November 1st Request	\$5,000	0.0	\$5,000	\$0	\$0	\$0
(1) Administration						
FY 2012-13 Appropriation(Long Bill plus Special Bills)	\$10,250,333	41.7	\$1,712,353	\$889,950	\$7,414,030	\$234,000
FY 2013-14 Base Request	\$10,972,437	41.7	\$1,806,546	\$759,074	\$8,130,634	\$276,183
FY 2013-14 November Request	\$13,991,491	42.7	\$2,603,485	\$1,082,499	\$9,941,716	\$363,792

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
PERSONAL SERVICES	3,244,706	38.5	3,304,423	39.1			3,518,538	41.7	3,139,121	42.7
General Fund	305,223		366,981				444,615		-	
General Fund Exempt	-		-				-		-	
Cash Fund	-		-				-		-	
Reappropriated Funds	2,939,483		2,937,442				3,035,765		3,139,121	
Federal Funds									-	
HEALTH/LIFE INSURANCE TOTAL	-		-				22,699		2,875,285	
General Fund	-		-				-		757,853	
Cash Fund	-		-				-		280,953	
Reappropriated Funds	-		-				-		1,708,446	
Federal Funds	-		-				22,699		128,034	
SHORT TERM DISABILITY	-		-				322		57,762	
General Fund	-		-				-		14,930	
Cash Fund	-		-				-		5,662	
Reappropriated Funds	-		-				-		34,828	
Federal Funds	-		-				322		2,342	
CLASSIFIED SALARY SURVEY	-		-				-		264,303	
General Fund	-		-				-		65,248	
Cash Fund	-		-				-		53,523	
Reappropriated Funds	-		-				-		123,984	
Federal Funds	-		-				-		21,548	
SALARY SURVEY - EXEMPT EMPLOYEES	-		-				-		563,778	
General Fund	-		-				-		143,952	
Cash Fund	-		-				-		15,489	
Reappropriated Funds	-		-				-		400,653	
Federal Funds	-		-				-		3,684	
PERFORMANCE PAY FOR CLASSIFIED EMPLOYEES	-		-				-		165,278	
General Fund	-		-				-		59,712	
Cash Fund	-		-				-		27,434	
Reappropriated Funds	-		-				-		65,178	
Federal Funds	-		-				-		12,954	

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
PERFORMANCE PAY FOR EXEMPT EMPLOYEES	-		-				-		-	
General Fund	-		-				-		87,555	
Cash Fund	-		-				-		8,884	
Reappropriated Funds	-		-				-		267,460	
Federal Funds	-		-				-		4,008	
AMORTIZATION EQUALIZATION DISBURSEMENT	-		-				8,139		1,165,243	
General Fund	-		-				-		301,266	
Cash Funds	-		-				-		113,381	
Reappropriated Funds	-		-				-		703,769	
Federal Funds	-		-				8,139		46,827	
SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENT	-		-				6,998		1,051,954	
General Fund	-		-				-		271,976	
Cash Funds	-		-				-		102,357	
Reappropriated Funds	-		-				-		635,347	
Federal Funds	-		-				6,998		42,274	
WORKERS COMP TOTAL	-		-				-		74,366	
General Fund	-		-				-		19,320	
Cash Funds	-		-				-		9,149	
Reappropriated Funds	-		-				-		43,671	
Federal Funds	-		-				-		2,226	
OPERATING EXPENSE TOTAL	353,656		308,691				365,804		190,629	
General Fund	170,932		139,495				172,291		-	
General Fund Exempt	-		-				-		-	
Cash Fund	-		-				-		-	
Reappropriated Funds	182,724		169,196				193,513		190,629	
Federal Funds	-		-				-		-	

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
ATTORNEY REGISTRATION FEES TOTAL	-		-				1,125		99,263	
General Fund	-		-				-		22,144	
General Fund Exempt	-		-				-		-	
Cash Fund	-		-				-		2,625	
Reappropriated Funds	-		-				-		72,525	
Federal Funds	-		-				1,125		1,969	
GENERAL GOV'T COMPUTING CENTER TOTAL	37,522		-				107,588		118,313	
General Fund	37,522		-				-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	-		-				107,588		118,313	
RISK MANAGEMENT TOTAL	28,842		92,047				87,949		130,115	
General Fund	-		-				-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	28,842		92,047				87,949		130,115	
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	-		-				154,370		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	-		-				-		-	
Federal Funds	-		-				-		-	

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
IT ASSET MAINTENANCE TOTAL	-		-				-		445,807	
General Fund	-		-				-		22,803	
Cash Funds	-		-				-		62,250	
Reappropriated Funds	-		-				-		359,373	
Federal Funds	-		-				-		1,381	
ADMINISTRATIVE LAW JUDGES TOTAL	-		-						4,315	
General Fund	-		-						-	
Cash Funds	-		-						4,315	
Cash Funds Exempt	-		-						-	
Federal Funds	-		-						-	
CAPITAL COMPLEX TOTAL	-		-				-		2,926,487	
General Fund	-		-				-		767,179	
Cash Funds	-		-				-		353,185	
Reappropriated Funds	-		-				-		1,718,514	
Federal Funds	-		-				-		87,609	
LEASE SPACE TOTAL	-		-				-		27,789	
General Fund	-		-				-		4,580	
Cash Funds	-		-				-		3,052	
Reappropriated Funds	-		-				-		19,985	
Federal Funds	-		-				-		172	
COMMUNICATION SERVICES PAYMENTS TOTAL	-		-				-		8,205	
General Fund	-		-				-		3,285	
Cash Funds	-		-				-		1,843	
Reappropriated Funds	-		-				-		1,119	
Federal Funds	-		-				-		1,958	
BUILDING SECURITY	-		-				-		140,000	
General Fund	-		-				-		36,702	
Cash Funds	-		-				-		16,896	
Reappropriated Funds	-		-				-		82,211	
Federal Funds	-		-				-		4,191	
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 FY11		Actual FY12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Cash Funds	-		-						-	
Reappropriated Funds	-		-						-	
GRAND TOTAL ADMINISTRATION	3,669,726	38.5	3,783,349	39.1	10,250,333	41.7	4,286,805	41.7	13,991,491	42.7
General Fund	518,677		511,476		1,712,353		621,906		2,603,484	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		889,950		154,370		1,082,499	
Reappropriated Funds	3,151,049		3,271,874		7,414,030		3,471,246		9,941,716	
Federal Funds	-		-		234,000		39,283		363,792	

SCHEDULE 3 - PERSONAL SERVICES PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	62,559	0.8			76,800	1.0	76,800	1.0
Deputy Attorney General	122,688	1.0	124,082	1.0			122,688	1.0	122,688	1.0
Management	120,000	1.0	120,000	1.0			120,000	1.0	120,000	1.0
General Professional VI	204,204	2.0	204,204	2.0			204,204	2.0	204,204	2.0
General Professional IV	76,956	1.0	76,956	1.0			76,956	1.0	76,956	1.0
General Profession II	105,440	2.0	84,450	1.6			52,032	1.0	52,032	1.0
General Professional III			60,250	1.0			118,020	2.0	118,020	2.0
Controller II	102,108	1.0	102,108	1.0			102,108	1.0	102,108	1.0
Accountant III	60,876	1.0	5,073	0.1					0	0.0
Accountant I	50,004	1.0	59,370	1.2			50,004	1.0	50,004	1.0
Temp Aide			3,451	0.1						
Accounting Technician III	36,624	1.0	36,624	1.0			36,624	1.0	36,624	1.0
Budget Analyst II			3,101	0.0					0	0.0
Accountant II	62,400	1.0	97,812	1.5			129,804	2.0	129,804	2.0
Program Assistant I	48,304	1.0	11,826	0.3			0	0.0	0	0.0
Program Assistant II			46,164	1.0			46,164	1.0	46,164	1.0
Office Manager I	99,746	2.0	57,432	1.0			57,432	1.0	57,432	1.0
Administrative Assistant II	169,116	5.0	139,932	4.1			135,816	4.0	135,816	4.0
IT Professional VI			35,182	0.3			108,000	1.0	108,000	1.0
IT Professional V	87,708	1.0	59,136	0.7			87,708	1.0	87,708	1.0
IT Professional IV	125,988	1.5	129,290	1.5			84,384	1.0	84,384	1.0
IT Professional III	81,600	1.0	26,582	0.3			212,004	3.0	212,004	3.0
IT Professional II	442,872	7.0	483,285	7.6			383,448	6.0	383,448	6.0
IT Professional I	99,936	2.0	99,936	2.0			151,452	2.7	151,452	2.7
Technician II			35,264	1.0			36,630	1.0	36,630	1.0
IT Tech I	23,660	0.6	40,560	1.0			40,560	1.0	40,560	1.0
IT Tech II	26,088	0.6	47,700	1.0			44,736	1.0	44,736	1.0
Technician III	40,800	1.0	40,800	1.0			40,800	1.0	40,800	1.0
TOTAL POSITION DETAIL	2,590,763	38.5	2,637,866	39.1			2,863,110	41.7	2,863,110	41.7

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.A.) CONTINUATION FTE SALARY COSTS	2,590,763	38.5	2,637,866	39.1			2,863,110	41.7	2,863,110	41.7
(Permanent FTE by position)										
Continuation Salary Subtotal										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	195,924		197,262				290,606		290,606	
Medicare on Continuation Subtotal	34,872		35,018				41,515		41,515	
Non-Base Performance Awards	0		-							
Part-Time/Temporary Salaries	38,964		27,601				0		-	
Contractual Services	14,578		21,758				14,233		14,233	
Overtime Pay	0		-						-	
Furlough	0		-						-	
Termination/Retirement Payouts	16,129		7,476							
Tuition and Registration										
OT RE DOL TO DPA	770		-							
Forced Vacancy							(167,665)		(159,627)	
Unemployment Insurance	11,848		5				-			
SUBTOTAL	313,085		289,120				178,689		186,727	
(I.C.) P.S. SUBTOTAL=A+B	2,903,848	38.5	2,926,985	39.1			3,041,799	41.7	3,049,837	41.7
(I.D.) POTS EXPENDITURES										
Health/Life/Dental	217,626		233,434				263,157			
Salary Survey							-			
Performance Awards							-			
Short Term Disability	4,376		4,711				5,068			
SB 04.257 A.E.D.	61,581		72,303				91,620			
SB 06.235 S.A.E.D.	44,963		58,146				78,736			
Other:	12,313		8,844							
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL= C+D	3,244,706	38.5	3,304,423	39.1			3,480,380	41.7	3,049,837	41.7
General Fund	-		-				444,615			
Cash Funds							-			
Reappropriated Funds	3,244,706		3,304,423				3,035,765		3,049,837	
(I.F.) DIFFERENCE= II-I.E.							0		89,284	
ROLLFORWARDS							-			
General Funds Exempt							-			
(I.) PERSONAL SERVICES DETAIL TOTAL	3,244,706	38.5	3,304,423	39.1	3,049,837	41.7	3,480,380	41.7	3,049,837	41.7

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
General Fund	-		-		14,072		444,615		-	
General Fund Exempt	-		-				-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	3,244,706		3,304,423		3,035,765		3,035,765		3,049,837	
Federal Funds										
II. PERSONAL SERVICE REQUEST (AGGREGATE ADJUSTMENTS TO THE BASE APPROPRIATION)										
Previous Year Long Bill									3,049,837	41.7
PERA from 7.65% to 10.15%									-	
Salary Survey-Classified									-	
PBP Classified									-	
Salary Survey Exempt									-	
PBP Exempt									-	
PERA from 7.65% to 10.15%									-	
OSPB .2% Base Reduction									-	
Subtotal									3,049,837	
(II.G) TOTAL BASE REQUEST									3,049,837	41.7
(II.H) DECISION ITEMS										
PIO Refinance DI									89,284	1.0
General Fund									-	
Cash Funds									-	
Reappropriated Funds									89,284	1.0
(II.I) REFINANCE THE LINE										
General Fund									-	
Reappropriated Funds									-	
II.TOTAL PERSONAL SERVICES REQUEST									3,139,121	42.7
General Fund									-	
Cash Funds									-	
Reappropriated Funds									3,139,121	
III. PERSONAL SERVICES RECONCILIATION										
Long Bill Appropriation	2,947,855	42.2	2,973,997	39.1	3,049,837	41.7	3,049,837	41.7	-	
Supplemental Bill	0									
Roll Forward from Previous FY										
PIO Refinance DI										

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
SB 11-76 PERA Bill			(31,901)		-		-			
Overexpenditures (Reversions) - General Fund										
Lapsed Appropriation Reappropriate Funds Exem	(8,372)	(3.7)	(4,654)							
(III.C.) ALLOCATED POTS										
Health/Life/Dental	207,632		232,646				259,541			
Salary POTS							-			
Performance Awards							-			
Short Term Disability	3,609		4,163				4,301			
SB 04.257 A.E.D.	54,036		72,181				89,852			
SB 06.235 S.A.E.D.	39,946		57,991				76,849			
III.C. SUBTOTAL ALLOCATED POTS	305,223		366,981				430,543			
	3,244,706		3,304,423							
III. RECONCILIATION P.S. TOTAL	3,244,706	38.5	3,304,423	39.1	3,049,837	41.7	3,480,380	41.7	3,139,121	42.7
General Fund	305,223		366,981		14,072		444,615		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds							-		-	
Reappropriated Funds	2,939,483		2,937,442		3,035,765		3,035,765		3,139,121	
Federal Funds	-		-		-		-		-	
IV. RECONCILIATION DIFFERENCE= III-I							0		-	
Health, Life and Dental					2,620,363				2,620,363	
General Fund					712,358				712,358	
Cash Funds					307,246				307,246	
Reappropriated Funds					1,497,893				1,497,893	
Federal Funds					102,866				102,866	
Decision Items (PIO Refinance and Tobacco Refinance)									-	
General Fund									12,128	
Cash Funds									(12,128)	
Cash Funds Exempt									-	
Federal Funds									-	
Health/Life/Dental Common Policy Adjustment					0				254,922	
General Fund									33,367	
Cash Funds									(14,165)	
Reappropriated Funds									210,553	
Federal Funds									25,168	
TOTAL HEALTH/LIFE/DENTAL INSURANCE					2,620,363		22,699		2,875,285	
General Fund					712,358				757,853	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Cash Funds	-		-		307,246				280,953	
Reappropriated Funds	-		-		1,497,893		-		1,708,446	
Federal Funds	-		-		102,866		22,699		128,034	
Health/Life/Dental Reconciliation										
Long Bill Allocation	2,022,131		2,281,572				2,620,363			
Supplemental Bill	(55,000)		-							
Allocation to Divisions	(1,967,131)		(2,261,494)				(2,597,664)			
Overexpenditures (Reversions) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal							-			
TOTAL	-		20,078				22,699			
Short Term Disability	-		-		49,196				49,196	
General Fund	-		-		13,008				13,008	
Cash Funds	-		-		4,457				4,457	
Reappropriated Funds	-		-		30,127				30,127	
Federal Funds	-		-		1,604				1,604	
Short Term Disability Common Policy Adjustments					0				8,566	
General Fund					0				1,618	
Cash Funds					0				1,509	
Reappropriated Funds					0				4,701	
Federal Funds									738	
Decision Items (PIO Refinance and Tobacco Refinance)									-	
General Fund									304	
Cash Funds									(304)	
Cash Funds Exempt									-	
Federal Funds										
SHORT TERM DISABILITY TOTAL	-		-		49,196		322		57,762	
General Fund	-		-		13,008		-		14,930	
Cash Funds	-		-		4,457		-		5,662	
Reappropriated Funds	-		-		30,127		-		34,828	
Federal Funds	-		-		1,604		322		2,342	
Short Term Disability Reconciliation										
Long Bill Allocation	42,246		49,196				49,196			
Allocation to Divisions	(42,246)		(49,028)				(48,874)			
Overexpenditures (Reversions) General Fund										
Lapsed Appropriation Cash Fund										

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY 13		Estimate FY 13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal								(322)		
TOTAL	-		168				-			
SB 04-257 Amortization Equalization Disburseme	-		-		965,510				965,510	
General Fund	-		-		271,731				271,731	
Cash Funds	-		-		93,597				93,597	
Reappropriated Funds	-		-		559,668				559,668	
Federal Funds	-		-		40,514				40,514	
SB 04.257 A.E.D. Adjustment					0				199,733	
General Fund					0				23,587	
Cash Funds					0				25,732	
Reappropriated Funds					0				144,101	
Federal Funds									6,313	
Decision Items (PIO Refinance and Tobacco Refinance)									-	
General Fund									5,948	
Cash Funds									(5,948)	
Cash Funds Exempt									-	
Federal Funds									-	
SB 04.257 A.E.D. TOTAL	-		-		965,510		8,139		1,165,243	
General Fund	-		-		271,731				301,266	
Cash Funds	-		-		93,597				113,381	
Reappropriated Funds	-		-		559,668				703,769	
Federal Funds	-		-		40,514		8,139		46,827	
SB 04.257 A.E.D. Reconciliation										
Long Bill Allocation	654,314		775,756				965,510			
Supplemental:										
Allocation to Divisions	(654,314)		(773,099)				(957,371)			
Overexpenditures (Reversions)							(8,139)			
TOTAL	-		2,657				-			
SB 06-235 Supplemental Amortization										
Equalization Disbursement	-		-		828,618				828,618	
General Fund	-		-		232,402				232,402	
Cash Funds	-		-		80,435				80,435	
Reappropriated Funds	-		-		480,964				480,964	
Federal Funds	-		-		34,817				34,817	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
SB 06.235 S.A.E.D. Adjustment					0				223,336	
General Fund					0				34,204	
Cash Funds					0				27,292	
Reappropriated Funds					0				154,383	
Federal Funds									7,457	
Decision Items (PIO Refinance and Tobacco Refinance)									-	
General Fund									5,370	
Cash Funds									(5,370)	
Reappropriated Funds									-	
Federal Funds									-	
SB 06.235 S.A.E.D. TOTAL	-		-		828,618		6,998		1,051,954	
General Fund	-		-		232,402				271,976	
Cash Funds	-		-		80,435				102,357	
Reappropriated Funds	-		-		480,964				635,347	
Federal Funds	-		-		34,817		6,998		42,274	
SB 06-235 S.A.E.D. Reconciliation										
Long Bill Allocation	477,318		622,261				828,618			
<i>Supplemental:</i>										
Allocation to Divisions	(477,318)		(620,125)				(821,620)			
Overexpenditures (Reversions)							(6,998)			
TOTAL	-		2,136				-			
Cash Funds									-	
Reappropriated Funds									-	
Federal Funds									-	
TOTAL									-	
Classified Salary Survey	-		-						-	
General Fund	-		-						-	
Cash Funds	-		-						-	
Reappropriated Funds	-		-						-	
Federal Funds	-		-						-	
Classified Salary Survey Common Policy									264,303	
General Fund									64,048	
Cash Funds									54,723	
Reappropriated Funds									123,984	
Federal Funds									21,548	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Decision Items (PIO Refinance)										
General Fund									1,200	
Cash Funds									(1,200)	
Reappropriated Funds										
Federal Funds										
TOTAL CLASSIFIED SALARY SURVEY	-		-						264,303	
General Fund	-		-						65,248	
Cash Funds	-		-						53,523	
Reappropriated Funds	-		-						123,984	
Federal Funds	-		-						21,548	
									264,303	
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 FY14 Common Policy									563,778	
General Fund									142,727	
Cash Funds									16,714	
Reappropriated Funds									400,653	
Federal Funds									3,684	
Decision Items (Tobacco Refinance)									-	
General Fund									1,225	
Cash Funds									(1,225)	
Reappropriated Funds										
Federal Funds										
SALARY SURVEY EXEMPT TOTAL	-		-				-		563,778	
General Fund	-		-				-		143,952	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Cash Funds	-		-				-		15,489	
Reappropriated Funds	-		-				-		400,653	
Federal Funds	-		-				-		3,684	
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	-		-				-			
Merit Pay for Classified Employees	-		-							
General Fund	-		-							
Cash Funds	-		-							
Reappropriated Funds	-		-							
Federal Funds	-		-							
Merit Pay for Classified Employees Common Policy									165,278	
General Fund									59,712	
Cash Funds									27,434	
Reappropriated Funds									65,178	
Federal Funds									12,954	
TOTAL Merit Pay FOR CLASSIFIED	-		-						165,278	
General Fund	-		-						59,712	
Cash Funds	-		-						27,434	
Reappropriated Funds	-		-						65,178	
Federal Funds	-		-						12,954	
Merit Pay 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	-		-				-			
Merit Pay for Exempt Employees	-		-							
General Fund	-		-							

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Cash Funds	-		-						-	
Reappropriated Funds	-		-						-	
Federal Funds	-		-						-	
Merit Pay for Exempt Employees Common Policy									367,907	
General Fund									86,402	
Cash Funds									10,037	
Reappropriated Funds									267,460	
Federal Funds									4,008	
Decision Items (Tobacco Refinance)										
General Fund									1,153	
Cash Funds									(1,153)	
Reappropriated Funds										
Federal Funds										
TOTAL MERIT PAY FOR EXEMPT	-		-						367,907	
General Fund	-		-						87,555	
Cash Funds	-		-						8,884	
Reappropriated Funds	-		-						267,460	
Federal Funds	-		-						4,008	
Merit Pay 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					73,256				73,256	
General Fund	-		-		19,388				19,388	
Cash Funds	-		-		7,666				7,666	
Reappropriated Funds	-		-		43,950				43,950	
Federal Funds	-		-		2,252				2,252	
Workers Compensation Adjustment					0				1,110	
General Fund					0				(418)	
Cash Funds					0				1,833	
Reappropriated Funds					0				(279)	
Federal Funds									(26)	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Decision Items (Tobacco and PIO Refinance)										
General Fund									-	
Cash Funds									350	
Reappropriated Funds									(350)	
Reappropriated Funds									-	
Federal Funds										
WORKERS COMPENSATION TOTAL	-		-		73,256				74,366	
General Fund	-		-		19,388				19,320	
Cash Funds	-		-		7,666				9,149	
Reappropriated Funds	-		-		43,950				43,671	
Federal Funds	-		-		2,252				2,226	
Workers Compensation Reconciliation										
Long Bill Allocation	50,863		66,843				73,256			
<i>Supplemental: HB 10-1305</i>	-		-							
<i>Supplemental: SB 09-192</i>	-		-							
Allocation to Divisions	(50,863)		(66,843)				(73,256)			
Overexpenditures (Reversions)										
TOTAL	-		-				-			
Page Totals	3,244,706	38.5	3,304,423	39.1	7,586,780	41.7	3,518,538	41.7	9,724,998	42.7
General Fund	305,223		366,981		1,262,959		444,615		1,721,812	
General Fund Exempt							-			
Cash Funds	-		-		493,401		-		616,832	
Reappropriated Funds	2,939,483		2,937,442		5,648,367		3,035,765		7,122,457	
Federal Funds	-		-		182,053		38,158		263,897	

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SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
ABAD OT RE DOL TO DPA	-		-						-	
1350 Employee Non Cash Incentives	-		-						-	
1622 CN PERA	1,268		-							
1930 Purchased Services - Litigation	-		198				5,216		5,216	
2170 Waste Disposal Services	-		248				12		12	
2210 Other Maintenance/Repair Services	-		-						-	
2220 Building Grounds Maintenance	-		-						-	
2230 Equipment Contract Maintenance	462		1,050				23		23	
2231 ADP Equip Maint/Repair Services	1,872		4,227				2,583		2,583	
2232 Software Upgrades	5,185		5,504				4,558		4,558	
2240 Motor Vehicle Repair/Maintenance	-		-						-	
2250 Misc Rentals	-		-						-	
2251 Rental/Lease Motor Pool Veh	2,655		2,544				-		-	
2252 Leased Vehicle - Variable	4,209		4,052				4,271		4,271	
2253 Rental of Equipment	681		320				678		678	
2254 Rental of Motor Vehicles	-		-						-	
2255 Rental of Building	133,467		129,734						-	
2258 Parking	9,400		11,400				10,555		10,555	
2259 Parking Fee Reimbursement	9		-				12		12	
2268 Rental of IT Software - Network	-		22,612				22,560		22,560	
2510 In State Travel	119		-						-	
2511 IS Common Carrier Fares	-		-						-	
2512 IS Personal Travel Per Diem	1,248		1,733				1,400		1,400	
2513 IS Pers Vehicle Reimbursement	159		67				45		45	
2514 IS State Owned Aircraft	-		-						-	
2515 State-Owned Vehicle Charge	-		-						-	
2530 Out of State Travel	595		679				747		747	
2531 OS Common Carrier Fares	2,852		4,434				3,762		3,762	
2532 OS Personal Travel Per Diem	5,669		8,246				7,425		7,425	
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	27,750		26,205				30,200		30,200	
2631 Comm Svcs from Outside Sources	9,601		7,671				9,460		9,460	
2641 Other ADP Billing -Purch Services	4,692		3,592				3,850		3,850	
2640 GGCC Billing Purch Services	-		-						-	
2650 OIT Purchased SVS	5		-						-	
2660 Insurance	5,324		6,721						-	
2680 Contract Printing	8,716		1,139				7,116		7,116	
2681 Photocopy Reimbursement	-		-						-	
2710 Purchase Medical Services	-		-						-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2810 Freight & Storage	-		-						-	
2820 Other Purchased Services	75		2,034						-	
2830 Office Moving-Pur Services	-		-						-	
2831 Storage Purch Svs	9		59						-	
3110 Other Supplies and Materials	-		-						-	
3112 Automotive Supplies	-		-						-	
3113 Clothing and Uniform Allowance	-		-						-	
3114 Custodial	-		-						-	
3115 DP Supplies	1,394		55				2,525		2,525	
3116 Purchased/Leased Software	1,087		37				-		-	
3117 Educational	-		-				33		33	
3118 Food and Food Service Supplies	-		-						-	
3119 Med Lab and Supplies	-		-						-	
3120 Books & Subscriptions	4,574		6,562				24,739		24,739	
3121 Office Supplies	12,067		6,646				12,063		12,063	
3122 Microfilming/Photo. Supplies	-		-						-	
3123 Postage	16,134		13,695				18,376		18,376	
3124 Printing	-		264						-	
3126 Repair & Maintenance Supplies	37		-						-	
3128 Non-Capitalized Equipment	1,733		1,049						-	
3131 Non-Capitalized Building Materials	41,677		1,176						-	
3132 Non-Capitalized Furn	3,374		2,650						-	
3139 Non-Capitalized Fixed Asset Other	-		1,154						-	
3140 Non-Capitalized IT - PC's	14,415		1,434				2,884		-	
3141 Non-Capitalized IT - Servers	619		-						-	
3143 Non-Capitalized IT - Other	6,979		1,936						-	
3146 Non-Capitalized IT - PC SW	1,010		-						-	
3950 Gasoline	-		-						-	
3970 Natural Gas	-		-						-	
4111 Prizes and Awards	750		5,336						-	
4117 Reportable Claims Against State	-		-						-	
4140 Dues & Memberships	7,818		13,513				7,400		7,400	
4151 Interest - Late Payments	40		20						-	
4170 Miscellaneous Fees	-		-						-	
4180 Official Functions	5,535		965				5,150		5,150	
4200 Purchase Discounts	-		-						-	
4220 Registration Fees	5,330		7,733				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	
6280 Other Capital Equipment (direct purchase)	-		-						-	
6340 Leasehold Improvements	-		-						-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Operating Expense Subtotal	353,656		308,691				193,513		190,629	
General Fund	170,932		139,495				-		-	
General Fund Exempt										
Cash Funds	-		-				-		-	
Reappropriated Funds	182,724		169,196				193,513		190,629	
Federal Funds	-		-							
FY13 DECISION ITEMS										
DI #										
General Fund									-	
Reappropriated Funds									-	
Potted Operating Expenses										
Workers' Compensation	5,324		6,721				7,190			
Leased Vehicle Expense	2,659		2,549				2,647			
Capital Complex	132,897		129,104				124,368			
Leased Space Expense	631		631				669			
IT Asset Maintenance	15,291		15,291				21,754			
ADP Capital Outlay										
Communication Services Payments	-									
CLE Registration Fees	2,250		2,250				1,875			
Building Security	11,880		12,611				13,788			
Total Potted Operating Expenses	170,932		169,157				172,291			
OPERATING EXPENSE GRAND TOTAL:	353,656		308,691		193,513		365,804		190,629	
General Fund	170,932		139,495				172,291		-	
General Fund Exempt	-		-				-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	182,724		169,196		193,513		193,513		190,629	
Federal Funds	-		-				-		-	
OPERATING EXPENSE RECONCILIATION										
Long Bill Appropriation	194,679		189,679				193,513		193,513	
Annualization of FY 13 Case Mgt System DI	-		-						(2,884)	
Allocated POTS										
<i>Worker's Compensation</i>	5,324		6,721				7,190			
<i>Vehicle Lease Payments</i>	2,659		1,887				2,647			
<i>Capital Complex Lease Space</i>	132,897		100,104				124,368			
<i>Leased Space</i>	631		631				669			
<i>IT Asset Maintenance</i>	15,291		15,291				21,754			
<i>ADP Capital Outlay</i>	-		-				-			
<i>Communication Services Payments</i>	-		-				-			
<i>CLE Registration Fees</i>	2,250		2,250				1,875			
<i>Building Security</i>	11,880		12,611				13,788			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Year-End Transfer										
Rollforward from previous FY	-		-				-			
Rollforward to subsequent FY										
Overexpenditure/(Reversion)										
Lapsed Appropriation Reappropriated Funds	(11,955)		(20,483)							
TOTAL	353,656		308,691				365,804		190,629	
Attorney Registration & CLE's Costs					99,263		-		99,263	
General Fund	-		-		21,769		-		21,769	
General Fund Exempt	-		-						-	
Cash Funds	-		-		3,000				3,000	
Reappropriated Funds	-		-		72,525		-		72,525	
Federal Funds	-		-		1,969				1,969	
Attorney Registration & CLE's Adjustment										
General Fund									-	
General Fund Exempt									-	
Cash Funds									-	
Reappropriated Funds									-	
Federal Funds									-	
Tobacco Refinance DI										
GF									375	
CF									(375)	
TOTAL ATTORNEY REGIS. & CLE's	-		-		99,263		1,125		99,263	
General Fund	-		-		21,769		-		22,144	
Cash Funds	-		-		3,000		-		2,625	
Reappropriated Funds	-		-		72,525		-		72,525	
Federal Funds	-		-		1,969		1,125		1,969	
Attorney Registration & CLE's Reconciliation										
Long Bill Appropriation	92,626		92,626				98,138			
Special Bills: HB 10-1305										
Allocation to Divisions	(92,626)		(92,626)				(98,138)			
Overexpenditure/(Reversion)										
TOTAL	-		-							
Purchase of Service from Computer Center (GGCC)	37,522		73,188		107,588		107,588		107,588	
General Fund	-		-		-		-		-	
Cash Funds										
Reappropriated Funds	37,522		73,188		107,588		107,588		107,588	
Federal Funds										
GGCC FY Common Policy Adjustment									(53,733)	
General Fund									-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Reappropriated Funds									(53,733)	
GGCC Total	37,522		73,188		107,588		107,588		53,855	
General Fund	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	37,522		73,188		107,588		107,588		53,855	
Federal Funds										
GGCC										
Long Bill Appropriation	37,522		73,188				107,588			
<i>Supplemental: HB 10-1305</i>	-		0							
<i>Supplemental: HB08-1290</i>										
Lapsed Reappropriated Funds										
TOTAL	37,522		73,188				107,588			
Multiuse Network										
General Fund	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	-		-		-		-		-	
Federal Funds										
MNT FY Adjustment										
General Fund									118,313	
Reappropriated Funds									-	
TOTAL									118,313	
MNT Total										
General Fund	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	-		-		-		-		118,313	
Federal Funds										
MNT Reconciliation										
Long Bill Appropriation	-		-				-			
<i>Supplemental: HB 10-1305</i>	-		0							
<i>Supplemental: HB08-1290</i>										
Lapsed Reappropriated Funds										
TOTAL	-		-				-			
Risk Management										
General Fund	28,842		92,047		87,949		87,949		87,949	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	28,842		92,047		87,949		87,949		87,949	
Federal Funds										
Risk Management Common Policy Adjustment										
General Fund									38,882	
Cash Funds									-	
Reappropriated Funds									-	
Federal Funds									38,882	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Federal Funds									-	
Risk Management Common Decision Item									3,284	
General Fund									-	
Cash Funds									-	
Reappropriated Funds									3,284	
Federal Funds									-	
RISK MANAGEMENT TOTAL	28,842		92,047		87,949		87,949		130,115	
General Fund	-		-		-		-		-	
Reappropriated Funds	28,842		92,047		87,949		87,949		130,115	
Risk Management Reconciliation										
Long Bill Appropriation	28,842		92,047				87,949			
<i>Supplemental: HB 10-1305</i>	-		-							
<i>Supplemental: HB08-1290</i>										
Lapsed Reappropriated Funds										
TOTAL	28,842		92,047				87,949			
Vehicle Lease Payments	-		-		70,285				70,285	
General Fund	-		-		19,980				19,980	
Cash Funds	-		-		21,501				21,501	
Reappropriated Funds	-		-		26,189				26,189	
Federal Funds	-		-		2,615				2,615	
Vehicle Lease Payments DI Adjustment									(0)	
General Fund									-	
Cash Funds									-	
Reappropriated Funds									-	
Federal Funds									(0)	
VEHICLE LEASE PAYMENTS TOTAL	-		-		70,285		-		70,285	
General Fund	-		-		19,980		-		19,980	
Cash Funds	-		-		21,501		-		21,501	
Reappropriated Funds	-		-		26,189		-		26,189	
Federal Funds	-		-		2,615		-		2,615	
Vehicle Lease Reconciliation										
Long Bill Appropriation	72,813		70,176				70,285			
<i>Special Bills</i>										
<i>Supplemental</i>	1,517		(4,187)							
Allocation to Divisions	(74,330)		(65,989)				(70,285)			
Overexpenditure/(Reversion) General Fund										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal										
TOTAL	-		-				-			
Information Technology Asset Maintenance	-		-		445,807		-		445,807	
General Fund	-		-		21,754		-		21,754	
Cash Funds	-		-		63,299		-		63,299	
Reappropriated Funds	-		-		359,373		-		359,373	
Federal Funds	-		-		1,381		-		1,381	
Dec Item: Tobacco Refinance										
General Fund									1,049	
Cash Funds									(1,049)	
Reappropriated Funds										
Federal Funds									-	
IT ASSET MAINTENANCE TOTAL	-		-		445,807		-		445,807	
General Fund	-		-		21,754		-		22,803	
Cash Funds	-		-		63,299		-		62,250	
Reappropriated Funds	-		-		359,373		-		359,373	
Federal Funds	-		-		1,381		-		1,381	
IT Asset Maintenance Reconciliation										
Long Bill Appropriation	407,667		407,667				445,807			
Supplemental										
Allocation to Divisions	(407,667)		(407,667)				(445,807)			
Rollforward										
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal										
TOTAL	-		-				-			
Capital Complex Leased Space	-		-		1,273,320				1,273,320	
General Fund	-		-		335,366				335,366	
Cash Funds	-		-		132,620				132,620	
Reappropriated Funds	-		-		766,375				766,375	
Federal Funds	-		-		38,959				38,959	
Capital Complex Adjustment					0				(1,273,320)	
General Fund					0				(335,366)	
Cash Funds					0				(132,620)	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Reappropriated Funds					0				(766,375)	
Federal Funds									(38,959)	
Carr Building Lease Space										
General Fund									2,926,487	
Cash Funds									753,437	
Cash Funds Exempt									366,927	
Federal Funds									1,718,514	
									87,609	
Decision Items (Tobacco and PIO Refinance)										
General Fund									-	
Cash Funds									13,742	
Reappropriated Funds									(13,742)	
Reappropriated Funds										
Federal Funds										
CAPITAL COMPLEX TOTAL/Carr Building Total	-		-		1,273,320				2,926,487	
General Fund					335,366				767,179	
Cash Funds					132,620				353,185	
Reappropriated Funds					766,375				1,718,514	
Federal Funds					38,959				87,609	
Capital Complex Reconciliation										
Long Bill Appropriation	1,252,757		1,284,061				1,273,320			
Supplemental: HB10-1305	-		-							
Supplemental: SB09-192	-		-							
Allocation to Divisions	(1,252,757)		(1,284,061)				(1,273,320)			
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal	-		-						-	
TOTAL										
ADP Capital Outlay					154,370		154,370		-	
General Fund					-				-	
Cash Funds					154,370		154,370		-	
Reappropriated Funds					-				-	
Federal Funds					-				-	
					0					
FY14 Adjustment - Common Policy					0					
General Fund					0					

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Cash Funds					0					
Reappropriated Funds										
Federal Funds										
ADP Capital Outlay TOTAL										
General Fund										
Cash Funds										
Reappropriated Funds										
Federal Funds										
ADP Capital Outlay Reconciliation					154,370	-	154,370			
Long Bill Appropriation					-					
Special Bills					154,370	-	154,370			
Supplemental: HB08-1290					-					
Allocation to Divisions					-					
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lease Space	-		-		27,789				27,789	
General Fund	-		-		4,580				4,580	
Cash Funds	-		-		3,052				3,052	
Reappropriated Funds	-		-		19,985				19,985	
Federal Funds	-		-		172				172	
FY13 Adjustment - Common Policy									-	
General Fund									-	
Cash Funds									-	
Reappropriated Funds									-	
Federal Funds									-	
LEASE SPACE TOTAL	-		-		27,789		-		27,789	
General Fund	-		-		4,580		-		4,580	
Cash Funds	-		-		3,052		-		3,052	
Reappropriated Funds	-		-		19,985		-		19,985	
Federal Funds	-		-		172		-		172	
Lease Space Reconciliation										
Long Bill Appropriation		26,220		26,220			-			
Supplemental: HB08-1290										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Allocation to Divisions	(26,220)		(26,220)				-			
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal										
TOTAL	-		-				-			
Security for State Services Building	-		-		140,489				140,489	
General Fund	-		-		37,180				37,180	
Cash Funds	-		-		14,704				14,704	
Reappropriated Funds	-		-		84,287				84,287	
Federal Funds	-		-		4,318				4,318	
FY14 Adjustment - Common Policy									(489)	
General Fund									(1,136)	
Cash Funds									2,850	
Reappropriated Funds									(2,076)	
Federal Funds									(127)	
Decision Items (PIO and Tobacco Refinance)										
General Fund									658	
Cash Funds									(658)	
Reappropriated Funds										
Federal Funds										
SECURITY FOR STATE SER BLDG TOTAL	-		-		140,489		-		140,000	
General Fund	-		-		37,180		-		36,702	
Cash Funds	-		-		14,704		-		16,896	
Reappropriated Funds	-		-		84,287		-		82,211	
Federal Funds	-		-		4,318		-		4,191	
Security for State Srv Building Reconciliation										
Long Bill Appropriation	120,919		125,430				140,489			
<i>Supplemental: HB08-1290</i>										
Allocation to Divisions	(120,919)		(125,430)				(140,489)			
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal	-		-							
TOTAL	-		-				-			
Administrative Law Judges	-		-		1,135				1,135	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp. FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
General Fund	-		-		-				-	
Cash Funds	-		-		1,135				1,135	
Reappropriated Funds	-		-		-				-	
Federal Funds	-		-		-				-	
FYAdjustment - Common Policy									3,180	
General Fund									-	
Cash Funds									3,180	
Reappropriated Funds									-	
Federal Funds									-	
ADMINISTRATIVE LAW JUDGES TOTAL	-		-		1,135		-		4,315	
General Fund	-		-		-		-		-	
Cash Funds	-		-		1,135				4,315	
Reappropriated Funds	-		-		-				-	
Federal Funds	-		-		-				-	
Administrative Law Judges Reconciliation										
Long Bill Appropriation	-		-				1,135			
<i>Special Bills</i>										
<i>Supplemental: SB07-168</i>										
<i>Supplemental: HB08-1290</i>	-		-							
Allocation to Divisions	-		-				(1,135)			
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal										
TOTAL	-		-							
COMMUNICATION SERVICE PAYMENTS	-		-		10,614				10,614	
General Fund	-		-		3,765				3,765	
Cash Funds	-		-		2,868				2,868	
Reappropriated Funds	-		-		1,448				1,448	
Federal Funds	-		-		2,533				2,533	
FYAdjustment - Common Policy					0				(2,409)	
General Fund									(480)	
Cash Funds					0				(1,025)	
Reappropriated Funds					0				(329)	
Federal Funds									(575)	
COMMUNICATION SERVICES TOTAL	-		-		10,614		-		8,205	
General Fund	-		-		3,765		-		3,285	
Cash Funds	-		-		2,868		-		1,843	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Reappropriated Funds	-		-		1,448				1,119	
Federal Funds	-		-		2,533		-		1,958	
Comm Ser Payments Reconciliation										
Long Bill Appropriation	7,744		8,365				10,614			
<i>Supplemental: SB07-168</i>										
<i>Supplemental: HB08-1290</i>	-		-							
Allocation to Divisions	(7,744)		(8,365)				(10,614)			
Overexpenditure/(Reversion) General Fund										
Lapsed Appropriation Cash Fund										
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal										
TOTAL	-		-				-			
COFRS Modernization	-		-		46,431				46,431	
General Fund	-		-		-				-	
Cash Funds	-		-		-				-	
Reappropriated Funds	-		-		46,431				46,431	
Federal Funds	-		-		-				-	
FYAdjustment - Common Policy					0				-	
General Fund									-	
Cash Funds					0				-	
Reappropriated Funds					0				-	
Federal Funds									-	
COFRS Modernization Total	-		-		46,431		46,431		46,431	
General Fund	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	-		-		46,431		46,431		46,431	
Federal Funds	-		-		-		-		-	
COFRS Modernization Reconciliation										
Long Bill Appropriation	-		-							
<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	-		-				-			
AG's DISCRETIONARY FUND	5,000		5,000		5,000		5,000		5,000	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ADMINISTRATION

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
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	3,669,726	38.5	3,783,349	39.1	10,250,333	41.7	4,286,805	41.7	13,991,491	42.7
General Fund	518,677		511,476		1,712,353		621,906		2,603,484	
General Fund Exempt			-							
Cash Funds	-		-		889,950		154,370		1,082,499	
Reappropriated Funds	3,151,049		3,271,874		7,414,030		3,471,246		9,941,716	
Federal Funds	-		-		234,000		39,283		363,792	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Revenue

ADMINISTRATION

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		Actual FY 11	Actual FY 12	Approp FY 13	Approp FY 13	Request FY 14
Schedule 3 Total		3,669,726	3,783,349	10,250,333	4,286,805	13,991,491
General Fund		518,677	511,476	1,712,353	621,906	2,603,484
General Fund Exempt		-	-	-	-	-
Cash Funds		-	-	889,950	154,370	1,082,499
Reappropriated Funds		3,151,049	3,271,874	7,414,030	3,471,246	9,941,716
Federal Funds		-	-	234,000	39,283	363,792
Cash Funds						
Various Sources of Cash		-	-	889,950	154,370	1,082,499
NO Call Cash Fund		-	-	-	-	-
SUBTOTAL CASH FUNDS:		-	-	889,950	154,370	1,082,499
Reappropriated Funds						
Various Sources of Cash Exempt		3,151,049	3,271,874	7,414,030	3,471,246	9,941,716
FEDERAL FUNDS						
Mediciad Fraud		-	-	234,000	39,283	363,792
		-	-	-	-	-

Strategic Plan FY 13-14

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, and the Independent Ethics Commission. B&L also serves as special counsel or conflicts counsel to other state agencies.

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

Goal 2: Attorneys for all units shall identify general counsel and litigation needs of the agencies and boards and communicate those needs to supervisors and clients.

Goal 3: Attorneys for all units shall assist in rulemaking as needed or requested by the agencies.

Goal 4: 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 5: 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 First Assistant or 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 and other training 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 appeal and other courts as necessary.

Goal 1: Attorneys shall effectively and efficiently litigate cases referred to the AGO.

Goal 2: Supervisors and team leaders shall provide an educational environment in which attorneys and staff may increase their substantive knowledge of the subject matter and develop litigation skills.

Goal 3: All units shall have policies in place to assure early attorney review and development of case strategies appropriate for 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 documentation 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

The Department of Regulatory Agencies

The Department of Regulatory Agencies (“DORA”) houses several divisions. 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, addiction counselors, architects, athletic trainers, barbers, cosmetologists, chiropractors, dentists, dental hygienists, 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, private investigators, professional counselors, psychologists, respiratory therapists, social workers, speech pathologists, registered psychotherapists, surgical assistants, surgical technologists, the nurse-physician advisory task force for Colorado health care (“NPATCH”) and veterinarians. B&L AAGs also provide representation to the Division of Registrations in carrying out its oversight role for the Michael Skolnik Medical Transparency Act of 2010.

*The name of the Division of Registrations was changed to the Division of Professions and Occupations effective August 8, 2012. For consistency, the Division will be referred to as Division of Registrations in this Strategic Plan.

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, and the Colorado Conservation Easement Oversight Commission. Unit attorneys provide each of these boards and commissions general counsel services. Unit attorneys also litigate on behalf of these clients in both state and administrative courts.

Division of Insurance: AAGs representing the Division of Insurance act as general and litigation counsel to the various sections of the Division of Insurance (“Division”). The Division regulates all matters regarding the business of insurance in Colorado, including health care insurance, health maintenance organizations, long-term care, Medicare supplement insurance, life insurance, and property and casualty insurance. The Division also regulates preneed funeral contracts and commercial bail bonding. Unit attorneys assist and advise on a wide variety of subject areas related to the regulation of insurance companies and their agents (insurance producers), including rulemaking, changes and amendments to the insurance laws, informal attorney general opinions of legal issues pertaining to insurance, open records requests, and consumer complaints. Unit attorneys are assisting the Division with new developments in the law regarding health insurance and significant changes in commercial bail bonding resulting from recent legislation. Litigation is conducted in administrative and district courts on behalf of the DOI against insurance companies and producers in cases involving insurance law violations and/or the unauthorized business of insurance. Unit attorneys also represent the Division in all matters involving third party litigation.

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.

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.

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 Securities: The General Assembly passed HB 12-1005, which amended § 24-75-601.1, C.R.S., the statute which governs the types of securities in which public funds may be invested. Unit attorneys advise the Division regarding the impact of these amendments, and whether certain investment vehicles may be utilized by public entities investing public funds.

Division of Registrations: The General Assembly passed HB 12-1055, which renamed the Division of Registrations as the Division of Professions and Occupations and authorized the executive director to promulgate rules.

A number of programs underwent sunset review. Those programs include the Professional Review of Health Care Providers (e.g., Peer Review) (HB 12-1300), the Committee on Anti-Competitive Conduct (LLS No. 12-0357), and pharmacists and prescription drug outlets (H.B. 12-1311).

A program to regulate Speech-Language Pathologists was created by HB 12-1303, while the Hearing Aid Providers and Audiologists program underwent sunset review with HB 12-1205.

The General Assembly passed HB 12-1065 extending the deadline for Advanced Practice Nurses, with prescriptive authority (granted prior to July 1, 2010) to submit the attestation of Articulated Plan. The deadline was extended from July 1, 2011 to September 30, 2012.

The General Assembly changed the licensing requirements for Nursing Home Administrators with the passage of HB 12-091 and HB 12-1055.

Division of Real Estate: This year, the General Assembly passed House Bill 12-1110 which, commencing July 1, 2013, requires the regulation of Appraisal Management Companies. The Board of Real Estate Appraisers is charged with such regulation and will receive additional representation from the AG's office.

Division of Insurance: The General Assembly passed several bills impacting the Division of Insurance. Many of them will require either the drafting of new rules or amending existing ones. The legislation includes: HB12-1008 Homeowner's Insurance Additional Protections; HB12-1071 Portable Electronics Insurance; HB12-1266 Sunset Continue Bail Bond Regulation; HB12-1289 Handling of Auto Insurance Adverse Action Complaints; SB12-038 Protection for Consumers re Residential Roofing Work; SB12-110 Funding for AG Insurance Fraud Investigations. In addition, the Division will continue to implement the provisions of 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.

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:

Colorado State Board of Pharmacy v. Loren M. Priem, Colorado Court of Appeals Case No. 11CA 0439: The applicant, formerly a licensed pharmacist in the State of Colorado, relinquished his license in February 2006 after he stole drugs from three

pharmacies where he worked as a licensed pharmacist during 2005. In 2009, following criminal convictions for these thefts, the applicant sought a license as a pharmacy intern. The applicant argued that his showing of rehabilitation at hearing required licensure. The Board's AAG successfully argued to the Court of Appeals that Colorado licensing law permitted the Pharmacy Board's consideration of pertinent circumstances underlying the applicant's felony conviction.

Colorado Medical Board v. David J. Schaut, M.D.: Schaut was a general physician who came to the attention of the Medical Board upon the filing of a complaint by a former patient. The patient alleged that after closing his pain clinic, Schaut met him in a parking lot of a local supermarket and provided him with prescriptions for narcotics. The physician made no records of these meetings. The Board's AAG filed a four-count complaint in the Office of Administrative Courts on behalf of the Board requesting a sanction of revocation. After a four-day hearing, the administrative law judge rendered her 49-page Initial Decision which ruled in favor of the Board. The final agency order revoked Schaut's license.

Colorado Medical Board v. Richard N. Hansen, M.D. Hansen engaged in inappropriate sexual contact with a patient during a medical exam. Based on this conduct, a formal complaint was filed in administrative court seeking revocation of Hansen's medical license. Subsequent investigation by the Office of Investigations also determined that Respondent had sexual relationships with patients in his office, at the hospital and in other settings. Under separate criminal charges filed by a district attorney, Hansen entered a guilty plea to Unlawful Sexual Contact, a class 4 felony. Hansen then permanently relinquished his medical license.

Colorado Medical Board v. Michael T. Parra, d/b/a Colorado Hematology-Oncology, P.C.: The Board summarily suspended the medical license of this hematologist oncologist after an expert opined that, for example, Parra misdiagnosed a patient and treated her for metastatic cancer without conducting a proper test. A Board expert also found that medications were prescribed without justification and contrary to FDA guidelines. Subsequently, Parra's record management staff discovered that Parra was attempting to alter and backdate the medical records identified as of concern to the Board. The Board's AAG filed a complaint for injunctive relief in Arapahoe District Court, which, upon a hearing, ordered Parra to cease practice and to cease making medical records. The AAG promptly filed formal charges against Parra's license, alleging substandard care and fraud in a 288 paragraph complaint. Parra relinquished his medical license and agreed to never reapply.

The Director of the Division of Registrations, Office of Massage Therapy Registration v. Kim Ziwak: The AAG representing the Colorado Office of Massage Therapist Registration brought his matter to hearing following an application by Ms. Ziwak to become registered in Colorado as a massage therapist. Ms. Ziwak sought registration following her previous conviction for keeping a house of prostitution. The Massage Therapy statutes explicitly list prostitution-related offenses as being grounds for denial of a license application. Following a trial on the merits, the Judge found in favor of the Director and upheld denial of the license application, finding that Ms. Ziwak failed to show rehabilitation. This matter is currently on appeal at the Colorado Court of Appeals.

The Board of Licensed Professional Counselor Examiners v. Edwin Shockney: AAGs representing the Board of Licensed Professional Counselor Examiners assisted the Board in obtaining an interim cessation of practice agreement, and then a permanent relinquishment of Respondent's license to practice professional counseling in Colorado after questions arose about the education credentials relied upon for licensure potentially being fake or from diploma mills.

State Board of Nursing v. Robert Kelly Costin, R.N.: Mr. Costin was an intake nurse at a pre-arraignment detention facility ("PADF"). He was responsible for providing nursing care and treatment to inmates at the PADF and for performing receiving screening/assessments for all inmates who arrive at the PADF. Mr. Costin failed to properly complete an initial screening, assessment, and documentation on an inmate who was recently discharged from the hospital after suffering a liver laceration, a closed head injury and cardiac contusion. Mr. Costin's license was revoked, following a hearing, for acting in a manner inconsistent with patient health and safety, substandard nursing practice and for documentation issues in his care of inmate patients.

State Board of Nursing v. Trischelle Sheeler, C.N.A.: Ms. Sheeler worked as a CNA at a home health service facility, providing care to elderly and disabled clients. Ms. Sheeler used an elderly patient's credit card to make personal purchases, leaving the patient with insufficient funds to cover a check written to his daughter. Ms. Sheeler's certification was revoked following a hearing, for misappropriation of patient property and for substandard care.

The State Board of Dental Examiners v. Stein, DDS: Dr. Stein signed an Interim Cessation Agreement with the Board on June 24, 2011, pending final disposition of this case. During the course of its investigation, the Board learned of information that indicated a potential threat to the public related to Dr. Stein's re-use of syringes and needles between patients. The Board authorized the OAG to refer the information to the appropriate agencies.

The State Board of Dental Examiners v. John A. Drazek, D.D.S. Dr. Drazek practiced on the Western Slope. He had moderate sedation privileges. In 2011, he failed to adequately assess, document, monitor, and manage a patient under moderate sedation and used excessive amounts of local anesthetic. He failed to document a contemporaneous anesthesia record. He entered into a series of interim agreements in lieu of cease and desist proceedings. This case was resolved with a stipulation and final agency order providing for restrictions to Dr. Drazek's practice, including a 7-day suspension, 12 months probation upon reinstatement, 12 months practice monitoring, continuing education, practice restriction preventing him from administering any anesthesia on the authority of his dental license, relinquishment of his moderate sedation privileges, and further restriction of his ability to reapply for any sedation permit or privilege.

The Director of the Division of Registrations v. Sheena Nicole Young-Pitcher, ST: Ms. Pitcher was a registered surgical technologist who was found to be "huffing" anesthesia gas while at work. She intentionally inhaled sevoflurane (an anesthetic agent) while working as a surgical technologist. Additionally, Ms. Young-Pitcher ingested amphetamine without a

prescription. Her registration was revoked following a hearing for excessive use and abuse of amphetamines and sevoflurane.

Board of Architects, Professional Engineers, and Professional Land Surveyors v. H. Gary Howell: The Board of Architects, Professional Engineers, and Professional Land Surveyors initiated disciplinary proceedings against professional engineer H. Gary Howell. The Board alleges that Mr. Howell failed to meet generally accepted engineering practice standards; failed to protect public safety, health, property, and welfare; and failed to exercise appropriate skill, care, and judgment in the application of building codes in his structural engineering work on the Meeker Elementary School. The school was closed pending repair of the structural issues. The Board is seeking a two-year suspension of Mr. Howell's license, during which time he would be required to complete continuing education in engineering ethics and pass the structural engineering examination. Mr. Howell has agreed to cease practice until the conclusion of the administrative proceedings.

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 Real Estate Commission v. Dyson: The Commission referred this case to the OAG based on its investigation of a complaint that Mr. Dyson unlawfully purchased a home at a foreclosure auction that was previously owned by his seller client. According to the investigation, Mr. Dyson received an offer for the property on behalf of his client to buy the property but he failed to relay the offer to the lender. AAGs obtained a favorable settlement for the Commission in which Mr. Dyson agreed to a six month license suspension, two years of supervision, thirty-six hours of coursework, a \$5,000 fine and a public censure.

Colorado Board of Mortgage Loan Originators v. David Nelson and Jason Lyon: Mr. Nelson's and Mr. Lyon's company was approved by HUD to originate FHA loans in 2008. After Mr. Nelson and Mr. Lyon obtained this approval, they allowed originators who were not employees of the company, and therefore not approved by HUD to originate FHA loans, to take loan applications for the company. Mr. Nelson or Mr. Lyon would then list themselves as the originator on the loan applications and documents to submit the loan for approval. They would pay a portion of the income received from the closed loans back to the originators not approved to originate the FHA loan. AAGs negotiated strong settlements in both cases. Mr. Nelson agreed to relinquish his mortgage loan originator license, with a \$4,000 fine due should he ever reapply for licensure. Mr. Lyon agreed to a \$4,000 fine for his actions.

Colorado Board of Mortgage Loan Originators v. Benjamin Haynes: AAGs obtained a permanent injunction against Mr. Haynes for his unlicensed mortgage loan originator activities in which Mr. Haynes offered mortgage loan services and held himself out as a mortgage broker through his company, Advisory Consulting. He solicited clients on mortgage loan websites, convinced clients to give him money upfront, failed to provide any services, and would subsequently disappear.

Colorado Board of Mortgage Loan Originators v. Jill Evans: Ms. Evans was a licensed mortgage loan originator who was referred to the OAG by the Director of the Division of Real Estate after the Board of Mortgage Loan Originators voted to summarily suspend her license. Ms. Evans was taking large sums of money from clients for loans she never delivered and aggressively advertising for new clients with no regard for advertising regulations. After extensive settlement negotiations, a settlement was finalized in which Ms. Evans agreed to pay restitution in the amount of \$24,225.00 to victims and pay an administrative fine of \$10,000.00 to the Board.

Colorado Real Estate Commission v. Sherry Jefcoat: The Division of Real Estate received multiple reports that Sherry Jefcoat and her business Legend Property Management & Real Estate Services, LLC, were collecting rent on behalf of landlords and cheating the landlords. The landlords lost thousands of dollars as a result of the misconduct of Sherry Jefcoat and Legend. The Commission summarily suspended Mr. Jefcoat's license. Thereafter, AAGs obtained an Initial Decision ordering revocation of Ms. Jefcoat's license and payment of a \$15,000 fine.

Colorado Real Estate Commission v. Matthew Sysum: Matthew Sysum, a licensed real estate broker, was referred to this office by the Real Estate Commission for his failure to establish proper broker-client relationships, failure to give proper disclosures to the parties in a real estate transaction, and his failure to properly handle contingency contracts. The Commission investigated Mr. Sysum's purchase of three properties, either on his own or through an associated company. Mr. Sysum almost immediately resold each of the properties to a group of investors. AAGs successfully settled this case with Mr. Sysum agreeing to pay a \$2,000 fine, complete 24 hours of education, and a 3 year probationary license where he is only permitted to act under the supervision of an employing broker.

Colorado Real Estate Commission v. James Elterman: AAGs successfully negotiated a settlement regarding Mr. Elterman's real estate broker license after Mr. Elterman entered a guilty plea to a violation of the Colorado Organized Crime Control Act, a class 2 felony, and professional gambling, a class 1 misdemeanor.

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

Farmers Insurance: Insurance Unit attorneys successfully settled litigation in Denver District Court and the Court of Appeals involving three Farmers entities. The cases involved issues related to the entities' workers compensation business in Colorado. The Division obtained payment of a \$206,000 civil penalty and the entities' agreement to fully comply with the Division's interpretation of insurance statutes and regulations pertaining to workers compensation.

Minnesota Surety & Trust: Insurance Unit attorneys worked with the Division of Insurance to aggressively pursue the license revocation of Minnesota Surety and Trust Company ("Minnesota Surety") based on its wrongful acts in the State of Colorado, including falsifying thousands of documents and wrongful signatures and misrepresentation undertaken by Minnesota Surety in its attempt to avoid adverse findings in a pending market conduct examination. In November of 2011, the Attorney General's Office in Minnesota, relying on

the work done by the Colorado AG Insurance Unit and the Division, filed a motion for liquidation of Minnesota Surety. Minnesota Surety agreed to the liquidation in a Consent Order it entered into with the Minnesota Department of Commerce. The primary basis for the liquidation of Minnesota Surety were the law violations and findings made in Colorado as a result of the work done by the Insurance Unit and the Division.

Alliant Title Insurance Company: The Division conducted a market conduct examination ("MCE") of Alliant Title Insurance Company ("Alliant"). At the conclusion of the MCE the Division determined that Alliant violated numerous provisions of Colorado Insurance law. The Commissioner adopted the content of the report and issued a Final Agency Order. Alliant threatened protracted litigation in Denver District Court and the Court of Appeals. Members of the Insurance Unit, Division staff and the Commissioner negotiated non-stop with Alliant and counsel for Alliant resulting in a resolution in which Alliant conceded on all disputed legal issues, solidified the Division's position on law violations and did not compromise consumer protection issues. The settlement was completed on the night before the litigation would have to have been filed.

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 commercial bail bond business with new licensing requirements and major amendments to all existing regulations affecting commercial bail bonding.

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

In the Matter of E*Trade Securities: Unit attorneys represented the Staff of the Division of Securities in bringing a license discipline action in the Office of Administrative Courts against E*Trade Securities ("E*Trade") based upon their fraudulent offer and sale of auction rate securities ("ARS"). Unit attorneys prevailed in a trial on the merits, and obtained a finding that E*Trade failed to make material disclosures regarding certain risks associated with ARS, and failed to adequately supervise their sales representatives. With the Administrative Law Judge recommending a one year suspension of E*Trade's broker-dealer license in Colorado, attorneys in the unit negotiated a settlement between the Division of Securities and E*Trade that required E*Trade to buy back all outstanding ARS from their customers nationwide, plus reimburse Colorado for its attorneys fees and pay \$5 million in fines to be allocated among numerous states investigating E*Trade. As a result of the settlement, over \$137 million was returned to investors nationwide through buybacks, reimbursements to investors who sold below par value, and reimbursement of other funds to investors.

Mieka v. Joseph: Unit attorneys prosecuted a cease and desist action against Mieka Corporation, Daro Blankenship, and Stephen Romo based on their illegal offer of securities to a Colorado investor. Following a hearing on the merits, the Colorado Securities Board issued an order (affirmed by the Securities Commissioner) directing the Respondents to cease and desist from acting in violation of the Act. The Respondents sought an appeal, arguing that the investments themselves (joint venture/general partnership interests in oil and gas

wells) were not securities under Colorado law. The Colorado Court of Appeals issued a published opinion finding that the record supported a finding that the joint venture interests were securities based on the “economic realities” of the investment, including the fact that the investments lacked many of the hallmarks of a true general partnership, and other evidence that revealed that the promoters retained substantial pre-investment control over the direction of the investment.

In the Matter of Tony Hartman et al.: Unit attorneys prosecuted a license discipline action against Tony Hartman, VFG Securities, and VFG Advisors based upon extensive unlicensed activity by Hartman in Colorado. Based upon a settlement in the case, Hartman will not be permitted to obtain licensure in Colorado as a broker-dealer, sales representative, investment adviser, or investment adviser representative in the future. VFG Securities and VFG Advisors will also be required to withdraw their licensure from Colorado, and will reimburse Colorado investors for the fees obtained in conjunction with the unlicensed activity.

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, Yost Company, Valley Investments, as well as XL Capital and the Vision and Velocity Funds.

Division of Banking: As outlined below, AAGs representing the Division of Banking successfully obtained two protective orders and worked with the Banking Board staff and the FDIC to close three banks in July 2011.

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. This application was withdrawn on August 22, 2012, after prehearing briefs were filed.

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.

First Bank & Trust Company v. Bumgarner: First Bank and Trust is the successor in interest to Colorado Capital Bank, which was closed on July 8, 2012 as described above. First Bank and Trust brought a suit to collect an unpaid debt of Defendant Bumgarner. Defendant Bumgarner served a subpoena on the State Bank Commissioner. On March 31, 2012, the Douglas County District Court issued a protective order barring discovery of bank examination reports and other non-public supervisory information that is required to be kept confidential pursuant to sections 11-102-305 and -306, C.R.S. After Defendant filed a motion to compel the bank holding company to disclose this same information, the State Bank Commissioner intervened. On June 20, 2012, the Judge entered a second protective order. The Defendant continues to seek the protected information from other sources and additional legal action may be required.

Independent Ethics Commission: This past fiscal year, the IEC issued numerous Advisory Opinions and were assisted by AAGs in doing so. Some of the more notable advisory opinions for this year include opinions regarding conflicts of interest in hiring, reimbursement of travel expenses by for profit and not for profit entities and waiver of registration fees at conferences. AAGs also assisted the Commission resolve complaints and represented the Commission during hearings.

Department of Agriculture: Significant cases handled by AAGs representing the Department of Agriculture include:

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. Defendant has appealed this decision, arguing a district court has no authority to restrain activity that is otherwise legal. Oral arguments regarding the scope of the injunctive authority of the district court are set for August 8, 2012.

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. In 2010, 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. From December 5 through 9, 2011, the Department's AAGs argued in Park County District Court that Mr. Wagner's pattern and practice of ranching was unsustainable and would lead only to further livestock death and disease. At the close of the trial, the district court judge granted the Department the injunctive relief it sought, restraining Mr. Wagner from owning, possessing, or managing cattle in Park County, Colorado. Mr. Wagner has retained new counsel and filed a Notice of Appeal.

Weinroths v. Colo. State Fair: At the close of the 2011 State Fair Junior Livestock Sale, two goats owned and shown by Benjamin and Margaret Weinroth were disqualified after testing positive for prohibited substances. The Weinroths were given the opportunity to contest their disqualification in a formal administrative hearing, but instead chose to resolve the matter through mediation with a confidential settlement.

Mined Land Reclamation Board: Significant cases handled by General Counsel for the MLRB include:

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. After extensive briefing, the court affirmed the Board's orders, rejecting all of Cotter's arguments and finding that the initial order and cease and desist order were reasonable, proper and supported by substantial evidence. Cotter filed an appeal of the District Court's orders with the Court of Appeals.

State Personnel Board:

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. 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 the past few years, substantial state and federal statutory and regulatory 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 and position statements.

Strategic Plan FY 13-14

Revenue and Utilities Section (“R&U”)

Department of Law

MISSION: R&U’s mission is to provide responsive and proactive legal representation of the highest quality to its clients.

The Department of Law created this new Section in FY 13-14 based on a decision item approved by the legislature to provide an additional Deputy Attorney General to the Legal Services to State Agencies line item. R&U was split off from the Business & Licensing Section so that an appropriate span of control could be maintained for both sections.

Objective 1: Maintain and develop relevant subject matter expertise within R&U.

Goal 1: R&U shall maintain core competencies of attorneys and staff by participating in the evaluation and goal-setting process with supervisors.

Goal 2: R&U supervisors and Senior Assistant Attorneys General shall facilitate and promote an educational environment in which attorneys and staff may increase their substantive knowledge of relevant subject matter, including general counsel concepts, and client-specific needs.

Goal 3: R&U shall maintain and develop competence of all attorneys through Continuing Legal Education, attending and designing practice improvement programs, and facilitating mentoring and collaboration between attorneys.

Objective 2: Effectuate the clients’ goals through effective litigation by initiating and defending actions in administrative court, State district court, courts of appeals and other courts as necessary.

Goal 1: R&U Units shall have policies and procedures to assure early attorney review and action on all referred matters.

Goal 2: R&U attorneys shall work with the client to accomplish early identification and development of legal and factual issues. R&U Units shall work with clients as appropriate to continually educate investigators and staff regarding their role in managing evidence, affidavits and documentation supporting the legal elements that must be proved in litigation as well as relevant discovery concepts.

Goal 3: R&U supervisors and Senior Assistant Attorneys General shall facilitate and promote an educational environment in which attorneys and staff may develop and increase litigation skills, including appropriate discovery, trial and litigation support skills.

Objective 3: Provide general counsel advice as appropriate to effectuate the shared goal of public protection.

Goal 1: R&U Units shall provide timely, accurate, and responsive legal advice to the clients.

Goal 2: R&U Units shall assist in rulemaking as needed or requested by the clients.

Goal 3: When appropriate to the agency, R&U Units shall develop and maintain internal tracking systems for informal opinions, rulemaking, and legislation affecting the clients.

Goal 4: R&U Unit supervisors shall work with the assigned attorneys and clients to identify areas where proactive legal advice would better serve the clients and the State.

I. BACKGROUND INFORMATION: REVENUE & UTILITIES SECTION

R&U consists of three Units: 1) Revenue, 3) Conservation Easement Tax Credit, and 3) Public Utilities Commission (“PUC”) Litigation. These Units represent the following clients:

- Department of Revenue
- Department of Local Affairs (Property Tax Administrator and Property Tax Division)
- Department of Regulatory Agencies (Public Utilities Commission Litigation Staff)

A. Department of Revenue

The Revenue Unit represents several clients within the Department of Revenue (“Revenue”).

Taxation (Office of the Tax Conferee, Collections, Taxpayer Services, Discovery, Tax Policy Analysis, Audit and Compliance). The Revenue Unit attorneys represent the Tax Conferee in administrative, district court and appellate proceedings in which all types of tax assessments are contested; defend the Revenue against multiple tax protester lawsuits in several different courts; provide legal advice defending the State’s interest in consumer bankruptcy cases; support and assist Revenue in rulemaking and legislative matters; and represent the Revenue in actions related to tax collection efforts. The Department’s taxation division requires intensive legal services to assure that taxpayers comply with the law and pay the amount owed under the law, thereby protecting the interests of all taxpayers. Tax cases are complex and often involve disputed amounts in the millions of dollars. Taxpayers are statutorily entitled to receive two trials: one at the administrative level, and a *de novo* trial in district court. Many also are appealed to Colorado’s appellate courts. R&U attorneys also provide legal advice and representation to Revenue regarding collections. Often, when delinquent taxpayers declare bankruptcy, Revenue’s interest must be protected in bankruptcy court.

Enforcement (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 actions in district court.

Colorado Lottery: (Lottery Division and the Lottery Commission.) Attorneys provide general counsel advice, assistance with rulemaking, and other legal assistance as requested.

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.

Executive Director's Office: Attorneys provide legal representation to Revenue's Executive Director, including defending the Executive Director in a variety of lawsuits related to any of Revenue's Divisions.

B. Department of Revenue—Conservation Easement (“CE”) Tax Credits

The CE Tax Credit Unit provides general counsel advice and legal representation to various Divisions and Programs at Revenue with respect to CE income tax credits. The CE Tax Credit Unit was created following legislation to address a backlog of credit disallowance cases. Among other things, House Bill 11-1300 created a process by which taxpayers may elect to waive their administrative hearing on the disallowance of the CE tax credits and proceed with an appeal and de novo trial to a district court presided over by a specially appointed judge.

C. Department of Local Affairs

The Revenue Unit also represents the Division of Property Tax and the Property Tax Administrator within the Department of Local Affairs.

Property Tax Administrator and Division of Property Tax. Attorneys prosecute cases related to state-assessed value before the Board of Assessment Appeals (BAA), the district courts and appellate courts. The Division coordinates and administers the implementation of property tax law throughout 64 counties in Colorado, and is responsible for the valuation of the operating plant and property of all public utilities doing business in Colorado. These include telephone companies, airlines and railroads, among others. Attorneys representing the Division provide statutory interpretation and other general counsel services as needed and represent the Administrator in administrative hearings and litigation before the Board of Assessment Appeals and the state district and appellate courts.

C. Department of Regulatory Agencies

The PUC Litigation Unit represents the staff of the Colorado Public Utilities Commission (“PUC” or “Commission”).

Public Utilities Commission Litigation Staff. The PUC regulates the rates, charges, services, and facilities of public utilities within the State. The PUC Litigation Unit represents 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 providing legal advice 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 in cases in which public utilities seek to either build new facilities or extend existing Colorado facilities.

The AAGs also, as appropriate, 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.

II. HOT ISSUES

A. Department of Revenue

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

TAXATION

Direct Marketing Association v. Brohl. Revenue has filed an appeal with the Tenth Circuit seeking reversal of the district court's permanent injunction enjoining the enforcement of use tax notice and reporting requirements for non-collecting retailers. The dispute in this case is over what methods the State may employ to enforce and collect the undisputedly constitutional use tax on sales made via the Internet and other remote means. District Court Judge Robert E. Blackburn found that the notice and reporting requirements discriminate against and unduly burden interstate commerce in violation of the dormant Commerce Clause. The Department argues on appeal that the dormant Commerce Clause does not require that interstate commerce be treated *more favorably* than intrastate commerce and that the modest reporting requirements on retailers without a physical presence in the State do not approach the significant burdens upon local and national retailers with such a presence of collecting and remitting the use tax. The Department received amicus support from the Multistate Tax Commission, which was uniquely positioned to offer a national perspective on the explosion of E-commerce and the U.S. Supreme Court's *Quill Corp. v. N.D.* decision prohibiting states from compelling out-of-state retailers to collect and remit use tax.

GE Wind v. Dep't of Revenue. The Unit's attorneys are awaiting a decision by the District Court regarding whether the transaction is subject to 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 awaiting a ruling following the first phase of the litigation. If the Department is successful, the second phase of the litigation will be a determination of the proper tax base. The Court has bifurcated the issues as: 1) Whether the transaction is subject to county sales tax; and 2) The applicable tax base.

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. Plaintiffs have attempted to add tort claims against the Department and its criminal investigator.

Daimler Chrysler v. Dep’t of Revenue. The Unit’s attorneys are representing the Department in this dispute over whether Daimler Chrysler is entitled to a “bad debt” deduction of \$490,284.40 for loans it made through motor vehicle dealers to consumers that were not honored.

Chrysler Group and Old Carco v. Revenue. The United States District Court for the Southern District of New York dismissed this lawsuit, which had been pending for two years, on March 15, 2012. The lawsuit challenged amendments to Colorado motor vehicle dealer laws purportedly requiring manufacturers to offer a right of first refusal to dealers rejected in bankruptcy if the manufacturer wished to offer a new dealership in the former dealer’s geographic area. Unit attorneys successfully argued that the lawsuit failed to state a claim upon relief could be granted. The Colorado statute, on its face, had no impact on the bankrupt company formerly known as Chrysler LLC, now a liquidating trust known as Old Carco LLC, because Old Carco no longer was engaged in business as an automobile manufacturer and thus no longer was awarding dealerships. Further, the statute had no impact on Chrysler Group LLC, the newly-formed Fiat affiliate which purchased Old Carco’s assets in bankruptcy, because the federal court in Old Carco’s bankruptcy case had specifically held that the purchaser was not a legal successor of Old Carco, and Colorado’s statute applied only to Old Carco and any legal successors. The case against Colorado therefore was dismissed without prejudice. In similar litigation against Illinois, Maine, and Kentucky, post-Chrysler amendments to those states’ dealer laws were found to be unconstitutional, resulting in injunctions against enforcement of those laws.

Ultimate Acquisition. In a Delaware bankruptcy case, attorneys for the Unit collected approximately \$2 million of sales taxes, resulting in full payment of all taxes, interest, and out of pocket costs.

PJCOMN. In a Maryland bankruptcy case filed by the franchisee of all Papa John’s pizzerias in Colorado, attorneys for the Unit collected approximately \$450,000 in sales taxes and wage withholding, with all taxes paid in full within six months of the bankruptcy filing.

DUI APPEALS

Driving License Revocation of Tom Francen. The Unit's attorneys represented Revenue's Division of Motor Vehicles on appeal. The majority of the Colorado Court of Appeals held that: "the plain language of the relevant [driving] statute does not require, or even allow, a hearing officer (or a district or appellate court) to determine the lawfulness of the initial contact in a revocation proceeding under 42-2-126." In addition, after performing an *Ahart* analysis, the majority concluded that the exclusionary rule does not apply to a civil driver's license revocation proceeding. Counsel for Francen has indicated he will petition the Colorado Supreme Court for cert.

ENFORCEMENT

Champion Auto Group dealerships. The Unit's attorneys resolved these cases on behalf of the Motor Vehicle Dealer Board following the summary suspension of five related motor vehicle dealer licenses. Each of the five dealerships voluntarily surrendered their licenses and agreed to total fines of \$447,500, with \$179,000 due and payable to the Colorado Motor Vehicle Dealer Board and \$268,500 held in abeyance and payable if the dealerships seek re-licensure by the Dealer Board. The agreement also included payment into a consumer restitution fund.

Medicinal Gardens et al v. City of Fort Collins et al. Several medical marijuana centers sued local and state government, challenging the City of Fort Collins' ban on medical marijuana businesses. The Medical Marijuana Enforcement Division successfully defended a preliminary injunction request and the case was ultimately settled and withdrawn.

Rudy's Farm. The Medical Marijuana Enforcement Division successfully defended its denial of Rudy's Farm, a medical marijuana center and grow. The Applicant filed exceptions with the State Licensing Authority, which affirmed the hearing officer's denial of the license.

Gilpin County. Attorneys for the Gaming Commission successfully defended a lawsuit brought by Gilpin County challenging the Gaming Commission's rule codifying its historical interpretation of how certain Limited Gaming funds are distributed to Teller County, Gilpin County, and the three gaming towns. The case is on appeal.

B. Department of Revenue - CE Tax Credit

As of the end of FY 12-13, Revenue had referred cases involving 490 CE donations for resolution. Consolidated elections by taxpayers under House Bill 11-1300 ("HB 1300"), and a separate consolidated appeal of an agency determination of four additional CE Tax Credit matters have resulted in 175 discrete district court cases filed against Revenue. The total amount of income tax liability at issue estimated for fiscal note purposes under HB 1300 was \$222.8 million, including \$154.9 million from CE tax credit claims; \$18.6 million in penalties assessed on denied credit claims; and \$49.3 million in interest on those denied credit claims. HB 1300 strongly encourages Revenue to waive penalties and interest for taxpayers who have acted in good faith to resolve these disputes. Such waivers will impact the amount ultimately collected by Revenue.

Significant matters handled by the CE Tax Credit Unit on behalf of the Department of Revenue include:

Kowalchik v. Brohl. This matter involved the first successful interlocutory appeal under new Colorado Appellate Rule 4.2. Traditional tenets of due process warranted Revenue's appeal of an order denying its motion to compel the joinder of transferees whose tax liability is at stake in the CE tax credit cases to avoid prejudice to their interests and result in an enforceable judgment. The Court of Appeals held that due process does not require joinder by the statutorily-designated Tax Matters Representative ("TMR") of transferees. The Court also held that notice mailed to transferees by the TMR advising transferees of the proceeding and their statutory right to intervene, rather than traditional joinder and service of a summons and complaint, satisfied due process. Finally, the court held that a transferee is a "taxpayer," liable for deficiencies, interest, and penalties associated with a CE tax credit claim. The net effect of the opinion is streamlined litigation of the CE tax credit matters resulting in a judgment enforceable against transferees, even without their participation as parties in the matter.

Consolidation of Matters. HB 1300 encourages consolidation of related district court conservation easement CE tax credit cases in order to efficiently, equitably and expeditiously resolve these cases. Through motions filed on behalf of Revenue, Unit attorneys successfully obtained consolidation of several related cases. The one exception being Judge M. Jon Kolomitz's ruling in *OBE Corp. v. Brohl* denying consolidation of 28 related cases involving 47 CE donations and roughly 500 taxpayers. Although Judge Kolomitz concluded that the factual and legal standards for consolidation were met, he ultimately rejected consolidation based on "the case management aspect" of dealing with this number of cases, particularly in the second and third phases of the CE tax credit proceeding, which pertain to apportionment of tax liability and adjudication of any third-party claims.

Settlement of Matters. Unit Attorneys have reached agreement in principal on a settlement of a large group of cases in Adams County. Successful completion of the settlement negotiations will result in the recovery of more than 2 million tax dollars. CE Tax Credit Unit Attorneys have opened negotiations with a group of transferees of tax matters in excess of 9.8 million dollars of tax liability, penalties and interest. The CE Tax Credit Unit attorneys have also negotiated settlements in several smaller CE tax credit matters.

C. Department of Local Affairs

Significant cases handled by the Revenue Unit on behalf of the Department of Local Affairs include:

Qwest Corp v. DPT. The Department of Property Tax (DPT) prevailed in the Court of Appeals in its argument that the state's centralized method of valuation of public utilities on a statewide basis is valid compared to the local assessment of most other property. The Colorado Supreme Court has granted Qwest's petition for writ of certiorari.

NuStar Energy v. DPT. NuStar sued DPT over its 2010 and 2011 centrally assessed Colorado value for property tax. At issue were the appropriate valuation techniques and procedures for a company of this type. After two years, the litigation has been resolved through settlement.

Treehouse Condominium Association v. DPT. The question in this case is whether development rights held separately from surface rights constitute a taxable interest in real property, subject to assessment in Colorado. The BAA held that they do. The case is pending in the court of appeals.

D. Public Utilities Commission

Significant cases in which the PUC Unit was involved include:

Public Service Company of Colorado Electric Rate Case. Represented Staff in a Public Service (Public Service or the Company) rate case in which the Company requested an annual increase of \$153.2 million. Staff completed its audit and review and a settlement was entered into by Public Service, Staff, and other major intervenors including the Office of Consumer Counsel, Colorado Energy Consumers, and Climax Molybdenum. The settlement permitted Xcel to implement a series of three rate increases, as follows: \$73 million for the period May 1, 2012 through December 31, 2012, \$16 million for the period January 1, 2013 through December 31, 2013, and \$25 million for the period January 1, 2014 through December 31, 2014. The PUC approved the settlement.

Public Service's 2011 Electric Resource Plan. Represented Staff in reviewing Public Service Company's 2011 Electric Resource Plan (ERP), which is designed to acquire generation resources need beginning in 2017. The Company's filing was voluminous and highly technical, and approximately 20 parties have intervened in the proceeding. In June 2012, Staff filed the answer testimony of ten witnesses addressing numerous issues raised by the Company's plan. Since that time, the Company has effectively amended its plan and will be filing supplemental testimony in early August, 2012. Staff continues to review the plan and the amendments and will file additional testimony in September 2012. The case is set for eight days of hearing beginning in late October 2012.

Public Service's Application to Provide Different Treatment to Its Boulder Customers. This is a case of first impression. Public Service filed an application seeking to apply different terms and conditions to some of the services it provides to its customers within the City of Boulder (Boulder or the City). Public Service's basis for filing the application was the argument that since, in the Company's view, Boulder has taken significant steps towards the municipalization of Public Service's electric distribution system within the City's limits, it was necessary to apply different treatment to its Boulder customers to prevent costs from being inappropriately shifted to the remainder of its customers in the event municipalization occurs. The Commission established a procedural schedule calling for written comments, including how the Commission would interact with the Federal Energy Regulatory Commission and the state District Court in the event Boulder initiated condemnation proceedings. All parties, with the exception of Public Service, argued that the Company's application was premature. The Commission agreed and dismissed Public Service's application without prejudice.

Glustrom v. PUC. Represented the PUC in an appeal brought by Ms. Leslie Glustrom in the Colorado Supreme Court. The crux of this appeal related to Glustrom's argument that the PUC

may not prohibit her from challenging the prudence of Public Service's investment in the Comanche 3 coal plant during the course of an electric rate case proceeding. After briefing and oral argument, the Court issued a ruling in favor of the PUC, dismissing Glustrom's action.

Black Hills Electric CPCN Application to Construct an LMS100 Power Plant. Represented Staff in a docket where Black Hills Electric sought authorization to construct a 88 MW LMS100 power plant in Pueblo, Colorado. As a result of the Clean Air-Clean Jobs Act, Black Hills is required to close a 42 MW coal plant by the end of 2013 and proposed to replace such capacity with the LMS100. However, because the LMS100 is larger than the 42 MW need, Black Hills also proposed to retire two aging power plants in Pueblo to justify the need for the LMS100. Staff reviewed the Company's filings and determined that the Company had not established that the LMS100 was the best alternative to replace the 42 MW coal plant nor that the retirement of the Pueblo units was in the public interest. Staff argued that Black Hills had not fully explored other alternatives and therefore had not provided the Commission a record on which to approve its proposal as the best solution. Staff's position was adopted by the ALJ and affirmed by the Commission, and the application was denied.

Century Link –Integra Formal Complaint. Represented Staff in a formal complaint by several Competitive Local Exchange Companies (CLECs) against CenturyLink/Qwest for violating a Commission order approving a settlement agreement entered into between these parties concerning the use of certain computer systems that manage "trouble tickets" for the CLECs. The CLECs claim that Century Link/Qwest is developing and putting into place a new system to replace the old systems earlier than allowed by the settlement agreement and without proper notice and participation of the CLECs pursuant to that settlement agreement. After a hearing in January 2012, the parties filed a settlement agreement in mid-May 2012. The settlement agreement was contingently approved in late July 2012, and required Qwest to make a compliance filing. The compliance filing was made in late July 2012 and the case is concluded.

Wiggins Telephone Company Request for High Cost Support Funds from the Colorado High Cost Support Mechanism. This is a case of first impression. Wiggins is requesting monies from the Colorado High Cost Support Mechanism Fund for building a Fiber to the Home (FTTH) network that not only provides basic local exchange services, but also provides other services which are defined in Colorado as non-regulated telecommunication services. However, the services are considered regulated by the Federal Communications Commission (FCC). No other rural telecommunications provider has requested funds for this type of telecommunications system. The question before the Commission is whether these costs should be allocated between regulated and non-regulated services as determined by the FCC's rules or by Colorado statutes and Commission rules. A three day hearing was held on this matter in July 2012, and Statements of Position and Reply Statements of Position are due in August.

Robert Woodring d/b/a Tri Star Transportation. Unit attorneys represented Staff in a transportation matter which brought a novel issue before the Commissioners through Exceptions to the Administrative Law Judge's Recommended Decision. The issue was whether the Commission has the authority to issue a cease and desist order as a result of a civil penalty hearing. While the Commissioners ultimately denied the Exceptions, they did agree with Staff's statutory interpretation that under the Commission's broad authority, a cease and desist order

may be issued in a Civil Penalty Assessment Notice docket. They also provided guidance to the Transportation Staff regarding the notice that must be provided to obtain a cease and desist order from the Commission.

D) BACKGROUND INFORMATION: STATE SERVICES SECTION.

Collectively, the attorneys in the State Services section provide representation to eight of sixteen executive branch state agencies, as well as Colorado's five statewide elected public officials, the Governor, Lt. Governor, Attorney General, Secretary of State and Treasurer. The Section also represents the Judiciary and the Public Utilities Commission. 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.

It is challenging to determine metrics that effectively measure whether the Section is performing its duties well. We are modifying the reply this year to provide two measures:

The primary metric is the volume of cases handled by each unit. For some units, additional workload measures are provided.

The Section is composed of the following units:

Human Services:

This Unit represents the Department of Human Services both defending the Department in civil litigation and prosecuting on its behalf in the administrative courts. The Unit defends the county confirmation that a person is responsible for child abuse or neglect. The unit prosecutes licensure actions to revoke or discipline child care providers who harm children or do not follow requirements. Attorneys represent the Division of Youth Corrections requesting early parole or community placement for aggravated offenders or extensions of commitment for youth who are a risk to the community. The unit handles motions to quash record subpoenas and provides general legal advice to various Divisions within the Department, including the Division of Behavioral Health, the Mental Health Institutes, the Division of Developmental Disabilities, and the Division of Vocational Rehabilitation. The Unit assists with transactional issues, including water rights, contracts, tax disputes, and more. 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

Human Services

SB 12-022 Concerning Maintaining Child Care Assistance for Working Families

The bill allows persons receiving child care assistance to continue to receive this benefits after obtaining employment that may exceed the county income eligibility for a period up to six months while gradually transitioning off this assistance.

SB 12-033 Concerning Adding Near Fatalities to the Responsibilities of the Department of Human Services Child Fatality Review Team

This bill defines “near fatalities” and “incidents of egregious abuse or neglect” and adds the review of these events to the responsibilities of the human services child fatality review team. Counties are required to report any suspicious near fatality or incident of egregious abuse or neglect. Child fatality reports shall be published, absent confidential information.

Education

SB 12-078 Concerning Protections for At-Risk Adults

The bill amends statutory provisions concerning mistreatment, self-neglect, and exploitation of at-risk adults. All county department employees who will have direct contact with at-risk adults must now complete a fingerprint-based criminal background check. An at-risk adults protection services task force has been convened and will have an AG representative.

SB 12-51 Concerning requirements for contracts executed by local education providers. This bill allows each school district and board of cooperative services (BOCES) to review and revise the policies and procedures it has in place for contracting for services, including educational services, activities, or undertakings and authorizes the school district or BOCES to adopt a policy requiring competitive bidding on contracts for professional services, other than instructional services.

SB12-052 Concerning a property tax exemption for business personal Property. This bill requires the Commission on Higher Education to develop a new master plan for Colorado’s system of higher education. The legislation creates a performance-based plan that will allocate funds to state colleges and universities based on their success in meeting their specified goals. Colorado will begin implementing the performance funding plan after the 2015-2016 fiscal year, but the plan will go into effect only if funding for higher education is at least \$706 million. If that funding threshold is met, then the legislature will appropriate 25 percent of all higher education funding over \$650 million to the performance-based funding plan.

SB 12-61 Concerning procedures relating to the authorization of charter schools.

This bill adds to minimum requirements for district and institute charter school applications and modifies procedures for applications and approvals. It also requires each

authorizer to adopt a policy that establishes procedures for closing a charter school when the charter contract is revoked or not renewed.

SB 12-67 Concerning requirements pertaining to the corporate status of charter schools. Effective July 1, 2013, this bill requires each charter school that was initially chartered on or after August 6, 1997, to incorporate as a nonprofit corporation and prohibits a board of education of a school district or the state charter school institute board (authorizer) from approving a charter application submitted by, or entering into a charter contract with, a for-profit entity.

SB 12-68 Concerning prohibiting the inclusion of industrially produced trans fats in foods made available to students by public schools, and, in connection therewith, making an appropriation. This bill prohibits a school of a school district, a district charter school, or an institute charter school from making available to a student a food item that contains any amount of industrially produced trans fat.

SB 12-121 Concerning charter schools. This bill makes changes to charter school participation in the public school capital construction board (BEST board) financing and clarifies waiver requirements. It also permits the Charter School Institute to retain the full 3% of each institute charter school's per pupil revenues until the end-of-year balance of the account to which these moneys are credited exceeds a certain amount. Rather than the institute being subject to annual appropriations, the act continuously appropriates operational moneys to the institute.

HB 12-1013 Concerning intervention services for middle-grade students. This bill directs school districts and charter schools to consider adopting procedures for identification of, and services to, at risk students.

HB 12-1043 Concerning concurrent enrollment for students who may complete high school graduation requirements before the end of twelfth grade. This bill requires each public school to inform the student and the student's parent or legal guardian concerning concurrent enrollment.

HB 12-1090 Concerning the annual date for establishing the total pupil enrollment of each public school. This bill permits flexibility in the October 1 count day to accommodate religious holidays.

HB 12-1201 Concerning adjustments in the amount of total program funding for public schools for the 2011-12 budget year, and, in connection therewith, making and reducing appropriations. This bill increases the minimum level of total program funding for the 2011-12 budget year, sets the minimum level of total program funding for the 2012-13 budget year and adjusts the appropriations in the 2011-12 long bill for total program funding.

HB 12-1238 Concerning literacy education for students enrolled in

kindergarten through third grade, and, in connection therewith, creating the "Colorado early literacy act" and making and reducing appropriations. This bill repeals the "Colorado Basic Literacy Act" on July 1, 2013, and replaces it with the "Colorado READ Act". The Department of Education is to adopt rules and procedures to implement.

HB 12-1240 Concerning statutory changes to k-12 education. This bill makes several statutory changes concerning K-12 education including:

- LLS is to report any introduced legislation concerning education data to the education data advisory committee.
- The pool of potential sources for gifts, grants, and donations for S.B. 10-191 is expanded by allowing the department of education to accept moneys outside of federal moneys.
- The date for the inclusion of diploma endorsements in performance indicators is extended.
- The criteria for awarding the John Irwin Schools of Excellence Award is changed to include those schools with the highest level of attainment on the performance indicator concerning student achievement levels.
- The difference between an "on-line program" and an "on-line school" is clarified.
- The number of charter school food authorities is increased.
- "Ongoing deficit" as it pertains to school district budgets is defined.
- The requirement that a school district receiving an impact assistance grant must certify the amount of that grant to the board is removed.
- Internet safety policies updated to include "technology devices", which includes any computer, hardware, software, or other technology that is used for learning purposes and has the ability to connect with the internet.
- Colorado is included in a consortium of states that focuses on the readiness of students for college and careers through the development of a common set of assessments.

HB 12-1345 Concerning the financing of public schools, and, in connection therewith, requiring a post-enactment review of the implementation of this act and making and reducing appropriations. Funding for public schools from kindergarten through the twelfth grade, as determined by the "Public School Finance Act of 1994" (Act) is modified for the 2012-13 budget year and, in some circumstances, for budget years thereafter.

Health Care

SB 12-128 Concerning Achieving Efficiencies in the Medicaid Long-Term Care Program through Greater Utilization of Alternative Care Facilities. This bill provides financial incentives to alternative care facilities as an alternative to nursing facility care in order to lower costs to the Medicaid program. The Department may create an enhanced reimbursement methodology in which an alternative care facility can receive a temporary increase in the Medicaid per diem reimbursement rate for a client discharged from a nursing facility.

SB 12-1281 Concerning Pilot Program Establishing New Payment Methodologies in Medicaid, and, in connection therewith Making an Appropriation. This bill creates the Medicaid Payment Reform and Innovation Pilot Program. The Department is directed to create a process for interested contractors to submit payment projects for consideration under the pilot program, specifically, the use of global payments.

HB 12-1041 Concerning the Creation of an Electronic Death Registration System in the Department of Public Health Environment, and, in connection therewith Making an Appropriation. This bill authorizes CDPHE to create a new system where doctors, funeral directors, health facilities, coroners, etc will notify the State Registrar of deaths electronically.

HB 12-1268 Concerning a Transfer of Functions Pertaining to Health Facility Compliance with certain Building Safety Standards from the Department of Public Health and Environment to the Division of Fire Safety in the Office of Preparedness, Security, and Fire Safety within the Department of Public Safety, and in Connection therewith, Creating the Health Facility Construction and Inspection Section in the Division of Fire Safety. This bill transfers the authority and duty to inspect health facilities for compliance with fire safety code from the Department of Public Health and Environment to the Department of Public Safety effective July 1, 2013. Relevant employees and items of property will likewise be transferred.

Public Utilities Commission

House bills 1002, 1008, 1019 and 1119 and Senate Bill 12-026 are bills of general applicability, but does have significant effect to actions of the PUC.

HB12-1002 Concerning the rules of state agencies applicable to applications for permits. This bill amends the State Administrative Procedure Act (APA) to state that the rules of a state agency in effect on the date that a person applies for a new or renewed permit govern the application for a new permit or for renewal of the permit.

HB12-1008 Concerning additional methods for providing input to executive branch agencies about proposed rules, and, in connection therewith, directing agencies to establish representative groups to evaluate and comment on proposed rules, requiring agencies to notify the general assembly of any rule-making that results in increases in fees or fines, and requiring agencies to submit departmental regulatory agendas to the general assembly. This bill adds additional methods for providing input to executive branch agencies about proposed rules, and directing agencies to establish representative groups to evaluate and comment on proposed rules, requiring agencies to notify the General Assembly of any rule-making that results in increases in fees or fines, and requiring agencies to submit departmental regulatory agendas to the General Assembly.

HB12-1019 Concerning the abolition of the motor carrier services division of the division of motor vehicles of the department of revenue, and, in connection therewith, transferring the powers, duties, and functions of the motor carrier services division relating to ports of entry to the Colorado state patrol of the department of public safety, transferring the powers, duties, and functions of the motor carrier services division relating to commercial driver's licenses and the international registration plan to the department of revenue, and making and reducing appropriations. This bill abolishes the Motor Carrier Services Division (Division) of the Division of Motor Vehicles of the Department of Revenue transferring: (1) ports of entry section of the Division to the Colorado State Patrol of the Department of Public Safety; (2) powers, duties, and functions of the Division relating to commercial driver's licenses to the Department of Revenue; and (3) powers, duties, and functions of the Division relating to the international registration plan to the Department of Revenue.

HB12-1119 Concerning violations of state requirements enforced by the department of public health and environment that pertain to construction-related discharges of storm water. This bill limits the discretion of a state executive agency to impose a fine for a minor violation of a state law or a state agency rule and defines a minor violation as an inspection-related or paperwork related violation of state law or state agency rule that does not harm or threaten public health or safety. The bill further requires the agency to provide a violator with notice an opportunity to cure a minor violation before imposing a fine.

HB12-1258 Concerning regulation of public utilities in terms of alternative fuel vehicles. This bill explicitly excludes sellers of electricity as fuel for alternative fuel vehicles from being regulated as public utilities under Title 40. Further, the bill updates § 40-1-103.3, C.R.S., to require that public utilities make commercially reasonable efforts to provide connection of electric and natural gas service to alternative fuel vehicle charging facilities, and to set forth guidelines for a public utility making regulated operating expenditures and capital investments related to serving alternative fuel facilities.

HB12-1312 Concerning the exclusion of land use issues addressed by local governing bodies from the public utilities commission's proper scope of review with respect to applications for certificates of public convenience and necessity for transmission lines. This bill clarifies that the PUC, in determining whether or not to grant a CPCN for

proposed electric transmission lines and associated facilities not constructed in the ordinary course of business, shall not consider land use issues because a local government can address these considerations through its land use regulations.

HB12-1315 Concerning the reorganization of the governor's energy office, and in connection therewith, making an appropriation. This bill reorganizes the governor's energy office, renaming it the Colorado Office of Energy Development, and, among other initiatives to further align the office's duties with its updated mission, creates the Renewable Energy Fund for use to work with communities, utilities, private and public organizations to promote renewable energy and energy efficient technologies.

HB12-1327 Concerning financial responsibility requirements for motor carriers, and, in connection therewith, repealing the surety bond requirement for towing carriers, imposing a period of disqualification from the right to operate as a towing carrier as an additional penalty for failure to respond as required after violating applicable provisions, creating a designated tow truck license plate, and, in connection therewith, making an appropriation. This bill repeals the requirement for a \$50,000 surety bond that was added to the statutes governing towing carriers in 2011 and provides instead that a towing carrier that fails to pay a fine for violating applicable statutory or regulatory requirements is subject to: (a) immediate revocation of its operating authority; and (b) a five-year prohibition on reapplying for new authority. The bill also imposes a five-year period of disqualification on the towing carrier and on its owners, principals, officers, members, partners, directors, and affiliated companies.

SB12-026 Concerning a state agency rule that creates a state mandate on a local government. This bill prohibits an agency from promulgating a rule creating a state mandate on a local government unless certain criteria are met and requires additional procedures prior to filing a notice of proposed rulemaking with the Secretary of State, including providing information to the director of the Office of State Planning and Budgeting related to the rule.

Public Officials

HB 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

- *CLA v. Bicha*: The Department settled a lawsuit involving how long individuals wait for competency evaluations and in-patient restoration treatment in criminal cases. Although the case is resolved, beginning September 1st, the Department will be providing monitoring reports monthly to the Legal Center. At this time, the Department is in compliance with the settlement terms. Out-patient competency evaluations are only partially included and compliance will be phased in for this group over the next year.

Health Care

- The Unit continues to defend HCPF in the CBMS litigation. Presently, we are continuing to monitor case processing figures for compliance with the settlement agreement.
- 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.
- The Unit continues to defend HCPF in numerous appeals filed by nursing facilities challenging reimbursement rates.
- The Unit is defending HCPF in a Americans with Disabilities Act action in federal district court challenging HCPF's reimbursement rate for non-emergency medical care.
- The Unit is defending HCPF in an action against a major insurance carrier seeking over \$4,000,000 of over payments based on equitable theories.
- The Unit successfully represented HCPF in pursuing reimbursement against an attorney who failed to disclose settlement funds paid by a liable third party and owed to the Department under the automatic statutory lien statute.
- 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.
- The Unit continues to assist the Department with ongoing public health and disease control investigations.

- The Unit continues to defend the Department's Laboratory Services Division against challenges to their blood-alcohol and breathalyzer testing and from subpoenas seeking confidential and/or overly burdensome information.

Labor/Personnel and Administration

- *CDLE Bond Issue*. In conjunction with CHFA, the department issued \$640 million in bonds to cover a shortfall in the UI Tax Fund. With these bonds the department will make the fund solvent and reduce UI taxes for all Colorado employers. The bonds were issued in June and there are numerous tasks and deadlines associated with this issue and repayment.
- *CDLE, Division of UI v. FedEx*, Docket Nos. 6299-2011, 7956-2011, 37816-2010. These three cases involve a reclassification of package delivery drivers from independent contractors to employees. Extensive discovery is proceeding although no hearing dates have yet been scheduled.
- 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.
- 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*. In 2005, a group of school districts, parents, and students sued the Governor and CDE alleging the legislature inadequately funds K-12 education. Initially, the district court dismissed the complaint as nonjusticiable. Plaintiffs appealed, and a unanimous division of the Court of Appeals affirmed. The Supreme reversed and remanded the case to afford Plaintiffs the opportunity to prove their allegations. On remand, the trial court excluded evidence of how the General Assembly's education funding decisions are made in the context of constitutional limitations and competing demands such as health care, prisons, and higher education. After a 5 week trial in 2011, the trial court held that the public school finance system is irrational, arbitrary, and severely underfunded. Subject to a stay pending appeal, the trial court enjoined Defendants from adopting, implementing, administering, or enforcing any and all laws and regulations that fail to establish, maintain, and fund a thorough and uniform system of free public

schools throughout the state that fulfills the qualitative mandate of the Education Clause and the rights guaranteed to the Plaintiffs thereunder and that is in full compliance with the requirements of the Local Control Clause. The trial court further ordered Defendants to design, enact, fund, and implement a system of public school finance that provides and assures that adequate, necessary, and sufficient funds are available in a manner rationally related to accomplish the purposes of the Education Clause and the Local Control Clause. The Governor and CDE appealed to the Colorado Supreme Court, filing their opening brief on July 18, 2012.

- *Taxpayers for Public Education, et al., v. Douglas County School District RE-1, et al.*, Case No. 2011CV 4427 and *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. The District Court enjoined the Program and the County, the Board and CDE appealed. The matter will be fully briefed to the Court of Appeals in early August.

- *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. The Rules expired and the case became moot.

- *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 has negotiated a consent decree with numerous private PRPs and the Federal government to recover a large proportion of 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. The court held an eight-day hearing in May 2012. We are awaiting the court’s decision
- *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. The district court found that the Secretary exceeded his authority by promulgating the rule. The Secretary appealed the case to the Colorado Court of Appeals. Oral argument will be held on August 7, 2012.
- *Paladino v. Gessler*. Various plaintiffs have challenged campaign finance regulations promulgated by the Secretary of State. Oral argument will be held in Denver District Court on August 3, 2012.
- *Coalition for Secular Government v. Gessler*. The plaintiff is challenging the constitutionality of several provisions in the Campaign and Political Finance Amendment relating to issue committees, including the definition of “major purpose” and the \$200 threshold.
- *Riddle v. Gessler*. Plaintiffs are challenging limits on campaign finance expenditures on minor party candidates.

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. On April 30, 2012, the Colorado Supreme Court issued an opinion in which it affirmed the PUC and reversed the district court. The

Court concluded that the PUC regularly pursued its authority in setting the maximum rate for basic local telephone services because it considered all of the statutorily-mandated factors and substantial evidence supports its decision.

- *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 disagreed with this interpretation and has petitioned the Colorado Supreme Court for C.A.R.21 (original jurisdiction review), which petition is presently pending. However, on April 23, 2012, the Colorado Supreme Court issued an opinion rejecting the PUC's interpretation. The Court found that filing a petition for judicial review in the wrong court related to venue rather than subject matter jurisdiction, and that the Routt County District Court therefore possessed the authority to transfer it to a proper division of the district court. The cases were subsequently transferred to Denver and consolidated. A draft order with scheduling is due August 13, 2012. The PUC will be required to certify a record of PUC Docket No. 10M-245E in its entirety no later than August 15, 2012. In addition, the PUC is required to create a second "disqualification-only" subset record, which must be certified no later than September 28, 2012. Further, the Court is interested in hearing argument concerning whether this case should be stayed while the parties await a ruling from the Colorado Court of Appeals in a related case, *CMA v. Urbina*. *CMA v. Urbina* is the substantive challenge to the AQCC's approval of the Regional Haze SIP that included the CACJA emission reduction plans. The PUC must file its Opening Brief on the issue of mootness and the need for a stay no later than September 14, 2012.
- *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. After briefing was completed, the OCC and the PUC negotiated a settlement, by which the PUC will seek specific funding from the legislature where a Staff Consultant is required in the future.
- *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. The Defendants have filed a motion to dismiss, a ruling on which is presently pending.

- *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 led to the enactment into law of the Clean Air Clean Jobs Act (House Bill 10-1365). Both the district court and the Colorado Court of Appeals have sided with the PUC and other state defendants. The CMA then filed a petition for writ of certiorari, which was recently denied by the Colorado Supreme Court.
- *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). The District Court granted summary judgment in favor of the PUC, on the grounds that the conversation was not related to the policy-making function of the PUC and therefore did not constitute a meeting subject to the OML under the Colorado Supreme Court's reasoning in *Costilla County*, 88 P.3d 1188. The District Court did find emails generally can constitute meetings that are subject to the OML. On appeal, the Colorado Court of Appeals affirmed the District Court's decision in its entirety. Awaiting possible writ of certiorari request from IREA, which is due September 4, 2012.
- *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. The district court sided with the PUC and Mile High Cab appealed. Oral argument before the Colorado Supreme Court is scheduled for November 8, 2012.
- *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. The Tenth Circuit Court of Appeals recently ruled against the interpretation adopted by the PUC. No party filed a writ of certiorari with the U.S. Supreme Court.
- *Trinchera Ranch v. PUC* Trinchera Ranch (owned by Louis Bacon), a very large landowner whose property the transmission line jointly sponsored by Public Service Company of Colorado and Tri-State Generation and Transmission Association 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 concluded, Trinchera Ranch sought judicial review on whether any of the commissioners, other than Commissioner Tarpey, should have disqualified themselves. The Costilla County District Court has stayed this judicial review matter pending the outcome of Public Service Company's electric resource plan application. In that application, Public Service seeks, *inter alia*, an order by the PUC authorizing it to abandon the transmission line project due to changed needs.

- *Liberty Taxi Corporation v. PUC* 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. Liberty Taxi sought review of the PUC decision in the Denver District Court and a briefing schedule is presently under way.

b. Potential PUC litigation:

Qwest Corporation vs. MCI and other Competitive Local Exchange Carriers (CLECs)
This matter is presently pending before the PUC and judicial review is likely in the near future. This matter involves a complaint that Qwest filed with the PUC against the CLECs, claiming discrimination in the provision of switched access services. The legal issues include proper interpretation of the statute of limitations (the primary defense asserted by the defendant CLECs), Commission authority to order reparations, and other statutory interpretation issues.

Commerce City v. Union Pacific Railroad Corporation. This dispute involves a proposed highway widening, which impacts the railroad property and the highway-rail crossing. The railroad has argued, among other things, that the PUC is preempted by federal statutes from exercising any authority over the crossing. Other legal issues include the proper interpretation of the statutes governing the scope of PUC's jurisdiction at highway-rail crossings pursuant to § 40-4-106, C.R.S.

c. High-profile initiatives: The PUC is undertaking the two high-profile dockets that may receive legislative or press attention: *Telecommunications Revision Process, and 2011 Electric Rate Plan*

IV) WORKLOAD MEASURE:

DEPARTMENT OF HUMAN SERVICES

Workload Measure	FY 12 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 systemic issues; prepare reports every six months 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.	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
All Other Cases	77 cases or issues assigned	68 currently active
Child Abuse/Neglect	75 (during a transition in process, no cases were received for 6 months)	115 active currently
Child Care Licensing	38 cases received	26 active currently
Vocational Rehabilitation	9	2 active
Youth Corrections	28	All granted or pending

HEALTH CARE

Workload Measure	FY 12 Actual	FY 13 Estimate
Department of Health Care Policy and Financing		
Defend HCPF 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.
Defend HCPF in numerous administrative and civil proceedings brought by recipients and providers claiming services or amounts due under complex state and federal Medicaid statutes and regulations.	78 civil cases received. 42 cases received challenging nursing facility rates.	Given the substantial increase in Medicaid populations, and the implementation of the new RAC audit contract, we anticipate increased number of appeals.
Recover funds expanded as a result of third parties' actions.	Total recovery of \$1,870,230.	Although HCPF handles more third party cases in house, it is likely that the increase in Medicaid recipients will stabilize the work load in this area.
Coordinate with HCPF's Program Integrity Unit to uncover and eliminate provider overpayments and fraud in the Medicaid program.	Prosecute and defend provider overpayment appeals at civil level. Work with agency and health care fraud task force to identify fraud in the Medicaid program.	Anticipate increase in provider appeals due to increasing enrollment and the implementation of the RAC audit contract.
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 and the Oversight and Advisory Board (which sets hospital provider fees).	Continue representation of both MSB and OAB.
Provide advice and legal opinions with regard to	50 requests for legal opinions received.	Need for legal advice and opinions is expected to

numerous Medicaid, health care, and CORA issues.		increase due to health care expansion.
Colorado Department of Public Health and Environment		
Workload Measure	FY 12 Actual	FY 13 Estimate
Actions prosecuted to revoke, suspend, or place on probationary status licenses of Emergency Medical Technicians.	20	Anticipate equivalent case load.
Defend civil action, provide legal advice and opinions, and defend against subpoenas seeking confidential and/or overly burdensome requests.	Defended CDPHE is 20 civil matters. Defended against 30 medical marijuana related subpoenas. 25 requests for legal advice and opinions received.	Same as FY 12.
Prosecute licensing actions involving Health facilities licensed under the authority of the Department.	20	Anticipate equivalent case load.
Provide rulemaking advice to Board of Health.	Review all rules and attend monthly Board meetings. Provide advice and legal opinions to Board.	Same as FY 12

EDUCATION

Caseload trends:

The unit continues to average 2-3 major constitutional cases each year.

Teacher licensure cases referred for litigation have doubled 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 Teacher Licensure	Unit	FY 11 Actual	FY 12 Actual
Total teacher licensure matters referred	# of matters	37	89
Settlements obtained	# of settlements	11	14
Closed cases/matters	# of closed matters	41	30
Actions Filed/matters referred for litigation	# of cases	18	36
Cases/matters carried over to next FY	# of matters	17	9

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 ongoing communication to address client concerns.

PUBLIC UTILITIES COMMISSION

Workload Measure	FY 12 Actual	Comments
Prevail in appeals of	Prevailed in 2	There are 10 appeals or other

PUC decisions in state and federal court	of 3 cases. Obtained a split decision in 0 cases. Obtained favorable or neutral settlements in 1 cases .	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.
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.	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.	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	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.

standard and community solar gardens.		
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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 11 Actual	FY 12 Actual	FY13 Estimate
Total number of new cases in Unit		247	235	175 to 200
WC cases		80	73	Approx. 100 cases
WC settlements		16	21	15 to 20
WC fines imposed and sent to collections		\$1.6M	\$2.3M	\$1.5M
WC fines sent to collections		\$567,095	\$1.2M	\$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 11 Actual	FY 12 Actual	FY13 Estimate
Total number of cases		41	26	50 cases
Appellate briefs		32	17	40 briefs
Oral arguments		6	4	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 11 Actual	FY 12 Actual	FY13 Estimate
New OPS cases		33	41	30 to 40 new cases
Successfully closed or dismissed cases		23	22	40 cases
OPS settlements		23	15	30 settlements

D) BACKGROUND INFORMATION: COLORADO DEPARTMENT OF PUBLIC SAFETY UNIT

The Colorado Department of Public Safety (CDPS) includes the Executive Staff and five divisions: Colorado Bureau of Investigation (CBI), Colorado State Patrol (CSP), Division of Criminal Justice (DCJ), the Division of Fire Prevention and Control (DFPC), and the Division of Homeland Security and Emergency Services (DHSES). The Department is responsible for the provision of state law enforcement services and for research, advice and oversight of the State of Colorado criminal justice system. Pursuant to legislation enacted in 2012, the Department is also responsible for fire and wildlife mitigation and the provision of emergency services. Approximately 90 statutory and administrative boards and commissions fall under the auspices of CDPS. The 2012 legislation added employees of the Ports of Entry, Emergency Management, and portions of the Colorado State Forest Service to CDPS, increasing its employees statewide from 1400 to approximately 1650. CDPS headquarters are located at 700 Kipling Street, Denver, CO.

The Colorado Department of Public Safety actively and extensively utilizes the legal services of the Department of Law. Due to the nature of its mission of ensuring the safety and security of the public, the CDPS 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, except claims against the risk management fund. Representation includes actions seeking declaratory judgments, administrative reviews of final agency actions, appearances in criminal cases when challenges are made to CDPS policies, representation of employees deposed as non-parties to civil lawsuits, actions before the state personnel board, and all appellate issues resulting from this litigation. The attorney appears statewide on behalf of CDPS in federal, state, and local jurisdictions, in criminal and civil litigation, in administrative proceedings and even in bankruptcy court.

The attorney provides legal services in all transactional matters, including the 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 and on legal issues.

The attorney also initiates training proposals on relevant legal topics. In a recent year, training was presented 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. Currently, updated training on the 4th Amendment is being developed for presentation to all peace officers in the Colorado State Patrol.

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 CDPS). 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 12-1283 consolidated homeland security functions under CDPS, transferred the emergency services to CDPS, and transferred the forestry functions relating to fire and wildlife mitigation, response, suppression, coordination, or management to CDPS. These functions and associated positions (approximately 140 FTE) were transferred to CDPS from Colorado State University and the Department of Local Affairs. Legal services funding was not increased and no legal services funding was transferred from other agencies.

HB 12-1019 transferred motor carrier services relating to Ports of Entry to the Colorado State Patrol, CDPS. The functions and associated positions (approximately 120 FTE) were transferred to CDPS with this legislation. Legal services funding of about \$7000 was transferred from the Department of Revenue to CDPS. A three year average of legal services incurred by Ports of Entry is approximately \$18,000 per year. No additional legal services funding was appropriated.

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. The reorganization and transfer of Homeland Security and Emergency Services and the transfer of significant state forestry functions to CDPS require substantial additional legal services and funding. The transfer of Ports of Entry and an additional 120 employees into CDPS will require significant additional legal advice and extensive rule-making proceedings. Additionally, the P.O.S.T. Board staff has experienced a substantial turnover in staff and an increasing need for legal advice.

IV) WORKLOAD MEASURES:

This position is funded for one fulltime attorney position.

Workload Measure	Unit	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY14 Request
Trial Court Litigation	# of cases	5	3	6	10
Administrative Hearings	# of cases	12	29	20	30
EEOC Investigations	# of cases	2	0	2	5
Appellate Litigation.	# of cases	2	5	3	6
Court Interventions	# of appearances	30	35	40	50
Major Policy Issues	# of issues	10	20	30	50
Intergovernmental Agreements	# of agreements	8	10	10	20
Rulemaking Hearings	# of hearings	2	3	4	10
Major Client Meetings	# of meetings	100	125	150	200
General Requests for Legal Advice	# of requests	200	225	250	300
P.O.S.T. staff legal advice	# of requests	50	100	80	100

I. BACKGROUND INFORMATION: CIVIL LITIGATION AND EMPLOYMENT LAW

The employees of the section defend state agencies, institutions of higher education, 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 Department of Corrections (CDOC), the Parole Board, the Colorado Civil Rights Division (CCRD), the Colorado Transportation Commission, and the Colorado Department 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 and institutions of higher education 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 Unit:

The Corrections unit is responsible for the representation of CDOC, the Colorado State Board of Parole, and all employees of those agencies in state and federal lawsuits and appeals 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 and classification, 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 and the Parole Board 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 Unit:

The Employment Personnel and Civil Rights unit defends state agencies, institutions of higher education, and employees in administrative hearings before the State Personnel Board and before the appellate courts in matters involving classified employee grievances and appeals of disciplinary actions. 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 risk reduction training to state agencies and institutions of higher education on issues such as hiring, managing, and disciplining employees. The unit provides legal advice to the CCRD 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

also assists CCRD on all transactional legal matters. The unit prosecutes civil rights cases through all stages of appeal and defends challenges to the authority of the Colorado Civil Rights Commission. The unit also represents and defends the Special Funds Unit of the Division of Workers' Compensation within the Department of Labor and Employment. The unit defends challenges to the Subsequent Injury and the Major Medical Insurance Funds in administrative courts and on appeal, and assists the Special Funds Unit in transactional matters.

Employment Tort Unit:

The Employment Tort unit defends state agencies, institutions of higher education, 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 risk reduction training to state agencies and institutions of higher education 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 Unit:

The Tort Litigation unit defends state agencies, institutions of higher education, 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. In addition, the unit provides most of the Conflicts Counsel services to regulatory agencies and boards in cases where line attorneys act as prosecutors in regulatory actions before the agencies and boards and are therefore prevented from advising the decision makers.

Transportation Unit:

The Transportation unit acts as a general service law firm to the 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

HB 12-1223: Concerning earned time for inmates and, in connection therewith, making and reducing appropriations.

This bill provides that in addition to other earned time authorized by statute, permits the CDOC to award inmates an additional 60 days of achievement earned time for successful completion of a milestone or phase of an educational, vocational therapeutic or reentry program, or who demonstrates exceptional conduct that promotes the safety of CDOC staff, volunteers or other persons under the supervision of the CDOC. An offender may not be awarded more than 120 days of achievement earned time pursuant to this statute.

HB12-1321: Concerning modernization of the State Personnel System.

This bill made changes to the State Personnel System that became effective September 1, 2012, including the elimination of bumping rights for all employees except those within five years of retirement and establishing merit pay in lieu of a pay-for-performance system.

House Concurrent Resolution 12-001: Submitting a referendum to the voters concerning the State Personnel System.

This referendum includes amendments to constitutional provisions governing the State Personnel System, including expanding the veterans' preference in the hiring and layoff processes, increasing the number of candidates eligible to be appointed to a position from three to six, allowing the flexibility to remove up to 1% of the classified workforce from the State Personnel System, modifying the residency requirement for certain classified positions, adjusting the terms of service for members of the State Personnel Board, and requiring merit-based appointments to be made through a comparative analysis process rather than examinations.

HB 12-1361: Concerning claims against the State arising under the "Colorado Governmental Immunity Act".

This bill waived immunity of the State for injuries arising from a Prescribed Fire negligently started or maintained by the State or its employees. Immunity was

waived retroactively to January 1, 2012, in order that claims arising from the Lower North Fork fire would be included in the waiver of immunity.

In addition, this bill provided a mechanism for authorization by the General Assembly acting by bill to pay amounts in excess of the damages caps permitted by § 24-10-114 in cases in which claimants settle claims against the State or its employees and obtain a recommendation of the State Claims Board to the General Assembly to authorize an excess payment.

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 was completed in August 2011. We will await Judge Kane's ruling on compliance.

2. **Administrative segregation cases and mental health treatment and outdoor exercise issues.**

The CDOC has several cases relating to extended confinement in Administrative Segregation in which offenders are not permitted outdoor exercise. In addition, recent trends across the country as well as communications from the ACLU indicate that litigation relating to extended confinement in Administrative Segregation is detrimental to offender's mental health and exacerbates mental health problems in offenders with existing mental health problems.

3. Sex offender treatment.

The CDOC has been sued in a potential class action pertaining to access the Sex Offender Treatment for offenders sentenced under the Lifetime Supervision of Sex Offender Act. If an offender is sentenced under the Lifetime Act, the offender is sentenced to an indeterminate sentence. The sentence specifies a minimum period of incarceration to life. An offender must serve the minimum sentence before he or she is eligible for parole. In order to be eligible for parole, the offender must have successfully progressed in treatment. The offenders claim that they are being denied access to treatment and have thus been given a life sentence. In certain other individually filed cases, courts have ordered immediate placement of the particular offender into treatment.

4. Death penalty protocol.

With the exhaustion of appeals rapidly approaching, the execution of Nathan Dunlap will potentially occur next year resulting in substantial litigation pertaining to execution protocols.

5. Risk reduction training.

The corrections and employment units continue to create and present risk reduction training to state agencies on a myriad of employment and litigation issues. This past year, the attorneys conducted training sessions covering sexual harassment, retaliation, due process, search and seizure, litigation issues, and best practices for managers. The units conducted training sessions for DPA and DOLE supervisors and made presentations to DOC wardens, management staff and hearing officers on personnel, ethics issues and due process. The units also presented investigations and state personnel system training to the Community College System presidents and investigators.

6. Colorado State Penitentiary II (CSP II) 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 CSP II Correctional Facility.

7. Inter-departmental employee transfers.

The Employment Personnel and Civil Rights unit provided assistance to the Department of Revenue on personnel issues related to House Bill 12-1019's abolishment of the Department's Motor Carrier Services Division and the Type 3 transfer of the Ports and Entry's powers, duties, and functions to the Colorado State Patrol. The unit provided similar assistance to the Department of Local Affairs and

Colorado State University following the passage of House Bill 12-1283 and the consolidation of homeland security functions within the Department of Public Safety. The unit advised these agencies concerning personnel issues stemming from Type 2 transfer of the State Forest Service and Division of Emergency Management to the Department of Public Safety.

8. Lower north fork fire litigation.

On July 2, 2012, a group of insurance companies that have paid or expect to pay claims of their insureds for damage caused by the Lower North Fork fire filed suit against the State, Colorado State University, and the Colorado State Forest Service to recover amounts paid on such claims. Their claims include a negligence claim that comes within the new waiver of immunity contained in § 24-10-106.1. C.R.S. It also included a claim for "trespass" which does not allege negligence and should be barred by the CGIA, and a claim for inverse condemnation. The Tort Litigation unit responded to the Complaint, raising defenses to the second and third claims for relief by not contesting liability under the first claim for relief. We interpleaded the cap of \$600,000 among plaintiffs and all others who have filed notices of claims for damages caused by the Lower North Fork fire. We have asked the court to stay proceedings until the time for filing notices of claim expires and all claimants can be joined in the case.

9. Colorado Bridge Enterprise litigation.

On May 22, 2012, the TABOR Foundation sued the Colorado Bridge Enterprise, the Colorado Transportation Commission and individual Transportation Commissioners in their official capacities, claiming that the Bridge Safety Surcharge authorized by SB09-108 constituted a "tax" rather than a "fee" requiring statewide voter approval and also claiming that \$300 million in bonds issued by the Bridge Enterprise in December 2010 to fund "designated bridge" repair and reconstruction projects required voter approval. The lawsuit seeks a declaration that the Bridge Safety Surcharge and bonds are illegal and should be enjoined. The lawsuit is being defended in Denver District Court by both the Transportation unit and outside counsel retained on behalf of the Transportation Commission and the individual Transportation Commissioners.

10. High Performance Transportation Enterprise.

The High Performance Transportation Enterprise is pursuing a concession agreement for construction, operation and maintenance of "managed lanes" on U.S. Highway 36 and I-25. This will be the first concession agreement involving private operation and maintenance of a public highway sought by a state entity.

11. Taxpayer's Bill of Rights (TABOR) litigation.

Attorneys from various units in the section are assisting the Solicitor General in defending a challenge to TABOR in U.S. District Court brought by current members of the Colorado General Assembly. Plaintiffs allege that TABOR violates the Colorado Constitution and statutory obligation to maintain a republican form of government by removing the General Assembly's power to tax.

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 Unit:

Workload Measure	Unit	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
New cases	Corrections	376 (248 inmate, 79 Risk Mgmt, 34 advice, 11 Montez, 4 assigned to outside counsel)	336* (202 inmate, 93 Risk Mgmt, 41 advice, 0 assigned to outside counsel)	400	400
Billable hours		17,431	16,860	17,000	17,000

Employment/Personnel and Civil Rights Unit:

Workload Measure	Unit	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Personnel cases opened	Employment Personnel	209	240	220	220
Special funds (SIF and MMIF) cases opened		3	6	5	5
Civil rights matters opened (including hearing worthiness analysis and probable cause sufficiency analysis)		13	18	20	20
Billable hours		19,362	18,690	19,500	19,500

Employment Tort Unit:

Workload Measure	Unit	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
New cases opened	Employment Tort	22 new cases with 100 claims	21 new cases with 123 claims	20 new cases with 150 claims	20 new cases with 150 claims
Cases and claims handled in-house		41 cases with 505 claims	54 cases with 554 claims	40 cases with 500 claims	40 cases with 500 claims
Cases and claims handled by outside counsel		5 cases with 13 claims	5 cases with 13 claims	1 case	1 case
Billable hours		12,529	9,940	12,500	12,500

Tort Litigation Unit:

Workload Measure	Unit	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
New cases opened	Tort Litigation	83	89	90	90
Notices of claims received and reviewed		1,658	1,843	1,850	1,850
Conflicts cases handled (new FTE added in FY 11)		22	60	55	55
Billable hours		16,363	19,397	19,650	19,650

Transportation Unit:

Workload Measure	Unit	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
New cases filed	Transportation	30	41	30	30
Pending cases		52	42	50	50
Number of trials		2	0	2	2
Contested hearings		3	6	4	4
Condemnation cases resolved		15	14	15	15
Contracts reviewed		586	620	580	580
Billable hours		12,945	13,083	14,000	14,000

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 nine units that represent and advise state agencies, and state boards and commissions that regulate and oversee the development, use and conservation of Colorado's natural resources and protect the quality of Colorado's environment.

Water Quality/Radiation Unit

The Water Quality/Radiation 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 water resources. The Unit also represents the divisions of CDPHE that are charged with controlling radioactive materials and consumer protection. Specifically, the Unit provides legal counsel to the Executive Director's Office, the Radiation Management Program, 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, the Uranium Special Projects Unit, and the Consumer Protection Division.

The attorneys in the 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.

Air Quality Unit

The Air 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 quality. Specifically, the Unit provides legal counsel to the Executive Director's Office, the Air Quality Control Commission, and the Air Pollution Control Division. The Unit also represents the Governor's Energy Office.

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.

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.

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), Colorado Parks and Wildlife (CPW), the State Land Board (SLB), 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 CWCB, CPW, SLB, DOT, and DOC and also files statements of opposition in water court to protect the existing water rights of these agencies. Water matters are appealed directly from Water Court to the Supreme Court, and the Unit always has numerous matters pending before Water Court at any given time and often has matters before the Supreme Court. 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 its Board, works on trials and appeals, helps in drafting and promulgating rules and regulations for the instream flow program, the floodplain program and the weather modification program. The Unit establishes policies and guidelines for the loan program and the water conservation program, and drafts and reviews CWCB loan and grant contracts, including the thirty-six million dollar purchase of the Animas La-Plata water rights. The Unit negotiates and drafts documents for long-term and short-term acquisitions of water to supplement protection of existing water rights for the CWCB or to add water rights protection where non-existent, but needed. 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. The Unit also 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 assistant 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 Division of Reclamation, Mining and Safety (DMRS, which regulates Hard Rock, Coal, and Construction Material mining operations), the Mined Land Reclamation Board (MLRB), the Colorado Coal Mine Board of Examiners, Colorado Inactive Mines Program, and the Mine Safety Unit. These clients within DNR implement and enforce numerous statutorily created programs including regulation of reclamation of land that has been impacted by mining operations, regulation of oil and gas operations, and closure of inactive or abandoned mines. The activities performed by attorneys in the Resource Conservation Unit include general legal advice to and representation of the divisions, boards and commissions of DRMS, MLRB, and Colorado Oil and Gas Conservation Commission (COGCC) in administrative and judicial hearings, trials, and appeals; promulgation of rules and regulations; defense of litigation filed against the agencies; prosecution of enforcement actions; general advice and counsel in permitting matters; and advice on legislative proposals.

The attorneys help to ensure that the State's mining and oil and gas industry and citizens comply with applicable environmental protection and reclamation requirements, and they assist in the enforcement actions brought against those who do not comply.

Trust Lands Unit

The attorneys and legal assistants in the State Trust Lands Unit provide legal assistance and representation to state officials and agencies within the Department of Natural Resources (DNR), including to the State Board of Land Commissioners (also known as the Land Board). The Unit is responsible for all legal matters involving the Land Board, including advising on the management of significant real property (land and water) holdings throughout the state administered by Land Board.

The Land Board is a cash funded agency that generates its own revenues through the management of state trust lands. The Land Board serves as trustee, and manages eight trusts of land granted to the state by the federal government. The largest of these trusts is the school lands trust received at statehood for the benefit of public K-12 education in Colorado. The Land Board manages the trusts under the constitutional and statutory provisions governing the trusts to generate revenue or other benefits for the purposes of the respective trusts. The Land Board receives no general fund allocation. Given the Board's role to generate revenues, representation of the Land Board is similar in many respects to representation of a for profit corporate business entity and, as such, raises issues frequently not presented by other state agencies.

Parks and Wildlife Unit

The attorneys and legal assistants in the Parks and Wildlife Unit provide legal assistance and representation to the Division of Parks and Wildlife and the Parks and Wildlife Commission (collectively referred to hereinafter as "Parks and Wildlife") within the Department of Natural Resources. The Unit is responsible for all legal matters involving Parks and Wildlife, including advising on the management of significant real property (land and water) holdings throughout the state and the numerous regulatory programs (hunting, fishing, threatened and endangered species, recreational trails, vessels, snowmobiles, Off-Highway Vehicles, river guides) administered on a statewide basis by Parks and Wildlife.

However, unlike most agencies, Parks and Wildlife is a cash funded agency that generates its own revenues through the sale of hunting and fishing licenses and parks passes and other permits, which revenues are used to support its statutorily mandated responsibilities and activities to manage all wildlife and park and outdoor recreation resources and programs. Parks and Wildlife receives no general fund allocation. In that regard, representation of Parks and Wildlife agencies is similar in many respects to representation of a for profit corporate business entity and, as such, raises issues frequently not presented by other state agencies. Parks and Wildlife is a TABOR enterprise funded entirely by the sale of hunting and fishing licenses, parks passes and

permits, federal fish and wildlife and park and outdoor recreation funds, and other funds made available to it by the Great Outdoors Colorado Trust Fund.

II) PRIOR YEAR LEGISLATION

Air Quality Unit

SB 12-034 repealed the rapid screen program that had been jointly administered by the Air Pollution Control Division and Department of Revenue. This program was part of the motor vehicle emissions program that used remote sensing to find vehicles with excessive pollution emissions. This program was repealed because it was not effective.

III) WORKLOAD MEASURES

Water Quality/Radiation Unit

The attorneys in the 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 Water Quality Control Division, Water Quality Control Commission, the Water and Wastewater Facility Operators Certification Board, the Radiation Management Program, the Board of Health, and various state and federal courts. As just one example, the attorneys prepare for and attend approximately 15 – 20 meetings of various boards and commissions annually.

The attorneys assist the water division and radiation program in obtaining and maintaining delegation from the EPA and the NRC to administer the state counterparts of corresponding federal environmental and radiation 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, the regulation of medical and industrial uses of radioactive materials, clean-up of historic uranium mills, and licensing of new uranium mills.

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, and environmental covenants to ensure protection of the public health and safety.

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 water quality and radiation control. Such workload increases have included and will include large-scale rulemakings such as nutrient pollution control. They also include new temperature, organic chemicals, and arsenic standards, other permitting regulations, and water pollution issues from oil and gas operations. There has also been an increase in litigation (both in court and administrative) concerning challenges to CDPHE decisions, such as with respect to 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, litigation, and policy initiatives will require additional legal resources as CDPHE makes changes to its corresponding state program.

Air Quality Unit

The attorneys in the Air 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, 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 fifteen meetings of various boards and commissions annually.

Unit attorneys assist the Air Pollution Control Division and Air Quality Control Commission in obtaining and maintaining delegation from the EPA to administer the state counterpart of corresponding federal environmental program. 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 compliance with national standards for ground level ozone and regional haze, greenhouse gas regulation, and the management of pollution emissions associated with wildfires and controlled, open burning. A Unit attorney also serve as counsel for the Colorado Energy Office, serving as general counsel for the office, which includes representing the office when it intervenes in cases before the Public Utilities Commission.

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.

The Air Pollution Control Division continues to experience significantly more work associated with permitting due to an increase in oil and gas exploration and production as well as an increasingly educated regulated industry. As the Division manages this workload, there is more demand on Air Quality attorneys to address a myriad of issues. The increase in industrial activity has also created an increase in enforcement, requiring additional enforcement support from the Unit's attorneys. The Division faces greater workload due to large-scale rulemakings, such as oil and gas, ozone, regional haze and mercury regulations, which has been done to address federally mandated program changes. This will likely continue as EPA commences or continues to implement new standards for ozone, nitrogen oxides and sulfur dioxides. These complicated and contentious program changes also strain the resources of the Air Quality Control Commission. Air Quality Unit attorneys will continue to see an increased demand for legal support on these program changes. In recent years, the Division and Commission have experienced an increase in litigation (both in court and administrative) concerning challenges to CDPHE decisions approving regulations, permits, and Open Records Act issues. This trend has required the Unit's attorneys to spend additional time advising the agencies and defending their decisions.

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.

Newly promulgated Solid Waste regulations continue to generate work, in part due to the promulgation process, and in part the new regulations often lead to increased regulatory efforts. 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.

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. For example, this year the Unit helped draft and finalize 18 loans, totaling over \$22 million.

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 a historically severe drought. As a result of this drought, the State Engineer's Office has been forced to administer numerous water rights that have not historically been administered. A number of relatively senior water rights have been curtailed. There have been numerous legal challenges to this administration 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, attorneys, etc.) and complex issues (water quality, legal right to enter) are involved. In addition, attorneys in this unit represent the Division in all litigation and related appeals. 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.

In addition, attorneys in this unit act as legal advisor to the Colorado Oil and Gas Conservation Commission at monthly administrative hearings to ensure it complies with applicable statutory and regulatory procedural requirements, and advises the Commission as needed. In addition, the unit represents COGCC staff related to administrative enforcement actions. The attorneys also handle COGCC civil and administrative litigation and assists the client in formulating litigation strategy, amassing evidence, preparing witnesses (if needed), and appearing in administrative, trial and appellate courts. The Commission's attorney also assists the Commission/staff in drafting proposed regulations for rulemaking hearings. The attorneys also provide day-to-day verbal and written advice and representation to the Commission and staff on a variety of legal issues and matters.

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 workload related gold, molybdenum, and uranium prospecting and mining/development. Such mining and development will ultimately result in reclamation permit applications and/or amendments being filed with the Division and hearings being held on such applications before the Mined Land Reclamation Board. Accordingly, there will be a parallel increased need for legal services.

A number of federal and state regulatory issues have arisen, and will likely continue to arise, in regard to uranium development and the passage of HB-08-1161 which made all uranium mining operations designated mining operations (a classification that requires the Division's highest level of technical scrutiny). These regulatory issues have required and will continue to require significant legal advice and counsel. Many of the uranium mines are located on federal lands, so the unit provides advice regarding the complex federal NEPA process and assists the division in its role as a co-operating agency.

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. Case loads for this client agency continues to increase and generally exceeds legal service budgets, however, attorneys work directly with the client to establish priorities within those budgets. Several lawsuits have been filed against the Commission concerning recent rule changes, the process for applications for permits to drill, and other final agency actions by the Commission. In addition, hydraulic fracturing was an important topic addressed by the Commission through thorough chemical disclosure rules. Based on the rules, the current and anticipated litigations, and the record breaking business of the COGCC, there is likely to be a continued increase in the Commission's need for legal services.

All client agencies represented by this unit have seen an increase in litigation this past year, and that trend will likely continue. In many of the current litigation, the matter does not end at the district court level. Appeals are becoming more common, therefore, the unit is involved in a significant amount of appellate work.

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.

Trust Lands Unit

The attorneys in the Trusts Lands Unit are assigned to and act as general counsel to and work directly with the State Land Board to appropriately plan and meet the demand for legal services based on workload and budget constraints. The case load for the Board continues to increase and generally exceed legal service budgets and attorneys work directly with the Board to establish priorities within those budgets. Due to the specialized nature of the agency, which is primarily a revenue generating entity 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 State Land Board in establishing policies and program direction during its monthly meetings and then assist the staff to implement those policies and programs and general management of the revenue generating assets of the Board. The provision of legal services is given in a

manner intended to avoid legal challenge to or litigation regarding the activities of the Board. However, any litigation that is filed is handled by the attorney assigned to representing the Land Board in a timely and effective manner.

Parks and Wildlife Unit

The attorneys in the Parks and Wildlife Unit is assigned to and act as general counsel to and work directly with its client agency, the Colorado Parks and Wildlife Commission, to appropriately plan and meet the demand for legal services based on workload and budget constraints. The case load for the client agency continues to increase and generally exceeds the legal service budget. Attorneys work directly with staff from the client agency to establish priorities within the budget. Due to the specialized nature of their client agency, which is primarily a revenue generating entity 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 Parks and Wildlife Commission to establish policies and program direction during its monthly meetings and then assist the agency's staff to implement those policies and programs. Attorneys also assist with legal issues regarding the general management of the revenue generating assets of the client agency. The provision of legal services is given in a manner intended to avoid legal challenge to or litigation regarding the activities of the client agency. However, any litigation that is filed is handled by the attorney assigned to representing the client agency in a timely and effective manner.

I) 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 (“Commission”). 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.

II) 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's issuance in November 2007 of his Colorado Climate Action Plan and the Legislature's passage of HB10-1365, known as the "Clean Air-Clean Jobs Act" ("CACJA"), has greatly affected energy regulation in Colorado. As a result of the Governor's Climate Action Plan, the above referenced legislation, the CACJA, and the Commission's rulemaking dockets to implement the legislation, the OCC has been heavily involved in numerous proceedings before the Commission involving energy issues.

The Commission requires jurisdictional electric utilities, Public Service Company of Colorado ("Public Service") and Black Hills/Electric ("Black Hills") to file every four years their electric resource plan ("ERP") to determine cost-effective resource portfolios to meet their electric resource needs. Public Service filed their latest ERP in October 2011 and Black Hills filed their latest ERP in July 2012. These ERP filings were affected by the PUC's decisions in other dockets, which included the CACJA, Demand Side Management, Renewable Energy Resources, Interruptible Service Option Plan and various transmission plan applications. HB07-1037 required the Commission 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. HB07-1281 revised the electric resource standards by requiring electricity to be generated, for utilities under the Commission'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. HB10-1001 further revised the electric resource standards by requiring electricity from eligible energy resources to 12% for the years 2011 through 2014, 20% for the years

2015 through 2019 and 30% for the year 2020 and thereafter. The 2011 and 2012 ERP proceedings involved all of the above referenced legislation, except for SB07-022.

The CACJA required Public Service and Black Hills to file at the Commission before August 15, 2010 its Emission Reduction Plan, which covered a minimum of 900 megawatts or 50% of the utility's coal-fired electric generating units in Colorado, whichever was 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 HB10-1365 the Commission issued its Decision in both proceedings on December 15, 2010. The CACJA requires full implementation of the approved Emission Reduction Plans on or before December 31, 2017. As indicated above, the CACJA affects the ERP filings made by Public Service and Black Hills. In addition to affecting the ERP filings, the implementation of the CACJA will affect the electric rates paid by the customers of the two utilities. The OCC has represented customers in the electric rate cases that were filed by both utilities and will continue to represent customers in future rate cases.

Because of the rising energy costs, SB07-022 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 Commission. 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 Commission. As a result of the pilot programs, the Commission in 2012 approved low-income programs for Colorado utilities.

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 Commission to increase its residential basic local exchange rate. As a result of the Commission's decision, the OCC filed an appeal with the Denver District Court. On January 6, 2011, the District Court reversed the Commission's Order and remanded the matter back to the Commission for further proceedings. Both Qwest and the Commission filed an appeal with the Colorado Supreme Court, which reversed the District Court Decision in April, 2012.

IV) WORKLOAD MEASURE (for the OCC)

Workload Measure	Unit	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Achieve customer savings that at least equal the OCC's annual appropriation		2820%* \$41,700,544	2880% \$42,676,084	2850% \$42,200,000 (Based on a 2 year fiscal average)	2850% \$42,200,000 (Based on a 2 year fiscal average)
Percent of rate proceedings in which the OCC participated on behalf of consumers		100%	100%	100%	100%

* The calculation for customer savings for FY11 was revised.

OCC

Performance Measure	Outcome	FY 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Number of cases OCC participates	Benchmark	60		60		60		60	
	Actual	55		74					

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 in 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.

Performance Evaluation: The OCC has saved utility customers millions of dollars each year since the OCC was created by the Legislature in 1984. The savings chart above shows the customer savings for the past two fiscal years. The OCC can maintain this success by diligently advocating for utility customers in proceedings before the Commission.

DEPARTMENT OF LAW
FY 2013-14 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 2012-13 Long Bill Appropriation (HB 12-1335)	\$20,510,299	237.9	\$0	\$280,576	\$20,229,723	\$0
HB 12-1303 Certification of Speech Lang Pathologists	\$14,990	0.1	\$0	\$0	\$14,990	\$0
HB 12-1110 Appraisal Mgt Companies	\$56,555	0.5	\$0	\$0	\$56,555	\$0
HB 12-1300 Sunset Continue Prof Review Committee	\$2,044	-	\$0	\$0	\$2,044	\$0
HB 12-1311 Sunset Continue Pharmacy Board	\$20,783	0.2	\$0	\$0	\$20,783	\$0
HB 12-1330 Hearing Process Wildlife	\$2,725	-	\$0	\$0	\$2,725	\$0
	\$0		\$0	\$0		\$0
	\$0	-	\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$20,607,396	238.7	\$0	\$280,576	\$20,326,820	\$0
HB 12-1303 Certification of Speech Lang Pathologists	(\$5,792)	(0.1)	\$0	\$0	(\$5,792)	\$0
HB 12-1300 Sunset Continue Prof Review Committee	(\$2,044)		\$0	\$0	(\$2,044)	\$0
HB 12-1311 Sunset Continue Pharmacy Board	(\$11,925)	(0.1)	\$0	\$0	(\$11,925)	\$0
HB 12-1330 Hearing Process Wildlife	(\$2,725)		\$0	\$0	(\$2,725)	\$0
HB 12-1110 Appraisal Mgt Companies	\$0	-	\$0	\$0	\$0	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 13-14 Base Request	\$20,584,910	238.5	\$0	\$280,576	\$20,304,334	\$0
	\$0		\$0	\$0	-	\$0
	\$0		\$0	\$0	\$0	\$0
	\$0				\$0	
	\$0				\$0	
FY 13-14 November 1 Request	\$20,584,910	238.5	\$0	\$280,576	\$20,304,334	\$0
Operating Expenses						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$1,670,720	0.0	\$0	\$0	\$1,670,720	\$0

DEPARTMENT OF LAW

FY 2013-14 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
HB 12-1303 Certification of Speech Lang Pathologists	\$1,666	-	\$0	\$0	\$1,666	\$0
HB 12-1300 Sunset Continue Prof Review Committee	\$227	-	\$0	\$0	\$227	\$0
HB 12-1311 Sunset Continue Pharmacy Board	\$2,309	-	\$0	\$0	\$2,309	\$0
HB 12-1330 Hearing Process Wildlife	\$303	-	\$0	\$0	\$303	\$0
HB 12-1110 Appraisal Mgt Companies	\$6,284	-	\$0	\$0	\$6,284	\$0
FY 2012-13 Total Appropriation	\$1,681,509	0.0	\$0	\$0	\$1,681,509	\$0
HB 12-1303 Certification of Speech Lang Pathologists	(\$644)	-	\$0	\$0	(\$644)	\$0
HB 12-1300 Sunset Continue Prof Review Committee	(\$227)	-	\$0	\$0	(\$227)	\$0
HB 12-1311 Sunset Continue Pharmacy Board	(\$1,325)	-	\$0	\$0	(\$1,325)	\$0
HB 12-1110 Appraisal Mgt Companies	\$0	-	\$0	\$0	\$0	\$0
HB 12-1330 Hearing Process Wildlife	(\$303)	-	\$0	\$0	(\$303)	\$0
Annualization of FY 12 DI #4 Deputy Attorney General	(\$6,882)	-	\$0	\$0	(\$6,882)	\$0
FY 13-14 Base Request	\$1,672,128	0.0	\$0	\$0	\$1,672,128	\$0
	\$0					
	\$0					
	\$0					
FY 2013-14 November 1st Request	\$1,672,128		\$0	\$0	\$1,672,128	\$0
Indirect Costs						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$2,950,911	0.0	\$0	\$0	\$2,950,911	\$0
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$2,950,911	\$0	\$0	\$0	\$2,950,911	\$0
New Indirect Calculation	\$234,579				\$234,579	
FY 13-14 Base Request	\$3,185,490	0.0	\$0	\$0	\$3,185,490	\$0
PIO Decision Item	\$67,610				\$67,610	
FY 2013-14 November 1st Request	\$3,253,100	0.0	\$0	\$0	\$3,253,100	\$0

DEPARTMENT OF LAW

FY 2013-14 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
(2) Legal Services to State Agencies						
FY 2012-13 Appropriation(Long Bill plus Special Bills)	\$25,239,816	238.7	\$0	\$280,576	\$24,959,240	\$0
FY 2013-14 Base Request	\$25,442,528	238.5	\$0	\$280,576	\$25,161,952	\$0
FY 2013-14 November 1 Request	\$25,510,138	238.5	\$0	\$280,576	\$25,229,562	\$0

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
PERSONAL SERVICES	20,518,789	218.0	21,424,236	226.3	20,607,396	238.7	23,079,682	238.7	20,584,910	238.5
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Fund	1,582,388		1,560,550		280,576		280,576		280,576	
Reappropriated Funds	18,936,401		19,863,686		20,326,820		22,799,106		20,304,334	
OPERATING EXPENSES	2,113,222		2,782,987		-		2,992,098		1,672,128	
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Fund	-		-		-		-		-	
Reappropriated Funds	2,113,222		2,782,987		-		2,992,098		1,672,128	
INDIRECT COST ASSESSMENT	2,608,316		2,809,499		2,950,911		2,950,911		3,253,100	
General Fund	-		-		-		-		-	
Cash Fund	-		-		-		-		-	
Reappropriated Funds	2,608,316		2,809,499		2,950,911		2,950,911		3,253,100	
GRAND TOTAL	25,240,327	218.0	27,016,722	226.3	25,239,816	238.7	29,022,691	238.7	25,510,138	238.5
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	1,582,388		1,560,550		280,576		280,576		280,576	
Reappropriated Funds	23,657,939		25,456,172		24,959,240		28,742,115		25,229,562	
Federal Funds	-		-		-		-		-	

SCHEDULE 3 - PERSONAL SERVICES PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
Deputy Attorney General	468,340	3.8	491,488	3.9			623,640	5.0	623,640	5.0
Assistant Deputy Attorney General	135,528	1.0	135,528.00	1.0			135,528	1.0	135,528	1.0
First Assistant Attorney General	2,460,212	24.1	2,706,978	27.1			2,851,899	28.0	2,851,899	28.0
Senior Assistant Attorney General	3,407,329	37.7	3,402,571	37.8			3,576,891	40.0	3,576,891	40.0
Assistant Attorney General	7,124,732	97.0	7,308,804	99.4			7,612,348	103.0	7,599,562	102.8
Assistant Attorney General II										
Assistant Attorney General I										
Attorney I										
Legal Assistant II	1,916,311	32.5	1,888,915	32.2			1,929,417	33.0	1,929,417	33.0
Legal Assistant I	69,064	1.3	38,278	0.8			55,598	1.2	55,598	1.2
Program Assistant I			42,900	1.0						
Office Manager I	211,836	4.0	215,868	4.0			266,268	5.0	266,268	5.0
General Professional V	40,908	0.4	37,762	0.4			37,762	0.4	37,762	0.4
Temporary Aide	1,680	0.1								
IT Tech II							15,455	0.3	15,455	0.3
Administrative Assistant I	22,923	0.7	7,950	0.3						
Administrative Assistant III	239,684	6.3	234,516	6.0			281,820	7.0	281,820	7.0
Administrative Assistant II	332,922	9.2	447,203	12.3			541,800	14.8	541,800	14.8
TOTAL POSITION DETAIL	16,431,469	218.0	16,958,760	226.3			17,928,426	238.7	17,915,640	238.5



SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.A) CONTINUATION FTE SALARY COSTS	16,431,469	218.0	16,958,760	226.3			17,928,426	238.7	17,915,640	238.5
(Permanent FTE by position) Continuation Salary Subtotal										
(I.B) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	1,236,464		1,271,701				1,819,735		1,818,437	
Medicare on Continuation Subtotal	228,176		235,899				259,962		259,777	
Non-Base Building Performance Awards							-			
Part-Time/Temporary Salaries	235,909		237,649				206,060		237,240	
Contractual Services	194,571		289,546				202,023		288,566	
Overtime Pay	8,672		12,857				10,250		10,250	
Termination/Retirement Payouts	60,198		29,577							
Sick Leave Payouts	66,141		23,481							
Unemployment Compensation	-		24,062							
OT TO JUD	10,101		46,964				55,000		55,000	
Furloughs	-		-							
Other Employee Benefits	71,789		38,502							
Subtotal -	18,543,492	218.0	19,168,998	226.3			20,481,456	238.7	20,584,910	238.5
(I.C.) PERSONAL SERVICES										
SUBTOTAL= A+B										
(I.D.) POTS EXPENDITURES										
Health/Life/Dental	1,276,420		1,384,976				1,499,751			
Salary Survey										
Performance Awards										
Short Term Disability	27,717		29,737				31,733			
SB 04.257 A.E.D.	388,004		465,922				573,710			
SB 06.235 S.A.E.D.	283,155		374,604				493,032			
Other: [] Indicates a Non-add										
	20,518,789	218.0	21,424,236	226.3			23,079,682	238.7	20,584,910	238.5
(I.E.) BASE PERSONAL SERVICES= C+D										
General Fund										
General Fund Exempt										
Cash Funds	1,582,388		1,560,550				280,576		280,576	
Reappropriated Funds	18,936,401		19,863,686				22,799,106		20,304,334	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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										
Dec Item #										
General Fund										
Cash Funds										
Reappropriated Funds										
NP DI										
Reappropriated Fund										
NP DI										
Reappropriated Fund										
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							-			
Reappropriated Funds							-			
PERSONAL SERVICES TOTAL	20,518,789	218.0	21,424,236	226.3			23,079,682	238.7	20,584,910	238.5

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
General Fund										
General Fund Exempt	-		-				-			
Cash Funds	1,582,388		1,560,550				280,576		280,576	
Reappropriated Funds	18,936,401		19,863,686				22,799,106		20,304,334	
Federal Funds										
II. PERSONAL SERVICES REQUEST (AGGREGATE ADJUSTMENTS TO THE BASE APPROPRIATION)										
Previous Year Long Bill and Special Bills									20,607,396	238.7
SPECIAL BILLS:									-	-
Salary Survey-Classified									-	-
PBP Classified									-	-
Salary Survey Exempt									-	-
PBP -Exempt									-	-
Annualization of Special Bills									(22,486)	(0.2)
Subtotal -									20,584,910	238.5
PERSONAL SERVICES RECONCILIATION										
Long Bill Appropriation	18,687,929	223.6	19,473,569	226.6	20,510,299	237.9	20,510,299	237.9		
Supplemental HB10-1305										
Supplemental SB11-144	806,828	6.2		0.0						
Special Bills -										
HB 12-1303 Certification of Speech Lang Pathologists					14,990	0.1	14,990	0.1		
HB 12-1330 Hearing Process Wildlife					2,725		2,725			
HB 12-1300 Sunset Continue Prof Review Committee					2,044	-	2,044	-		
HB 12-1311 Sunset Continue Pharmacy Board					20,783	0.2	20,783	0.2		
HB 12-1110 Appraisal Mgt Companies					56555	0.5	56,555	0.5		

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
SB 10-072 Seed Potato Act	815	-								
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	-								
<i>SB 11-76 PERA Bill</i>			(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	-						
HB 11-1195 Private Investigators Voluntary License			6,603	-						
HB 11-1300 Conservation Easements			1,216,740	9.1						
Roll Forward to Subsequent FY										
Year End Transfers										
Overexpenditures (Reversions)										
Lapsed Appropriation Cash Funds										
Lapsed Appropriation Cash Funds Exempt										
Lapsed Appropriation Reappropriated Funds	(1,745,369)	(18.8)	(1,253,428)	(11.5)						
Other										
Allocated POTS										

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Salary POTS	-		-				-			
Health/Life/Dental	1,197,340		1,341,104				1,451,332			
Short Term Disability	23,981		28,297				28,726			
SB 04.257 A.E.D.	374,987		447,651				533,635			
SB 06.235 S.A.E.D.	273,429		359,719				458,593			
Pots Subtotal	1,869,737		2,176,771				2,472,286			
Reconciled Total	20,518,789	218.0	21,424,236	226.3			23,079,682	238.7		
II. PERSONAL SERVICES REQUEST TOTAL	20,518,789	218.0	21,424,236	226.3	20,607,396	238.7	23,079,682	238.7	20,584,910	238.5
General Fund	-		-		-		-			
General Fund Exempt	-		-		-		-			
Cash Funds	1,582,388		1,560,550		280,576		280,576		280,576	
Reappropriated Funds	18,936,401		19,863,686		20,326,820		22,799,106		20,304,334	
Federal Funds	-		-		-		-			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Purchased Services - Litigation	86,367		108,914				338,009		340,725	
2170 Waste Disposal Services	5,451		5,087				4,800		4,800	
2220 Building Grounds Maintenance	24,554		8,940				15,500		15,500	
2230 Equipment Contract Maintenance	9,710		734				1,500		1,500	
2231 ADP Equip Maint/Repair Services	33,087		42,705				19,850		19,850	
2232 Software Upgrades	184,804		115,266				185,026		185,026	
2240 Motor Vehicle Repair/Maintenance	-		-				-		-	
2251 Rental/Lease Motor Pool Veh	21,679		19,786				21,250		21,250	
2252 Leased Vehicle - Variable	20,163		19,575				22,520		22,520	
2253 Rental of Equipment	218		36				217		217	
2254 Rental of Motor Vehicles	-		-				-		-	
2255 Rental of Building	714,125		737,624				-		-	
2258 Parking	7,670		6,600				9,850		9,850	
2259 Parking Fee Reimbursement	85		132				-		-	
2268 Rental of IT Software - Network			84,622							
2510 In State Travel	331		606				1,000		1,000	
2511 IS Common Carrier Fares	2,448		1,154				850		850	
2512 IS Personal Travel Per Diem	9,739		6,055				8,544		8,544	
2513 IS Pers Vehicle Reimbursement	965		936				1,245		1,245	
2514 IS State Owned Aircraft	-		-				-		-	
2515 State-Owned Vehicle Charge	-		-				-		-	
2520 IS Travel Non Employee	-		-				-		-	
2521 IS Common Carrier Non Employee	-		-				-		-	
2522 IS Non Employee Per Diem	-		-				-		-	
2523 IS Non Employee Per Veh Reimburse	-		-				-		-	
2530 Out of State Travel	117		770				650		650	
2531 OS Common Carrier Fares	1,354		4,591				4,312		4,312	
2532 OS Personal Travel Per Diem	1,267		4,427				4,200		4,200	
2533 OS Pers Vehicle Reimbursement	342.9		-				-		-	
2541 OS/Non-Empl Common Carrier			436							
2550 Out of Country Travel	0		-				-		-	
2552 OC Per Diem	0		-				-		-	
2610 Advertising	131		300				-		-	
2611 Public Relations	0		-				-		-	
2630 Comm Service Div of Telecom	137,387		127,963				150,200		150,200	
2631 Comm Svcs from Outside Sources	5,985		6,040				7,456		7,456	
2640 GGCC Billing Purch Services	0		-				-		-	
2641 Other ADP Billing	237,350		241,520				287,255		287,255	
2650 OIT Purchased Svs	96		-				-		-	
2660 Insurance	28,206		37,418				29,500		29,500	
2680 Contract Printing	69,758		45,553				79,888		79,888	
2681 Photocopy Reimbursement	-		-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2810 Freight & Storage	0		-						-	
2820 Other Purchased Services	12,056		14,397				25,116		25,116	
2830 Office Moving-Pur Services	-		-				-		-	
2831 Storage-Purchase Services	195		1,233						-	
3110 Other Supplies and Materials	-		-						-	
3112 Automotive Supplies	-		-						-	
3113 Clothing and Uniform Allowance	-		-						-	
3114 Custodial	-		-						-	
3115 DP Supplies	12,200		2,299				29,850		28,150	
3116 Purchased/Leased Software	22,805		143,820				66,500		66,500	
3117 Educational	-		-				2,800		2,800	
3118 Food and Food Service Supplies	-		-						-	
3120 Books & Subscriptions	42,457		54,199				55,452		55,452	
3121 Office Supplies	44,066		40,928				45,245		43,848	
3122 Microfilming/Photo. Supplies	-		-						-	
3123 Postage	26,999		27,851				32,233		32,233	
3124 Printing	-		1,402				1,247		1,247	
3126 Repair & Maintenance Supplies	-		34						-	
3128 Non-Capitalized Equipment	1,949		20,009				16,450		16,450	
3131 Non-Capitalized Building Materials	43,769		115,846				61,683		61,684	
3132 Non Capitalized IT Purchases	13,908		5,519						-	
3139 Non - Capitalized Fixed Asset Other	500		-						-	
3140 Non-Capitalized IT - PC's	39,324		57,610						-	
3141 Non-Capitalized IT- Servers	21,019		-						-	
3142 Noncapitalized IT Network			39,559						-	
3143 Non-Capitalized IT Other	25,533		22,394						-	
3146 Non-Cap. IT Purch. Server Software	21,224		-						-	
3940 Electricity	-		-						-	
3950 Gasoline	-		-						-	
3970 Natural Gas	-		-						-	
4110 Losses	-		-						-	
4111 Prizes and Awards	1,835		12,449						-	
4117 Reportable Claims Against the State	-		-						-	
4140 Dues & Memberships	67,617		76,347				73,550		73,550	
4151 Interest - Late Payments	72		73						-	
4170 Miscellaneous Fees	-		-						-	
4180 Official Functions	4,251		7,786				7,260		7,260	
4220 Registration Fees	21,501		76,695				61,500		61,500	
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		-						-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
6215 IT Network Direct Purchase			53,559							
6220 Office Furn & Equip	-		-				9,000			
6222 Office Furn Direct Purchase			381,187							
6224 Other Furn & Fixtures- Direct Purch.	-		-						-	
6480 Other Cap. Equipment-Lease Furn	-		-						-	
6340 Leasehold Improvements	-		-						-	
OPERATING EXPENSE SUBTOTAL	2,089,472		2,782,987				1,681,508		1,672,128	
General Fund										
General Fund Exempt										
Cash Funds	-		-							
Reappropriated Funds	2,089,472		2,782,987				1,681,508		1,672,128	
DECISION ITEMS:										
TF									-	
General Fund										
Cash Funds										
Reappropriated									-	
DECISION ITEMS: NP										
TF									-	
Reappropriated									-	
DECISION ITEMS:										
TF									-	
RF									-	
ROLLFORWARDS	23,750						-			
General Funds Exempt	-						-			
Reappropriated Funds	23,750						-			
Subtotal:	23,750		-				-		-	
Reappropriated Funds	23,750		-				-		-	
Potted Operating Expenses										
Workers' Compensation							41,777			
Leased Vehicle Expense							21,625			
Capital Complex Lease Space							728,790			
Lease Space							19,985			
IT Asset Maintenance							348,280			
ADP Capital Outlay										
CLE Registration Fees							70,013			
Building Security							80,120			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Total							1,310,590			
Reappropriated Funds							1,310,590			
OPERATING EXPENSE TOTAL:	2,113,222		2,782,987		-		2,992,098		1,672,128	
General Fund							-		-	
General Fund Exempt							-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	2,113,222		2,782,987		-		2,992,098		1,672,128	
Operating Expense Reconciliation										
Long Bill Appropriation	1,445,134		1,479,444			1,670,720	1,670,720		1,675,225	
Annualization of FY 12 Deputy DI #4									(6,882)	
Supplemental HB10-1305										
Supplemental SB11-144	103,670									
Supplemental HB 10-1313 Reg Agencies										
Special Bills -										
HB 12-1303 Certification of Speech Lang Pathologists						1,666	1,666		(644)	
HB 12-1330 Hearing Process Wildlife						303	303		(303)	
HB 12-1300 Sunset Continue Prof Review Committee						227	227		(227)	
HB 12-1311 Sunset Continue Pharmacy Board						2,309	2,309		(1,325)	
HB 12-1110 Appraisal Mgt Companies						6,284	6,284		6,284	
SB 10-072 Seed Potato Act	90									
SB 10-109 Phys Patient relationship M	61,246									
SB 10-124 Healthcare provider disclos	754									
SB 10-203 CO Elections After Suprem	453									
HB 10-1018 Regulate Waste Tire	1,508									
HB 10-1125 Regulate waste food prep	754									
HB 10-1128 Supervision of Reg. Profe	(980)									
HB 10-1141 Mort. Co. Reg. with Div R	641									
HB 10-1176 Gov Overpayment of Tax	200									
HB 10-1193 Collect sales/use tax	4,000									
HB 10-1224 Colorado Podiatry Board	226									
HB 10-1260 Sunset Board of Med Exa	1,726									
HB 10-1284 Regulate Medical Marijua	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							
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							

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
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	20,389		18,485				21,625			
Capital Complex Lease Space	694,715		718,796				728,790			
Lease Space	18,857		18,857				19,985			
Worker's Compensation	28,206		37,418				41,777			
IT Asset Maintenance	321,177		321,177				348,280			
Building Security	67,055		70,213				80,120			
Postage Increase										
ADP Capital Outlay										
CLE Registration Fees	64,125		64,125				70,013			
Year-End Transfer										
Rollforward from previous FY										
Rollforward to Subsequent FY	23,750									
Overexpenditure/(Reversion)										
Lapsed Appropriation Cash Funds Exempt										
Lapsed Appropriation Reappropriated	(772,915)		(109,819)							
Other										
TOTAL	2,113,222		2,782,987		1,681,509		2,992,099		1,672,128	
OPERATING AND LITIGATION:					1,681,509				1,672,128	
General Fund									-	
Cash Funds									-	
Reappropriated					1,681,509				1,672,128	
INDIRECT COST ASSESSMENT	2,608,316		2,809,499		2,950,911		2,950,911		3,253,100	
General Fund										
Cash Funds										
Reappropriated Funds	2,608,316		2,809,499		2,950,911		2,950,911		3,253,100	
INDIRECT COST ASSESSMENT TOTAL	2,608,316		2,809,499		2,950,911		2,950,911		3,253,100	
General Fund										
Cash Funds										
Reappropriated Funds	2,608,316		2,809,499		2,950,911		2,950,911		3,253,100	
Indirect Cost Assess. Reconciliation										
Long Bill Appropriation	2,608,316		2,809,499				2,950,911			
Lapsed Appropriation Reappropriated	-		-							

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Other TOTAL	2,608,316		2,809,499				2,950,911			
GRAND TOTALS LSSA (PS, OP, IND)	25,240,327	218.0	27,016,722	226.3	25,239,816	238.7	29,022,691	238.7	25,510,138	238.5
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	1,582,388		1,560,550		280,576		280,576		280,576	
Reappropriated Funds	23,657,939		25,456,172		24,959,240		28,742,115		25,229,562	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual	Actual	Approp	Estimate	Request
	FY 2011	FY 2012	FY 2013	FY 2013	FY 2014
Schedule 3 Total	25,240,327	27,016,722	25,239,816	29,022,691	25,510,138
General Fund	-	-	-	-	-
General Fund Exempt	-	-	-	-	-
Cash Funds	1,582,388	1,560,550	280,576	280,576	280,576
Reappropriated Funds	23,657,939	25,456,172	24,959,240	28,742,115	25,229,562
Federal Funds	-	-	-	-	-
CASH FUNDS					
Various Sources of Cash				280,576	280,576
Fringe Benefits					
AIDT Receiversip and Liquidation	5,134				
College Invest		3,195			
Florence State Nursing Home	192				
Trinidad State Nursing Home	23,809				
Colo State VA Center-Homelake	1,171				
Rifle State Nursing Home		757			
Service Director of Nursing Homes	176				
PERA	115	149			
Colorado Student Loan Program	9,436				
Student Obligation Bond Authority					
Correctional Industries	6,864	3,719			
Auraria Higher Education Ctr-Tabor Enterp		408			
CU Health Sciences Center	2,329	192			
Revenue - Lottery	11,615	20,833			
Division of Wildlife-Enterprise	598,742	549,121			
Cumbres & Toltec RR					
Colo School Dist Self Insurance PL					
Disability Insurance Trust	17,822	17,237			
SVC-State VA Center - Fitzsimons	51,935	42,130			
AHEC	64,821	80,805			
State Board of Agriculture	68,675	67,002			
DOAG/Brand BD	6,871	8,247			
School of Mines	315,866	251,374			
UNC	12,636	2,217			
Adams State College	141,486	125,465			

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual FY 2011	Actual FY 2012	Approp FY 2013	Estimate FY 2013	Request FY 2014
Metro State College	31,156	113,294			
Mesa State College	45,724	29,434			
Western State College	26,575	26,046			
Ft. Lewis College	83,601	113,830			
CCCOES	35,894	45,497			
Private VOC School	48,425	38,632			
CU Boulder	826	2,074			
CSU-Global Campus					
White River Conserv	336				
Authorities - State Comp.					
Student Loan	3,062	2,967			
Health Benefit Exchange Board		7,614			
DOLE Petroleum storage tank	56,666	8,313			
Reversion of Excess Earnings to G/F (CF)	(89,574)				
Subtotal Cash Funds	1,582,388	1,560,550		280,576	280,576
REAPPROPRIATED FUNDS					
Various Sources of Cash Exempt Administration				28,742,115	25,229,562
Agriculture	263,014	321,034			
Colorado Horse Development Authority					
Corrections	1,069,055	1,006,966			
Education	296,578	277,876			
Governor's Office	994,893	617,718			
Governor's Office - OIT					
Energy Conservation	97,369	87,128			
Public Health and Environment	2,021,469	2,260,015			
Higher Education	5,643	6,931			
HE - Comp Resort Auth	115	78			
Arts and Humanities Council					
Historical Society	53,259	67,599			
Health Care Policy and Financing	801,945	897,969			
Human Services	1,332,185	1,351,570			
Judicial	126,825	165,347			
Law - HIPAA					

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

LEGAL SERVICES TO STATE AGENCIES

Item	Actual	Actual	Approp	Estimate	Request
	FY 2011	FY 2012	FY 2013	FY 2013	FY 2014
Law - POST	12,676	12,314			
General Assembly (GA)	7,164	5,201			
Labor & Employment	592,652	701,236			
Local Affairs	124,663	115,419			
Military Affairs	38,301	9,712			
Natural Resources	2,684,640	2,774,516			
Personnel	223,604	213,463			
Risk Management	2,331,986	2,337,118			
Public Safety	162,073	290,515			
Regulatory Agencies	7,485,354	7,359,709			
Revenue	1,578,581	2,673,273			
Revenue - Gaming	147,873	167,795			
Secretary of State	373,736	502,594			
Transportation	1,200,163	1,132,068			
Treasury		166,884			
State Fair Authority	10,713	27,614			
Rollforward	23,750				
Capital Construction Expenses					
Transfer to Fund Litigation Mgmt Fund	(325,000)	(93,490)			
Reversion of Excess Earnings to GF (CFE)	(77,338)				
Underearned Revenue					
Subtotal Reappropriated Funds	23,657,939	25,456,172		28,742,115	25,229,562
Total Revenues - CF and RA	25,240,327	27,016,722			

DEPARTMENT OF LAW

FY 2013-14 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 2012-13 Long Bill Appropriation (HB 12-1335)	\$2,816,528	30.5	\$1,391,287	\$870,476	\$554,765	\$0
SB 12-110 Insurance Fraud Fees	\$196,677	2.0	\$0	\$196,677	\$0	\$0
FY 2012-13 Total Appropriation	\$3,013,205	32.5	\$1,391,287	\$1,067,153	\$554,765	\$0
Prior Year Salary Survey	\$0	0.0	\$0	\$0	\$0	\$0
Prior Year Performance-based Pay	\$0	0.0	\$0	\$0	\$0	\$0
Annualization of SB 12-110	(\$18,423)		\$0	(\$18,423)	\$0	
FY 13-14 Base Request	\$2,994,782	32.5	\$1,391,287	\$1,048,730	\$554,765	\$0
Additional FTE for Special Pros Unit	\$298,907	1.9	\$211,233	\$43,837	\$43,837	
	\$0		\$0		\$0	
FY 2013-14 November 1 Request	\$3,293,689	34.4	\$1,602,520	\$1,092,567	\$598,602	\$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 13 Additional Grant Amount from Public Safety	\$43,159	0.5	\$0	\$0	\$43,159	
FY 2012-13 Total Appropriation	\$282,234	2.5	\$0	\$0	\$282,234	\$0
FY 13-14 Base Request						
	\$282,234	2.5	\$0	\$0	\$282,234	\$0
FY 2013-14 November 1 Request						
	\$282,234	2.5	\$0	\$0	\$282,234	\$0
(C) Appellate Unit						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$2,703,455	32.0	\$2,189,829	\$0	\$513,626	\$0
HB 12-1246 Reverse Portion of Paydate Shift	\$5,880		\$5,880	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$2,709,335	32.0	\$2,195,709	\$0	\$513,626	\$0

DEPARTMENT OF LAW

FY 2013-14 RECONCILIATION OF DEPARTMENT REQUEST

(3) Special Justice and Appellate

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
New Indirect Calculation refinance adjustment	\$0 \$0		\$0 (221,902)		221,902	
	\$0	0.0	\$0	\$0	\$0	\$0
FY 13-14 Base Request	\$2,709,335	32.0	\$1,973,807	\$0	\$735,528	\$0
Appellate FTE Increase to Manage Backlog DI	\$554,200	5.5	\$554,200	\$0	\$0	\$0
Additional Indirect Recoveries form PIO Decision Item	\$0		(\$89,278)	\$0	\$89,278	\$0
FY 2013-14 November 1 Request	\$3,263,535	37.5	\$2,438,729	\$0	\$824,806	\$0
(D) Medicaid Fraud Unit						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$1,579,511	17.0	\$394,876	\$0	\$0	\$1,184,635
	\$0	0.0	\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$1,579,511	17.0	\$394,876	\$0	\$0	\$1,184,635
	\$0	0.0	\$0	\$0	\$0	\$0
FY 13-14 Base Request	\$1,579,511	17.0	\$394,876	\$0	\$0	\$1,184,635
	\$0		\$0	\$0	\$0	\$0
FY 2013-14 November 1 Request	\$1,579,511	17.0	\$394,876	\$0	\$0	\$1,184,635
(E) Peace Officers Standard Training Board						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$2,683,620	7.0	\$0	\$2,683,620	\$0	\$0
	\$0		\$0	\$0		
FY 2012-13 Total Appropriation	\$2,683,620	7.0	\$0	\$2,683,620	\$0	\$0
PERA adjustment back to 10.15% from 7.65%	\$0	0.0	\$0	\$0	\$0	\$0
FY 13-14 Base Request	\$2,683,620	7.0	\$0	\$2,683,620	\$0	\$0
	\$0			\$0		
FY 2013-14 November 1 Request	\$2,683,620	7.0	\$0	\$2,683,620	\$0	\$0

DEPARTMENT OF LAW
FY 2013-14 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 2012-13 Long Bill Appropriation (HB 12-1335)	\$100,686	1.0	\$100,686	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$100,686	1.0	\$100,686	\$0	\$0	\$0
FY 13-14 Base Request	\$100,686	1.0	\$100,686	\$0	\$0	\$0
FY 2013-14 November 1 Request	\$100,686	1.0	\$100,686	\$0	\$0	\$0
(G) Indirect Cost Assessment						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$446,544	0.0	\$0	\$215,830	\$73,184	\$157,530
	\$0		\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$446,544	0.0	\$0	\$215,830	\$73,184	\$157,530
New Indirect Calculation	\$33,882			\$16,376	\$5,552	\$11,954
FY 13-14 Base Request	\$480,426	0.0	\$0	\$232,206	\$78,736	\$169,484
PIO Decision Item	\$10,197		\$0	\$4,928	\$1,671	\$3,597
FY 2013-14 November 1 Request	\$490,623	0.0	\$0	\$237,134	\$80,408	\$173,081
(3) Special Justice and Appellate						
FY 2011-12 Appropriation(Long Bill plus Special Bills)	\$10,815,135	92.0	\$4,082,558	\$3,966,603	\$1,423,809	\$1,342,165
FY 2012-13 Base Request	\$10,830,594	92.0	\$3,860,656	\$3,964,556	\$1,651,263	\$1,354,119
FY 2013-14 November 1 Request	\$11,693,898	99.4	\$4,536,811	\$4,013,321	\$1,786,050	\$1,357,716

D) BACKGROUND INFORMATION: SPECIAL PROSECUTION UNIT

The Attorney General's trial prosecution efforts are focused in multiple areas: 1) Complex Crimes, 2) Environmental Crimes, 3) Gang Prosecution, 4) Foreign Prosecutions, (5) Auto Theft and 6) the Violent Crime Assistance Team (VCAT). Of these duties, the "Special Prosecutions Unit" (hereinafter SPU) dealt with all six areas. The SPU is also involved in several outreach programs associated with mitigating gang activity, preventing school violence and responding to child abductions.

The most accurate review of the Special Prosecutions Unit is illustrated by an individual review of each of six subject areas:

1. Complex Crimes

The Complex Crimes Unit prosecutes cases that are: 1) referred to us because of our specialized knowledge and experience, or 2) multi-jurisdictional cases investigated through the use of the statewide grand jury.

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 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, from the Environmental Protection Agency, an Attorney General Investigator, an analyst and two special agents 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 Unit ("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 of these gang members were 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. An attorney from the AG's Office serves as a legal advisor to the Colorado Gang Advisory Board ("CoG"). The other COG board members are representatives from the Colorado Bureau of Investigation 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.

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, in an effort to avoid apprehension and justice in Colorado.

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, we have 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 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 2011-12 the Attorney General's Foreign Prosecution Unit prepared and filed murder cases in Mexico. A total of two Mexican Federal Warrants for homicide cases 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. Auto Theft

The Auto Theft Team comprises 2.0 FTE positions, which are funded by a grant through the Colorado Auto Theft Prevention Authority (CATPA). The Auto Theft Team provides investigative and prosecutorial resources for combating complex statewide crimes which center on automobile theft. The general goals of the Auto Theft Team are: (a) to utilize the State Grand Jury, search warrants, and other criminal investigative tools to investigate potential complex multi-jurisdictional automobile centered 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.

6. Violent Crime Assistance Team

The Violent Crime Assistance Team (VCAT) is a two-attorney, one-investigator unit. VCAT 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. VCAT's workload is dictated by the incidence of homicides, as well as District Attorney requests for assistance in other, complex violent crime cases.

The team has handled capital appeals in both the state and federal appellate courts, and post-conviction proceedings involving death row inmates. VCAT 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 VCAT 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 VCAT 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) 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 General was able to announce that Timothy Masters was 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.

- 2) Through a joint effort with the Attorney General's Insurance Fraud 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. These cases were successfully prosecuted in Arapahoe District Court during FY 2011-2012.

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 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Grand Jury investigations initiated in FY. (individuals)		93	101	100	100
Indictments obtained in FY (individuals)		47	68	70	70

Objective: To open 40 new investigation files, file 25 new cases in court and obtain at least 15 felony convictions.

Workload Measure		FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Total new investigations opened (individual)		120	120	120	120
Total new cases filed (individuals)		81	94	95	95
Felony convictions obtained		101*	72	75	75
Misdemeanor convictions obtained		2	8	6	6
Cases Closed		110	76	80	80

***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 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Fines, costs and restitution ordered.		\$4,195,039.40	\$1,096,284.70	\$2,000,000	\$2,000,000

Objective: To participate in multi-jurisdictional case-driven task forces and information exchanging work groups.

Workload Measure		FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Intergovernmental Cooperation		15	10	12	12

Objective: To continue in multi-jurisdiction case-driven task forces and information exchanging work groups.

Workload Measure		FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Training sessions given.		33	26	30	30

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 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Obtain federal funding and/or federal support as part of a cooperative state/federal criminal enforcement effort to combat environmental crimes within the borders of the State of Colorado		Yes	Yes	Yes	Yes

Objective: To enforce compliance with existing environmental laws and regulations through investigation and prosecution of environmental crimes.

Workload Measure		FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
New investigations opened		30	28	30	30
New cases filed		10	14	15	15
Felony convictions		5	9	10	10
Cases closed		7	24	25	25
Jury trials		0	1		
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 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Increase membership participation in state/federal task forces and unified state environmental programs		4	4	4	4

Objective: To increase awareness of environmental criminal activity within the State of Colorado by conducting statewide training.

Workload Measure		FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Conduct local/state/federal awareness training to entities concerned with Colorado's environment		14	11	12	12

3. Gang Prosecution Unit*

Objective: To prosecute gang members, with the State Grand Jury, for multi-jurisdictional criminal activities.

Workload Measure	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Gang members investigated	87	106	100	100
Gang members indicted	55	92	90	90
Felony convictions obtained for gang members	66	43	50	50
Number of years Department of Corrections**	35	204	200	200
Trials	1	0		

* A "Gang" means a group of three or more individuals with a common interest or 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 12 will likely be higher in the FY 13 report.

4. Foreign Prosecution

Workload Measure	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Active Cases	12		14	14
Article IV cases filed in Mexico	2		2	2
Extraditions/assists	9		12	12

5. Auto Theft

Workload Measures		Actual FY11	Actual FY12	Estimate FY13	Request FY14
Measure 1.1 Criminal Investigations Opened (Individuals)	Target	3	3	4	4
	Actual	4	3		
Measure 1.2. Criminal Cases Filed (Individuals)		11	8	10	10
Measure 1.3 Jury trials		0	1	2	3
Measure 1.4 Convictions Obtained		0	9	10	13
Measure 1.4 Restitution Ordered	Target				
	Actual	\$0.00	\$321,243		
Measure 1.6 Publicize Prosecutions	Target	3	3	4	4
	Actual	1	3		

6. Violent Crime Assistance Team

Objectives: The objective of the Unit is to assist local District Attorneys in the investigation, evaluation, and prosecution of homicides and serious violent crimes. 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 Actual	FY 13 Estimate
Cold Case and Active Homicide/Serious Violent Crime Assistance		13	7	7	15
Death Penalty Case Assistance		3	4	6	3

I) BACKGROUND INFORMATION: INSURANCE FRAUD UNIT

The Insurance Fraud Unit is 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

SB 12-110 modified the fee structure for insurance fraud by providing a tiered fee based on the amount of business each insurance registrant conducts in the state. Additionally, this bill appropriated 2.0 additional FTE to bolster the Department's insurance fraud efforts and administratively allows the department to bring the 2.5 FTE dedicated to Worker's Compensation Fraud cases traditionally focused on Pinnacol cases to prioritize cases and workload on behalf of the entire state insurance industry.

III) HOT ISSUES

Major fraud cases

Through a joint effort with the Attorney General's Auto Theft Unit, the Colorado Attorney General's office shut down an insurance-fraud ring that defrauded insurance companies using staged automobile accidents and other fraudulent insurance claims. 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.

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 manufacturing property damage. Insurance companies paid approximately \$280,000 on fraudulent claims and had several remaining unresolved claims when the indictment was filed.

Mewbourn, along with 2 of the codefendants, was charged with violating the Colorado Organized Crime Control Act, a class-two felony. Mewbourn pled guilty to COCCA on November 8, 2011 and was sentenced to 20 years in the Department of Corrections on May 9, 2012 in Arapahoe County District Court and ordered to pay \$280,261.78 in restitution. One of his codefendants, James Esquibel, was found guilty of all counts charged against him after a jury trial in March of 2012 in Arapahoe County and he was sentenced to 4 years probation and ordered to pay \$30,459.91 in restitution.

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 agent fraud. The Unit will take an aggressive stance toward those in the industry who are defrauding consumers.

The Unit received 839 referrals from insurers in FY10, 575 in FY11 and 751 referrals in FY 12. 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 FY11	Actual FY12	Estimate FY13*	Request FY14*
Measure 1.1 Criminal Investigation Opened	Target	60	80	80	80
	Actual	81	74		
Measure 1.2. Criminal Cases Filed	Target	30	20	28	33
	Actual	19	20		
Measure 1.3 Jury trials	Target	2	2	2	2
	Actual	0	1		
Measure 1.4 Convictions Obtained	Target	22	22	22	22
	Actual	13	28	30	
Measure 1.4 Restitution Ordered	Target	\$450,000	\$450,000	\$450,000	\$450,000
	Actual	\$164,386	\$648,347		
Measure 1.6 Publicize convictions obtained	Target	5	5	5	5
	Actual	3	3		

*Estimates include future Worker's Compensation investigations, cases filed and convictions obtained.

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 FY11	Actual FY12	Estimate FY13	Request FY14
Measure 1.1 Investigate multi-jurisdictional insurance fraud cases in the grand jury, and obtain indictment where appropriate.	Target	4	4	4	4
	Actual	2	0		
Measure 1.2. Restitution actually collected pursuant to court order	Target	\$100,000	\$100,000	100,000	100,000
	Actual	\$92,872	\$209,063		

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.

While the Unit did not have any grand jury cases in FY 12, it is anticipated that there will be a couple in FY 13. Due to the complexity of cases taken to the grand jury, and the time frame of when the grand jury is available, the timing did not work out this year to make appropriate use of the grand jury.

Evaluation of Prior Year Performance: The significant increase in restitution ordered helps illustrate that the Unit is meeting the goal of prosecuting more serious cases.

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 FY11	Actual FY12	Estimate FY13	Request FY14
Measure 2.1 Assign an investigator and attorney at the time of case opening	Target	60	80	80	80
	Actual	81	74		
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.

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.

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.

Due to SB 12-110 this traditional unit will be tracked and reported on through the Insurance Fraud Unit. SB 12-110 better aligned revenue streams with work priorities, allowing this move.

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 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Conduct investigations and increase the number of cases referred	Target	16	16	Included in estimates in Insurance	Included in estimates in Insurance
	Actual	15	9		
To decrease the number of cases declined	Target	3	3		
	Actual	2	2		

Objective: To vigorously prosecute defendants under applicable Colorado statutes and obtain criminal convictions, jail sentences, restitution, fines and penalties.

Workload Measure		FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
To increase the number of active filed cases	Target				
	Actual	9	5		
To obtain orders for restitution cost savings and fines	Target				
	Actual	10	4		
To obtain orders for restitution cost savings and fines	Target				
	Actual	\$433,784.00	\$186,371.74		
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 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
To increase the number of cases of fraud by employers	Target				
	Actual	3	0		

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 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
To increase the number of cases of intentional false representation of employers	Target				
	Actual	3	4		

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 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
To increase the number of cases of false certificate of insurance cases	Target				
	Actual	2	1		

Workload Measure		FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Number of case referrals	Target				
	Actual	13	9		
Number of active investigations increased	Target				
	Actual	15	9		
Number of filed cases increased	Target				
	Actual	9	5		

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.

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 2011-2012.

III) HOT ISSUES

Major fraud cases:

Phillip Trujillo raised just over \$6 million dollars between April 2007 and October of 2009 for investment in his "PTV" and other entities. Trujillo routinely promised individuals that the principal of their investment would remain secure. However, he failed to tell investors that he used the bulk of investor monies to fund unsecured promissory notes, including at least one instance to a company in which he had an ownership interest. Trujillo also failed to inform his investors that he was personally borrowing money from the PTV funds. In May 2010, the State Grand Jury indicted Trujillo, charging him with six counts of Securities Fraud and one count of Theft. A Larimer County jury found him guilty of all but one count of Securities Fraud at trial in January

of 2012. On March 7, 2012, Trujillo was sentenced to twelve years in the Department of Corrections – 4 years on each of three Securities Fraud counts to be served consecutively and 4 years on each of the remaining three counts to be served concurrently. He owes over \$4.8 million dollars in restitution to sixty-six victims. Trujillo’s conviction is his first.

The State Grand Jury charged **Richard Novaria** (and co-defendant Jeremy Hart) 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 in Novaria’s Dreamweaver Foundation. Investors were told their money was going to 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 or that their money was used to pay back early investors and to cover some of Novaria’s personal expenses. A first-time offender, Novaria pleaded guilty to one count of Securities Fraud in February 2012. He was sentenced on April 9, 2012 to eight years in the Department of Corrections. He owes almost \$3.5 million dollars in restitution to thirty-three 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 now move faster on investigating cases with the added expertise of the auditor to help both investigate and to explain how money was used.

IV) WORKLOAD MEASURE:

WORKLOAD INDICATORS

Workload Measures		Actual FY 11	Actual FY12	Estimate FY13	Request FY14
Measure 1.1 Criminal Investigations Opened	Target	12	12	8	8
	Actual	6	6		
Measure 1.2. Criminal Cases Filed	Target	10	12	10	10
	Actual	4	8		
Measure 1.3 Jury trials	Target	2	2	2	2
	Actual	0	1		

Measure 14. Convictions Obtained	Target	10	10	10	10
	Actual	8	6		
Measure 1.5. Restitution Ordered	Target	\$4,000,000	\$5,000,000	\$5,000,0000	\$5,000,000
	Actual	\$20,680,887	\$11,023,182		
Measure 1.6. Media items published	Target	12	15	15	15
	Actual	24	17		

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" measure in the above table. The Unit's new restitution orders were made on behalf of 127 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 11	Actual FY12	Estimate FY13	Request FY14
Measure 1.1 Investigate multi-jurisdictional Securities fraud cases in the grand jury, and obtain indictment where appropriate.	Target	8	6	6	6
	Actual	3	7		
Measure 1.2. Restitution actually collected pursuant to court order	Target	\$150,000	\$250,000	\$250,000	\$250,000
	Actual	\$394,821	\$182,928		

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 103 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 FY11	Actual FY12	Estimate FY13	Request FY14
Measure 2.1 Assign an investigator and attorney at the time of case opening	Target	12	12	8	8
	Actual	6	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.

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
SPECIAL PROSECUTIONS UNIT	3,130,538	28.5	3,302,077	29.6	3,013,205	32.5	3,515,355	32.5	3,293,690	34.4
General Fund	1,741,166		1,628,331		1,391,287		1,631,046		1,602,520	
General Fund Exempt	-		-		-		-		-	
Cash Funds	942,404		1,025,052		1,067,153		1,238,657		1,092,567	
Reappropriated Funds	446,968		648,694		554,765		645,651		598,602	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
Deputy Attorney General	121,075	1.0	124,728	1.0			124,728	1.0	124,728	1.0
First Assistant Attorney General	211,164	2.0	211,164	2.0			207,024	2.0	207,024	2.0
Senior Assistant Attorney General	719,532	7.8	648,387	7.0			566,244	6.0	566,244	6.0
Assistant Attorney General	98,976	1.2	175,980	2.0			341,004	4.0	341,004	4.0
Criminal Investigator II	803,214	10.2	848,887	10.8			884,652	11.7	884,652	11.7
Criminal Investigator III	88,200	1.0	88,200	1.0			88,200	1.0	88,200	1.0
Legal Assistant I	99,854	2.2	131,794	2.8			153,693	3.3	153,693	3.3
Legal Assistant II	55,776	1.0	55,561	1.0			55,776	1.0	55,776	1.0
Auditor IV	55,494	0.8	78,000	1.0			78,000	1.0	78,000	1.0
Program Assistant I	19,840	0.4							0	0.0
Administrative Assistant III	39,711	1.0	48,780	1.0			84,048	1.5	84,048	1.5
Administrative Assistant II										
TOTAL POSITION DETAIL	2,312,836	28.5	2,411,480	29.6			2,583,369	32.5	2,583,369	32.5
(I.A.) CONTINUATION FTE SALARY COSTS	2,312,836	28.5	2,411,480	29.6			2,583,369	32.5	2,583,369	32.5
(Permanent FTE by Position) Continuation Salary Subtotal										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	176,223		180,281				262,212		262,212	
Medicare on Continuation Subtotal	31,664		32,615				37,459		37,459	
Non-Base Building Performance Awards							-			
Part-Time/Temporary Salaries	2,987		653							
Contractual Services	16,972		20,950				15,525		15,525	
Furloughs	-		-							
Leave	5,788		31,377							
Forced Vacancy							(105,236)		(72,274)	
Overtime	-		3,335							
Unemployment Compensation			12,714							
Other	10,292		2,665							
SUBTOTAL	243,926	28.5	284,589	29.6			209,960	32.5	242,922	32.5
(I.C.) PERSONAL SERVICES SUBTOTAL= A+B	2,556,762		2,696,070				2,793,329		2,826,291	
(I.D.) POTS EXPENDITURES										
Health/Life Dental	134,860		170,051				207,210			

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Salary Survey							-			
Performance Awards							-			
Short Term Disability	3,898		4,234				4,573			
SB 04.257 A.E.D.	53,815		65,982				82,668			
SB 06.235 S.A.E.D.	39,211		53,044				71,043			
Other										
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL= C+D	2,788,547	28.5	2,989,380	29.6			3,158,823	32.5	2,826,291	32.5
General Fund	1,579,211		1,457,109				1,449,836			
Cash Funds	811,197		927,107				1,125,210			
Reappropriated Funds	398,140		605,164				583,776			
(I.F.) DIFFERENCE= II-I.E.										
(I.G.) REQUEST YEAR DECISION ITEMS										
FY14 Decision Items									256,676	1.9
General Fund									178,188	1.3
Cash Funds									39,244	0.3
Reappropriated Funds									39,244	0.3
II. PERSONAL SERVICE REQUEST TOTAL	2,788,547	28.5	2,989,380	29.6			3,158,823	32.5	3,082,967	34.4
General Fund	1,579,211		1,457,109				1,449,836		1,458,603	
Cash Funds	811,197		927,107				1,125,210		1,059,117	
Reappropriated Funds	398,140		605,164				583,776		565,247	
Federal Funds										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation	9,605		8,856				13,258		13,258	
2150 Custodial Services	-		-							
2160 Janitorial Service	-		-							
2170 Waste Disposal Services	-		-				10		10	
2210 Bldg Maintenance/Repair Svcs	-		-							
2220 Building Grounds Maintenance	-		-							
2230 Equipment Contract Maintenance	657		50				20		20	
2231 ADP Equip Maint/Repair Services	5,172		6,949				5,700		5,700	
2232 Software Upgrades	9,813		9,458				-		-	
2240 Motor Veh Maint/Repair Svcs	-		-							
2251 Lease Motor Pool Vehicle	25,016		24,137						-	
2252 Motor Pool Mileage Charge	20,143		25,947				27,456		27,456	
2253 Equipment Rental	-		-				-		-	
2254 Rental of Motor Vehicles	-		-							
2255 Rental of Buildings	96,164		94,244				-		-	
2258 Parking Fees	11,040		12,375				13,375		13,375	
2259 Parking Fee Reimbursement	-		60							
2510 In State Travel	169		4				150		150	
2511 In State Common Carrier Fares	795		-				-		-	
2512 IS Personal Travel Per Diem	15,496		12,374				16,541		16,541	
2513 IS Personal Vehicle Reimbursement	375		236				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	1,093		205				179		179	
2531 OS Common Carrier Fares	5,051		885				980		980	
2532 OS Personal Travel Per Diem	5,121		2,117				3,150		3,150	
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	40		148				-		-	
2551 Out of Country Common Carrier Fares	476		2,396				750		750	
2552 OC Pers Travel Reimbursement	706		2,193				561		561	
2610 Advertising	-		-				-		-	
2630 Telephone	21,918		22,386				21,541		21,541	
2631 Comm Svcs from Outside Sources	8,792		10,466				10,990		10,990	
2641 Other ADP Billings - Purchase Services	6,512		9,116				9,412		9,412	
2650 OIT Purchased Svcs	6		-							
2660 Insurance	3,965		5,037							

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2680 Contract Printing	-		676				-		-	
2681 Photocopy Reimbursement	-		-				-		-	
2710 Purchase Medical Services	46		-				-		-	
2810 Freight & Storage	-		-				-		-	
2820 Other Purchased Services	1,462		10				320		320	
2830 Office Moving/Purchased Services	-		-				-		-	
2831 Storage Purch Svs	13		84				-		-	
3110 Other Supplies and Materials	-		-				-		-	
3112 Automotive Supplies	21		-				-		-	
3113 Clothing and Uniform Allowance	-		-				-		-	
3114 Custodial	-		-				-		-	
3115 DP Supplies	-		410				-		-	
3116 Purchase/Leased Software	1,225		542				600		600	
3117 Educational	2,592		2,256				2,532		2,532	
3120 Books & Subscriptions	7,030		12,759				9,629		9,629	
3121 Office Supplies	5,006		1,588				4,215		4,215	
3122 Microfilming/Photo. Supplies	1,558		-				-		-	
3123 Postage	2,675		2,884				2,850		2,850	
3124 Printing	-		29				-		-	
3126 Repair & Maintenance/Supplies	-		-				-		-	
3128 Non-Capitalized Equipment	26,644		8,111				-		-	
3131 Non-Capitalized Building Mat'ls	-		-				-		-	
3132 Non-Cap Office Furn/Office Systems	1,505		1,223				7,996		-	
3140 Non-Capitalized IT - PC's	6,429		2,039				4,659		-	
3141 Non Capitalized IT Servers	1,398		-				-		-	
3143 Non-Capitalized IT - Other	1,993		332				-		-	
3146 Non Capitalized IT	1,437		-				-		-	
3940 Electricity	-		-				-		-	
3950 Gasoline	-		-				-		-	
4100 Other Operating Expenses	-		-				-		-	
4140 Dues & Memberships	16,944		21,498				17,250		17,250	
4151 Interest Late Payments	-		-				-		-	
4170 Miscellaneous Fees	-		-				-		-	
4180 Official Functions	629		309				200		200	
4111 Prizes and Awards	1,300		2,750				1,250		1,250	
4220 Registration Fees	4,107		5,557				5,424		5,424	
6140 Buildings and Improves. to Bldg.	-		-				-		-	
6210 Other Capital Equipment	-		-				-		-	
6212 IT Servers - Direct Purchase	2,660		-				-		-	
6213 IT PC SW - Direct Purchase	-		-				5,768		-	
6214 IT Other Direct Purchase	1,592		-				-		-	
6280 Other Cap Equipment Direct Purchase	5,595		-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Operating Expense Subtotal:	341,991		312,697				186,915		168,492	
FY14 DECISION ITEMS										
Total Funds									42,230	0.0
General Fund									33,044	0
Cash Funds									4,593	
Cash Funds Exempt									4,593	
OPERATING EXPENSE TOTAL:	341,991		312,697				186,915		210,723	
General Fund	161,955		171,222				110,873		143,917	
General Funds Exempt										
Cash Funds	131,207		97,945				47,280		33,450	
Reappropriated Funds	48,828		43,530				28,762		33,355	
Potted Operating Expenses										
### Workers' Compensation							5,389			
Vehicle Leased Expense							24,478			
Capital Complex Lease Space							93,199			
Lease Space							2,907			
IT Asset Maintenance							23,222			
ADP Capital Outlay							-			
Communication Service Payments							5,590			
Building Security							10,332			
CLE Registration Fees							4,500			
Total							169,617			
General Fund							70,337			
Cash Funds							66,167			
Reappropriated Funds							33,113			
ROLLFORWARDS							-			
General Fund									-	
Cash Funds										
Reappropriated Funds							-			
REFINANCING THE LINE ITEM										
General Fund									-	
General Fund Exempt										
Cash Funds									-	
Cash Funds Exempt										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
TOTAL SPECIAL PROSECUTIONS UNIT	3,130,538	28.5	3,302,077	29.6			3,515,355	32.5	3,293,690	34.4
General Fund	1,741,166		1,628,331				1,631,046		1,602,520	
General Fund Exempt	-		-							
Cash Funds	942,404		1,025,052				1,238,657		1,092,567	
Reappropriated Funds	446,968		648,694				645,651		598,602	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	2,844,966	31.0	2,830,320	31.0	2,816,528	30.5	2,816,528	30.5	2,816,528	30.5
SB 11-76 PERA Adjustment			(56,055)						0	
SB 12-110					196,677	2.0	196,677	2.0	196,677	2.0
SB 12-110 Annualization	-		0						(18,423)	
Long Bill Add On			29814							
FY 14 Decsion Item									298,907	1.9
Salary Survey-Classified									-	
PBP - Classified									-	
Salary Survey Exempt									-	
PBP - Exempt									-	
OSPB .2% Base Reduction									-	
Supplemental SB09-192									-	
Supplementaal HB 10-1305									-	
Salary POTS									-	
Health/Life/Dental	101,188		129,753				183,922			
Short Term Disability	3,601		4,103				3,802			
SB 04.257 A.E.D.	55,851		64,576				77,975			
SB 06.235 S.A.E.D.	39,824		51,695				66,834			
Worker's Compensation	3,965		6,439				5,389			
Capital Complex Lease Space	97,627		182,711				93,199			
Lease Space	2,742		2,742				2,907			
Vehicle Lease Allocation	27,237		24,638				24,478			
IT Asset Maintenance	21,745		21,745				23,222			
ADP Capital Outlay Allocation									-	
Communication Service Payments	4,224		4,553				5,590			
Building Security	9,422		9,451				10,332			
CLE Registration Fees	3,750		3,750				4,500			
Roll Forward from Previous FY									-	
Rollforward to Subsequent FY									-	
Overexpenditure/(Reversion) - GF	(7,625)			(0.9)						

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Lapsed Appropriation Cash Fund	(77,978)	(2.5)	(8,148)	(0.5)						
Lapsed Appropriation Reappropriated Funds	(1)		(10)							
TOTAL RECONCILIATION	3,130,538	28.5	3,302,077	29.6			3,515,355	32.5	3,293,689	34.4
DIFFERENCE=										
GRAND TOTAL	3,130,538	28.5	3,302,077	29.6	3,013,205	32.5	3,515,355	32.5	3,293,690	34.4
General Fund	1,741,166		1,628,331		1,391,287		1,631,046		1,602,520	
General Fund Exempt	-		-		-		-		-	
Cash Funds	942,404		1,025,052		1,067,153		1,238,657		1,092,567	
Reappropriated Funds	446,968		648,694		554,765		645,651		598,602	
Federal Funds							-		-	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

SPECIAL PROSECUTIONS UNIT

Item	Fund Number	Actual	Actual	Approp.	Estimate	Request
		FY 2011	FY 2012	FY 2013	FY 2013	FY 2014
Schedule 3 Total		3,130,538	3,302,077	3,013,205	3,515,355	3,293,690
General Funds		1,741,166	1,628,331	1,391,287	1,631,046	1,602,520
General Funds Exempt		-	-	-	-	-
Cash Funds		942,404	1,025,052	1,067,153	1,238,657	1,092,567
Reappropriated Funds		446,968	648,694	554,765	645,651	598,602
Cash Funds						
State Compensation Insurance Authority		253,603	265,519	-	-	-
Fund #16Z		688,801	746,796	1,067,153	1,238,657	1,092,567
EALA			12,737			
Reappropriated Funds		446,968	648,694	554,765	645,651	598,602
Special Prosecution Custodial		-	-	-		
DORA Division of Insurance Cash Fund		-	-	-		
DORA Division of Securities		446,968	648,694	554,765	645,651	598,602

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

Auto Theft Prevention Grant

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Auto Theft	227,976	2.0	222,007	2.0	282,234	2.5	282,234	2.5	282,234	2.5
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	227,976		222,007		282,234		282,234		282,234	
Federal Funds	-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

Auto Theft Prevention Grant

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
Senior Asst Attorney General	98,004	1.0	98,004	1.0			98,004	1.0	98,004	1.0
Criminal Investigator II	76,800	1.0	76,800	1.0			76,800	1.0	76,800	1.0
Administrative Asst III							24,000	0.5	24,000	0.5
TOTAL POSITION DETAIL	174,804	2.0	174,804	2.0			198,804	2.5	198,804	2.5
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by position) Continuation Salary Subtotal	174,804	2.0	174,804	2.0			198,804	2.5	198,804	2.5
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	12,900		12,366				20,179		20,179	
Medicare on Continuation Subtotal	2,443		2,344				2,883		2,883	
Non-Base Building Performance Awards										
Contractual	-		-				-		-	
Furlough Days	-		-				-		-	
Other	821		734							
SUBTOTAL	16,164		15,444				23,061		23,061	
(I.C.) PERSONAL SERVICES SUBTOTAL=										
A+B	190,968	2.0	190,248	2.0			221,865	2.5	221,865	2.5
(I.D.) POTS EXPENDITURES										
Health/Life Dental	15,908		16,583				20,917		20,917	
Salary Survey							-			
Performance Awards							-			
Short Term Disability	297		309				352		352	
SB 04.257 A.E.D.	4,043		4,526				6,362		7,157	
SB 06.235 S.A.E.D.	2,949		3,637				5,467		6,461	
Other										
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL=	214,164	2.0	215,302	2.0			254,963	2.5	256,752	2.5
C+D										

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

Auto Theft Prevention Grant

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	214,164	2.0	215,302	2.0			254,963	2.5	256,752	2.5
General Fund										
Cash Funds	-		-							
Reappropriated Funds	214,164		215,302				254,963		256,752	
Federal Funds										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Auto Theft Prevention Grant

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation	370		544				13,147		11,357	
2210 Bldg Maintenance/Repair Svcs	-		-							
2230 Equipment Maintenance/Repair Svcs	-		-							
2231 ADP Equip Maint/Repair Services	190		-							
2251 Rental/Lease Motor Pool Vehicle			721							
2252 Motor Pool Mileage Charge	73		-				250		250	
2254 Rental of Motor Vehicles	-		-							
2255 Rental of Buildings	3,967		3,188				6,111		6,111	
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		437				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	1,186		892				1,214		1,214	
2631 Comm Svcs from Outside Sources	513		650				650		650	
2641 Other ADP Billings - Purchase Services	-		-							
2660 Insurance	-		-							
2680 Contract Printing	-		(2,073)				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	265		(240)				250		250	
3116 Purchase/Leased Software	-		-							
3117 Educational	52		-							
3120 Books & Subscriptions	560		1,112				900		900	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Auto Theft Prevention Grant

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
3121 Office Supplies	172		276				350		350	
3122 Microfilming/Photo. Supplies	-		-							
3123 Postage	44		51				266		266	
3124 Printing	-		7				-		0	
3126 Repair & Maintenance/Supplies	-		-				50		50	
3128 Non-Capitalized Equipment	-		96							
3132 Non-Capitalized Furn/Office Sust	-		-							
3140 Non-Capitalized IT - PCs	3,528		-				-		-	
3141 Non-Capitalized IT - Servers	-		-							
3143 Non-Capitalized IT - Other	1,091		10							
3146 Non-Capitalized IT Purchased Server SW	-		-							
4100 Other Operating Expenses	-		-							
4140 Dues & Memberships	450		225				450		450	
4170 Miscellaneous Fees	-		-							
4180 Official Functions	-		-							
4220 Registration Fees	200		810				500		500	
Operating Expense Subtotal:	13,812		6,705				27,271		25,482	
Decision Item										
Cash Funds Exempt										
OPERATING EXPENSE TOTAL:	13,812		6,705				27,271		25,482	
General Fund										
General Funds Exempt										
Cash Funds	13,812		6,705							
Reappropriated Funds	-		-				27,271		25,482	
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 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	227,976	2.0	222,007	2.0	239,075	2.0	282,234	2.5	282,234	2.5
General Fund										
General Fund Exempt										
Cash Funds	-		-							
Reappropriated Funds	227,976		222,007		239,075		282,234		282,234	
Federal Funds						2.0			-	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	246,976		239,075	2.0			239,075	2.0	239,075	2
Supplemental HB 10-1305	-		-							
<i>Additional Grant Amount</i>					43,159	0.5	43,159	0.5	43,159	0.5
PERA, AED, SAED adjustments										
Removal of one time equipment purchases										
Classified Salary POTS										
Health/Life/Dental										
Short Term Disability										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Auto Theft Prevention Grant

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
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										
Building Security										
Rollforward from Previous FY year										
Restriction										
Overexpenditure/(Reversion) - GF										
Lapsed Appropriation Reappropriated Fund	(19,000)		(17,068)							
Lapsed Appropriation Federal Funds	-		-							
TOTAL RECONCILIATION	227,976	0.0	222,007	2.0			282,234	2.5	282,234	
GRAND TOTAL	227,976	2.0	222,007	2.0	282,234	2.5	282,234	2.5	282,234	2.5
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	227,976		222,007		282,234		282,234		282,234	
Federal Funds	-		-		-		-		-	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

Auto Theft Prevention Grant

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2011	FY 2012	FY 2013	FY 2013	FY 2014
Schedule 3 Total		227,976	222,007	282,234	282,234	282,234
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		-	-	-	-	-
Reappropriated Funds		227,976	222,007	282,234	282,234	282,234
Federal Funds		-	-	-	-	-
Reappropriated Funds						
Auto Theft Prevention Grant		227,976	222,007	282,234	282,234	282,234
Federal Funds						
Federal VOCA Grant		-	-		-	-

D) BACKGROUND INFORMATION: APPELLATE DIVISION

Structure:

General fund unit headed by the Deputy Solicitor General.
28 attorney FTE's – 26 full-time and 4 half-time attorneys
3 support staff

Primary duties. The Division represents the prosecution when defendants challenge their felony convictions before state and federal appellate courts.

For the most part, the Division responds to appeals that are brought on behalf of convicted criminals, and thus has no control over the size of its incoming caseload. That caseload has consistently exceeded the Division's ability to keep pace, and each year Division attorneys have fallen farther behind.

Most of the cases handled by the Appellate Division are in the Colorado Court of Appeals; the rest are Colorado Supreme Court and the federal district and appellate 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 a small number of cases, the Appellate attorney will be filing the first (or opening) brief rather than a response. In FY 2012, Appellate Division attorneys filed 894 opening and response briefs. On some appeals, the attorney must also argue the case before an appellate court; appellate attorneys conducted 115 such arguments in FY 2012.

The Division 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.

In order to do the best job possible, appellate and trial prosecutors must keep current on ongoing developments in criminal law and procedure. In addition to writing briefs and presenting oral arguments, 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. The Division’s obligation to effectively represent the interests of the People must be balanced with the need to process cases as quickly and efficiently as possible, which has proven to be a daunting task.

The Division officially “opens” a case when it receives an opening brief from the defense. In FY 2012, the Division activated 1171 new appeals, an average of 98 new cases per month. On average, Division attorneys can generate approximately 75 responses per month.

The Colorado Appellate Rules provide that a response (or answer brief) should be filed within 35 days after service of the opening brief. As of the end of FY 12, the Division had 608 cases awaiting a response. Meeting a 35-day turnaround is impossible.

	Cases Opened	Briefs Filed by Division	Cases Resolved Other Ways	Backlog
FY 08	-	-	-	280
FY 09	1240	1029	87	395
FY 10	1152	1054	62	434
FY 11	1050	1021	66	398
FY 12	1171	894	67	608

Over time, the Division has been severely impacted by huge incoming numbers, exacerbated by inadequate resources to generate an output equal to the number of cases received (this past fiscal year alone, incoming cases were up by 121 cases over the previous year). The Division has experienced high turnover, as Division attorneys who were hired in at entry level and have been frozen at that low level for many years have been leaving for higher-paying positions. Hiring takes time and staff resources, and new attorneys require more oversight and cannot generate quality briefs as quickly as senior attorneys.

As a result, the backlog of cases needing attention has grown significantly, along with the time it takes for Division lawyers to process appeals. Reducing the backlog and getting the Division back on track to keep pace with incoming cases must be the Division’s #1 priority.

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.

The United States Court of Appeals for the Tenth Circuit Court has concluded that “delay in adjudicating a direct criminal appeal beyond two years from the filing of the notice of appeal gives rise to a presumption that the state appellate process is ineffective. *Harris v. Champion*, 15 F.3d 1538, *1556 (10th Cir. 1994). Thus, in any federal habeas corpus cases we are involved in, we may have to overcome that presumption. The task is not impossible, but time devoted to overcoming the presumption is time not spent on other cases. Indeed the time we spend “managing delays” (repeatedly requesting additional extensions of time and overcoming these presumptions) takes time away from work on substantive claims and has a snowball effect.

We have not yet had a conviction vacated in state or federal court because of inordinate delay on appeal, but each year we are faced with more such claims than in the past.

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 11Actual	FY 12Actual	FY 13 Estimate	FY14 Request
Incoming cases		1050	1171	1200	1200
Oral arguments		117	115	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	Target	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY14 Request
Briefs filed annually		1021	894	900	
Cases resolved (i.e. total of briefs filed and cases decided via expedited docket or otherwise resolved) annually		1087	961	1000	
Percentage of cases with a successful outcome on appeal annually	90%	90%	91.2%	90%	

Performance Evaluation:

Over the past two years, the Division has met its goal of preserving at least 90% of the convictions challenged on appeal.

It has not done as well meeting its caseload. Although the Division has implemented a variety of strategies for increasing efficiency, circumstances beyond its control have hindered that effort. Large incoming numbers, increasingly complex cases, and high turnover resulting in a high percentage of junior attorneys have combined to cause the Division to fall further and further behind each year.

Strategy:

The strategy of the Division is do whatever it can to resolve cases in a timely fashion while providing quality representation of the state's interests. Toward that end, it is critical that the Division reduce the backlog to a manageable level. The Division has maximized what it can do with the resources currently available, and requires additional staff to meet its obligations.

For example, the Division has implemented the following strategies:

1. The Deputy Solicitor General has organized a working group consisting of representatives from the Appellate Division, the Court of Appeals, the Public Defender's

Office, and the Office of Alternate Defense Counsel to discuss matters of metal concern and how we might streamline our interaction for maximum efficiency. The group meets every other month and has come up with a number of improvements.

2. The Division is working with the Court of Appeals on a procedure for an “experimental docket” in which Division attorneys screen cases and file abbreviated pleadings short of thorough briefs. This is designed to expedite those simple cases that can be dealt with easily and effectively without full briefing, thereby increasing Division and court efficiency and expediting case processing. That program is in its early stages, but early results are promising. However, only a small percentage of cases lend themselves to such summary treatment. The majority of cases require careful research and analysis, critical thinking, and careful writing.

3. Those cases are channeled within the Division as efficiently as possible so that the best people for the job are working on particular cases. Many Division attorneys have developed special expertise, and to the extent possible, cases dealing with their subject areas are channeled to them (few cases, however, ever consist of single issues). Resource materials (a brief bank, outlines, etc) are compiled and updated to provide starting points and shortcuts for research, and senior staff provide mentoring and oversight so that junior staff get on the right track quickly and efficiently.

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

APPELLATE UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
APPELLATE UNIT	2,984,650	31.6	2,953,237	30.9	2,709,335	32.0	3,166,619	32.0	3,263,535	37.5
General Fund	2,787,785		2,569,338		2,195,709		2,652,993		2,438,729	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	196,865		383,899		513,626		513,626		824,806	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

APPELLATE UNIT

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	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	286,857	3.0			287,172	3.0	287,172	3.0
Senior Assistant Attorney General	321,516	4.0	321,516	4.0			561,564	7.0	561,564	4.0
Assistant Attorney General	1,312,446	19.9	1,278,840	19.0			1,144,008	17.0	1,144,008	20.0
Assistant Attorney General II										
General Prof IV	68,256	1.0	68,256	1.0			68,256	1.0	68,256	1.0
Program Assistant I	36,945	0.8	42,261	0.9			48,000	1.0	48,000	1.0
Administrative Assistant II	69,183	2.0	72,000	2.0			72,000	2.0	72,000	2.0
Administrative Assistant I										
TOTAL POSITION DETAIL	2,217,534	31.6	2,191,746	30.9			2,303,016	32.0	2,303,016	32.0
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by Position)										
Continuation Salary Subtotal	2,217,534	31.6	2,191,746	30.9			2,303,016	32.0	2,303,016	32.0
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	166,691		160,407				224,258		233,756	
Medicare on Continuation Subtotal	29,961		29,749				33,394		33,394	
Non-Base building Performance Award							-		-	
Furlough	-		-				-		-	
Part-Time/Temporary Salaries	-		-				-		-	
Contractual Services	9,927		9,915				9,900		9,900	
Leave	25,790		5,559							
Overtime	-		-							
Other	18,953		41,609				21,750		18,993	
SUBTOTAL	251,321	31.6	247,240	30.9			289,302	32.0	296,043	32.0
(I.C.) PERSONAL SERVICES										
SUBTOTAL= A+B	2,468,854	31.6	2,438,986	30.9			2,592,318	32.0	2,599,059	32.0
Difference										
(I.D.) POTS EXPENDITURES										
Health/Life Dental	165,684		175,915				196,445			
Salary Survey							-			
Performance Awards							-			
Short Term Disability	3,729		3,854				4,076			
SB 04.257 A.E.D.	51,203		58,972				73,697			
SB 06.235 S.A.E.D.	37,328		47,379				63,333			
Other										

[] Indicates a Non-add

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

APPELLATE UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.E) BASE PERSONAL SERVICES TOTAL= C+D	2,726,798	31.6	2,725,105	30.9			2,929,869	32.0	2,599,059	32.0
(I.F.) DIFFERENCE= II-I.E.									-	
(I.G.) Appellate FTE Increase to Manage Backlog DI									482,594	5.5
General Fund									482,594	5.5
Cash Funds										
Reappropriated Funds										
II. PERSONAL SERVICES REQUEST TOTAL	2,726,798	31.6	2,725,105	30.9			2,929,869	32.0	3,081,653	37.5
General Fund	2,529,933		2,341,206				2,416,243		2,256,847	
Cash Funds										
Reappropriated Funds	196,865		383,899				513,626		824,806	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

APPELLATE UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation	1,419		1,247				1,425		1,425	
2170 Waste Disposal Services	-		172				-		-	
2220 Building Grounds Maintenance	-		-				-		-	
2230 Bldg Maintenance/Repair Svcs	-		-				-		-	
2231 ADP Equip Maint/Repair Services	2,130		2,922				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	101,588		102,399				-		-	
2258 Parking Fees	-		-				-		-	
2559 Parking Fee Reimbursement	-		-				-		-	
2510 In State Travel	-		230				-		-	
2512 IS Personal Travel Per Diem	984		711				920		920	
2513 IS Personal Vehicle Reimbursement	-		40				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	-		227				-		-	
2531 OS Common Carrier Fares	-		1,377				-		-	
2532 OS Personal Travel Per Diem	-		1,615				118		118	
2533 OS Personal Vehicle Reimbursement	-		-				-		-	
2550 Out of Country Travel	-		-				-		-	
2552 OC Pers Travel Reimbursement	-		-				-		-	
2630 Telephone	15,053		13,659				15,545		15,545	
2631 Comm Svcs from Outside Sources	1,425		-				425		425	
2641 Other ADP Billings - Purchase Services	47,729		61,601				51,311		51,311	
2660 Insurance	4,092		5,284				-		-	
2680 Contract Printing	6,476		4,843				6,345		6,345	
2681 Photocopy Reimbursement	-		-				-		-	
2810 Freight & Storage		0.0		-						
2820 Other Purchased Services	13,645		230				5,264		5,264	
2830 Office Moving/Purchased Services	-		-				-		-	
3110 Other Supplies and Materials	-		-				-		-	
3115 DP Supplies	961		422				350		350	
3116 Purchase/Leased Software	-		-				-		-	
3117 Educational	-		-				-		-	
3120 Books & Subscriptions	1,983		2,929				2,574		2,574	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

APPELLATE UNIT

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
3121 Office Supplies	4,180		4,578				4,100		4,100	
3122 Microfilming/Photo. Supplies	-		-						-	
3123 Postage	4,363		4,287				4,421		4,421	
3124 Printing	-		-						-	
3126 Repair & Maintenance/Supplies	-		-						-	
3128 Non-Capitalized Equipment	-		89						-	
3131 Non-Capitalized Building Materials	33,838		-				-		-	
3132 Non-Cap Office Furn/Office Systems	2,227		444				-		-	
3139 NONCAPITLZD FIXED ASSET OTHER	386		-						-	
3140 Non-Capitalized IT - PC's	-		-						-	
3141 Non-Capitalized IT - Servers	-		-						-	
3143 Non-Capitalized IT Other	47		-				-		-	
3146 Non-Capitalized Purchased Server SW	-		-						-	
3950 Gasoline	-		-						-	
4111 Prizes and Awards	-		1,600						-	
4140 Dues & Memberships	14,360		10,445				10,700		10,700	
4151 Interest Late Payments	-		-						-	
4170 Miscellaneous Fees	-		-						-	
4180 Official Functions	641		31				-		-	
4220 Registration Fees	325		6,749				5,825		5,825	
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:	257,851		228,131				110,276		110,276	
OPERATING EXPENSE TOTAL:	257,851		228,131				110,276		110,276	
General Fund	257,851		228,131				110,276		110,276	
General Funds Exempt							-		-	
Reappropriated Funds										
Rollforwards							-		-	
General Fund Exempt							-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

APPELLATE UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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							5,653			
Leased Vehicle Expense							-			
Capital Complex Lease Space							97,783			
Lease Space							947			
IT Asset Maintenance							-			
ADP Capital Outlay										
CLE Registration Fees							11,250			
Building Security							10,841			
Total							126,474			
General Fund							126,474			
General Fund Exempt										
Cash Funds										
Reappropriated Funds							-			
DECISION ITEMS										
Appellate FTE to Manage Backlog									71,606	
General Fund									71,606	
Cash Funds										
Cash Funds Exempt										
TOTAL APPELLATE UNIT	2,984,650	31.6	2,953,237	30.9			3,166,619	32.0	3,263,535	37.5
General Fund	2,787,785		2,569,338				2,652,993		2,438,729	
General Fund Exempt							-		-	
Cash Funds							-		-	
Reappropriated Funds	196,865		383,899				513,626		824,806	
RECONCILIATION OF FUNDS/REQUEST										
Long Bill Appropriation	2,648,687	32.0	2,666,027	32.0	2,703,455		2,703,455	32.0	2,703,455	32.0
DI #5 Reinstate 1.5% Reduction										
SB 11-76 PERA Reduction			(54,234)						-	
10-1329 Solid Waste User Fees	41,384					0				
HB 12 1246 Reinstate Paydate Shift Part Time					5880.0		5,880		5,880	
Reverse one time RF (Indirect) to GF (\$82,830)										
Appellate FTE to Manage Backlog DI									554,200	5.5
Additional Indirect allocation PIO									-	
Salary POTS									-	
Health/Life/Dental	120,629		150,263				196,445			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

APPELLATE UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Short Term Disability	3,229		3,948				3,380			
SB 04.257 A.E.D.	49,852		53,083				70,602			
SB 06.235 S.A.E.D.	36,969		43,098				60,383			
Worker's Compensation	4,092		5,284				5,653			
Capital Complex Lease Space	100,775		71,507				97,783			
Lease Space	894		894				947			
Vehicle Lease Allocation							-			
IT Asset Maintenance							-			
CLE Registration Fees	11,625		11,625				11,250			
Building Security	9,727		9,916				10,841			
ADP Capital Outlay Allocation										
Rollforward from Previous FY year							-			
Rollforward to Subsequent FY										
Overexpenditure/(Reversions) - GF										
Lapsed Appropriation RF	(1,829)	-0.5	(8,174)	(1.2)						
TOTAL RECONCILIATION	2,984,650	31.5	2,953,237	30.9			3,166,619		3,263,535	
GRAND TOTAL	2,984,650	31.6	2,953,237	30.9	2,709,335	32.0	3,166,619	32.0	3,263,535	37.5
General Fund	2,787,785		2,569,338		2,195,709		2,652,993		2,438,729	
General Fund Exempt							-		-	
Cash Funds							-		-	
Reappropriated Funds	196,865		383,899		513,626		513,626		824,806	
Federal Funds							-		-	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

APPELLATE UNIT

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2011	FY 2012	FY 2013	FY 2013	FY 2014
Schedule 3 Total		2,984,650	2,953,237	2,709,335	3,166,619	3,263,535
General Funds		2,787,785	2,569,338	2,195,709	2,652,993	2,438,729
General Funds Exempt				-	-	-
Cash Funds				-	-	-
Reappropriated Funds		196,865	383,899	513,626	513,626	824,806
Reappropriated Funds	100					
Indirect Cost Recoveries		82,830	311,248	440,975	440,975	752,155
Haz Waste HB 10-1329		41,384				
Victim's Assistance		72,651	72,651	72,651	72,651	72,651

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, 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, physicians, 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. During FY 2012, the MFCU returned **\$8,469,092.38** in restitution and recoveries to the Medicaid program in Colorado. 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 2012, the MFCU recovered **\$3,241,306.37** 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.

A large majority of health care providers deliver reasonable and honest services, and bill appropriately. Fraud in the delivery of health care services has been estimated nationally at **3.0%** (testimony of the Inspector General of Health and Human Services before the Senate Special Committee on Aging, May 6, 2009), 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

During fiscal year 2011, 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.

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.

False Claims: With the passage of the Medicaid False Claims Act, the State of Colorado has been named as a party plaintiff in approximately 127 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.

Affordable Care Act: With the recent United State Supreme Court case upholding major provisions of the Affordable Care Act, there is the potential for the act's implementation to have a major effect on the Unit's caseload, as the act may significantly increase the number of Medicaid recipients, with current rough estimates projecting a 15% increase in Medicaid recipients. Even before the ACA ruling, CMS had predicted that the growth in Medicaid spending would outpace the growth of the U.S. economy over the next decade(CMS Press Release, October 17, 2008).

IV) WORKLOAD MEASURE:

WORKLOAD INDICATORS

Workload Measures		FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Measure 1.1 Criminal Investigation Opened	Target	45	45	45	45
	Actual	55	26		
Measure 1.2. Criminal Investigations Pending	Target	55	55	55	55
	Actual	63	48		
Measure 1.3. Criminal Cases Filed	Target	12	12	12	12
	Actual	20	12		
Measure 1.4. Convictions	Target	12	12	12	12
	Actual	10	19		
Measure 1.8. Total fines / Costs / Restitution Recovered	Target	\$450,000	\$450,000	\$3,500,00	\$2,500,000
	Actual	\$5,197,151.64	\$8,469,092.38		
Measure 1.9. Medicaid program exclusions (Providers / years)	Target	12/60	12/60	12/60	12/60
	Actual	8/Pending	8/Indefinite		
Measure 1.10. Cases closed	Target	45	45	55	55
	Actual	65	105		
Measure 1.11. Patient Incident Reviews	Target	1,000	1,000	2,000	2,000
	Actual	2,994	3819		
Measure 1.12. Intergovernmental Cooperation (open non-global cases investigated jointly w/other agencies)	Target	22	22	15	15
	Actual	6	10		

N.B.: The dollar amount listed in Measure 1.8 reflects all recoveries, both civil and criminal, made by the Unit. Per estimates obtained from the National Association of Medicaid Fraud Control Units (NAMFCU), with whom the Unit coordinates its participation in global cases, the amount of dollar recoveries to be obtained through global cases over the next few years is expected to decrease markedly. While such estimates are not an exact science, they are worth noting, as the largest part of the Unit's recoveries over the past several years has been through global cases. Future years' recoveries have been adjusted to reflect both current trends and the NAMFCU estimates.

Under Measure 1.9, eight individuals were excluded from the Medicaid program. In each case, each individual received an "indefinite" exclusion, as opposed to a finite period of time.

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 FY13 with the Supreme Court's ruling pertaining to the Affordable Care Act..

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 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 Request	
		Goal	Change	Goal	Change	Goal	Change	Goal	Change
1.1 Open fraud investigations with substantial potential for criminal prosecution.	Benchmark	35		35		35		35	
	Actual	51	21	26	25				
1.2 Identify, collect overpayments or refer the matter to appropriate state agency for collection.	Benchmark	\$450,000		\$450,000		\$2,000,000		\$2,000,000	
	Actual	\$5,197,151	\$1,047,223	\$8,469,092.38	\$3,271,941.38				
1.3 To prosecute and convict providers who violate the criminal law by defrauding the Medicaid program.	Benchmark	9		9		9		9	
	Actual	13	7	20	7				
*Probation sentences (years)	Benchmark	10		10		10		10	
	Actual	10	(5)	32.75	22.75				
*Jail / prison sentences(days)	Benchmark	180		180		180		180	
	Actual	1,460		60	(1400)				
*Useful public service (hours)	Benchmark	100		100		100		100	
	Actual	144		552	412				

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 had an increase in criminal convictions in FY12, which was a direct result of increased criminal filings in FY11.

Key Workload Indicators: Workload indicators are consistent with the results in the Performance Measure table, and reflect an increasing Unit caseload. 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 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 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	6	3	6					
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	1	1	3	2				

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 government agencies, usually the local District Attorney. As with fraud referrals, the Unit endeavors to be as quick and responsive as possible. Abuse cases are coordinated with local police and prosecutors 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 completed three criminal convictions this year for physical, financial, or sexual abuse cases. As mentioned, these cases are typically investigated by the local police and prosecuted by the local District Attorney, with the MFCU providing assistance as needed. This year, the Unit reviewed 3819 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 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 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		26	25				
3.2 Update case status report monthly and do case review of each case at least quarterly.	Benchmark	12/4				12/4		12/4	
	Actual	12/4	0	12/4					

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. In addition, the Unit has improved its pre-assignment evaluation of referred cases, providing a review of cases to be assigned, so that limited Unit resources may be utilized properly. This is reflected in the fact that while fewer cases have been opened, the number of convictions has increased.

Key Workload Indicators: Workload indicators are consistent with the results in the Performance Measure table, and reflect an increasing overall Unit caseload.

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

MEDICAID FRAUD GRANT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
MEDICAID FRAUD CONTROL GRANT	1,660,872	15.0	1,742,928	16.6	1,579,511	17.0	1,838,735	17.0	1,579,511	17.0
General Fund	415,218		435,732		394,876		459,383		394,876	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	-		-		-		-		-	
Federal Funds	1,245,654		1,307,196		1,184,635		1,379,352		1,184,635	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

MEDICAID FRAUD GRANT

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
First Assistant Attorney General	105,000	1.0	105,000	1.0			105,000	1.0	105,000	1.0
Senior Assistant Attorney General	98,400	1.0	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	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	620,189	7.9	692,681	9.0			693,324	9.0	693,324	9.0
Auditor IV	85,200	1.0	65,026	0.8			76,800	1.0	76,800	1.0
Program Assistant I	41,400	1.0	45,165	1.0			46,200	1.0	46,200	1.0
Health Professional IV	23,534	0.3	57,702	0.8			70,200	1.0	70,200	1.0
Legal Assistant I	14,136	0.3								
Legal Assistant II	32,696	0.7	49,044	1.0			49,044	1.0	49,044	1.0
TOTAL POSITION DETAIL	1,193,239	15.0	1,302,054	16.6			1,328,004	17.0	1,328,004	17.0
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by position) Continuation Salary Subtotal	1,193,239	15.0	1,302,054	16.6			1,328,004	17.0	1,328,004	17.0
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	89,191		96,232				134,792		134,793	
Medicare on Continuation Subtotal	17,002		18,299				19,256		19,256	
Non-Base building Performance Award	5,000		4,000				-		-	
Part-Time/Temporary Salaries	-		1,699							
Professional Contractual Services	17,007		5,922				12,670		19,250	
Sick Leave Payouts	78		-							
Annual Leave Payouts	7,198		368							
Leave Payouts										
Furloughs	-		-							
Overtime	-		-							
Other	657		447				750		750	
SUBTOTAL	136,133	15.0	126,967	16.6			167,468	17.0	174,049	17.0
(I.C.) PERSONAL SERVICES SUBTOTAL= A+B										
	1,329,372	15.0	1,429,020	16.6			1,495,472	17.0	1,502,053	17.0
(I.D.) POTS EXPENDITURES										
Health/Life Dental	79,449		99,166				114,132			
Salary Survey							-			
Performance Awards							-			

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

MEDICAID FRAUD GRANT

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Short Term Disability	1,998		2,299				2,351			
SB 04.257 A.E.D.	28,060		35,214				42,496			
SB 06.235 S.A.E.D.	20,502		28,293				36,520			
Other										
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL= C+D	1,459,381	15.0	1,593,992	16.6			1,690,971	17.0	1,502,053	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	1,459,381	15.0	1,593,992	16.6			1,690,971	17.0	1,502,053	17.0
General Fund	364,845		398,498				422,828		375,512	
Cash Funds										
Reappropriated Funds	-		-							
Federal Funds	1,094,536		1,195,494				1,268,143		1,126,541	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

MEDICAID FRAUD GRANT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation	553		433				750		750	
2220 Building Grounds Maintenance	-		-				-		-	
2230 Equipment Contract Maintenance	42		3				-		-	
2231 ADP Equip Maint/Repair Services	314		1,104				450		450	
2232 Software Upgrades	1,688		495				1,212		1,212	
2240 Motor Veh Maint/Repair Svcs	-		-				-		-	
2251 Lease Motor Pool Vehicle	6,419		3,423				-		-	
2252 Motor Pool Mileage Charge	2,815		3,610				3,025		3,025	
2253 Equipment Rental	-		-				-		-	
2254 Rental of Motor Vehicles	-		-				-		-	
2255 Rental of Buildings	44,284		54,140				-		-	
2258 Parking Fees	4,725		3,960				3,500		3,500	
2259 Parking Fee Reimbursement	6		-				-		-	
2510 In State Travel	-		-				-		-	
2511 In State Common Carrier Fare	-		-				-		-	
2512 IS Personal Travel Per Diem	1,019		4,073				988		988	
2513 IS Personal Vehicle Reimbursement	181		80				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	481		246				500		500	
2531 OS Common Carrier Fares	1,710		1,672				1,200		1,200	
2532 OS Personal Travel Per Diem	6,338		4,509				3,972		3,972	
2533 OS Personal Vehicle Reimbursement	-		-				-		-	
2550 Out of Country Travel	-		-				-		-	
2552 OC Pers Travel Reimbursement	-		-				-		-	
2610 Advertising	-		-				-		-	
2630 Telephone	10,640		11,632				11,250		11,250	
2631 Comm Svcs from Outside Sources	10,412		8,480				10,544		10,544	
2641 Other ADP Billings - Purchase Services	5,080		3,293				250		250	
2650 OIT Purchased Svcs	0		-				-		-	
2660 Insurance	1,791		2,807				-		-	
2680 Contract Printing	469		13				450		450	
2981 Photocopy Reimbursement	-		-				-		-	
2810 Freight & Storage	-		-				-		-	
2820 Other Purchased Services	241		445				-		-	
2830 Office Moving/Purchased Services	-		-				-		-	
2831 Storage Purch Svcs	1		5				-		-	
3110 Other Supplies and Materials	-		-				-		-	
3112 Automotive Supplies	-		-				-		-	
3113 Clothing & Uniform Allowance	-		-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

MEDICAID FRAUD GRANT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
3114 Custodial	-		-						-	
3115 DP Supplies	527		56				-		-	
3116 Purchase/Leased Software	1,797		7							
3117 Educational	524		-				827		827	
3120 Books & Subscriptions	7,149		12,516				10,128		10,128	
3121 Office Supplies	4,675		2,541				3,524		3,524	
3122 Microfilming/Photo. Supplies	-		-						-	
3123 Postage	813		693				778		778	
3124 Printing	-		43						-	
3126 Repair & Maintenance/Supplies	-		-						-	
3128 Non-Capitalized Equipment	1,915		6,113				-		-	
3131 Non-Capitalized Building Materials	53,248		-				8,545		8,545	
3132 Non-Capitalized Furn/Office Systems	2,623		-						-	
3139 Non-Capitalized Fixed Asset Other	-		-						-	
3140 Non-Capitalized IT - PC's	8,652		129				-		-	
3141 Non-Capitalized IT - Servers	89		-				-		-	
3143 Non-Capitalized IT Other	1,955		94				-		-	
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	15,791		17,590				14,715		14,715	
4151 Interest Late Payments	-		-						-	
4170 Miscellaneous Fees	-		-						-	
4180 Official Functions	1,327		65						-	
4220 Registration Fees	709		4,664				800		800	
6140 Buildings and Improves. to Bldg.	-		-						-	
6210 Other Capital Equipment	-		-						-	
6212 IT Servers Direct Purchase	169		-				-		-	
6214 IT Other - Direct Purchase	101		-				-		-	
Operating Expense Subtotal:	201,491		148,936				77,457		77,457	
OPERATING EXPENSE TOTAL:	201,491		148,936				77,457		77,457	
General Fund	50,373		37,234				19,364		19,363	
Federal Funds	151,118		111,702				58,093		58,094	
Potted Operating Expenses										
Workers' Compensation							3,003			
Leased Vehicle Expense							3,487			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

MEDICAID FRAUD GRANT

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Capital Complex Lease Space							51,946			
Leased Space Allocation							229			
IT Asset Maintenance							1,381			
Communication Service Payments							3,377			
ADP Capital Outlay										
CLE Registration Fees							1,125			
Building Security							5,758			
Total							70,306			
General Fund							17,232			
Cash Funds										
Reappropriated Funds										
Federal Funds							53,074			
FY 13 Decision Item:										
Med Fraud FTE										
General Funds									-	
Federal Funds									-	
Vacancy Savings										
General Funds									-	
Federal Funds									-	
TOTAL MEDICAID FRAUD	1,660,872	15.0	1,742,928	16.6			1,838,735	17.0	1,579,511	17.0
General Fund	415,218		435,732				459,383		394,876	
General Fund Exempt	-		-				-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	-		-				-		-	
Federal Funds	1,245,654		1,307,196				1,379,352		1,184,635	
RECONCILIATION OF FUNDS/REQUEST										
Long Bill Appropriation	1,341,607	14.0	1,579,511	17.0	1,579,511		1,579,511	17.0	1,579,511	17.0
Supplemental SB09-192										
SB 10-167 False Claims Act	276,580	3.0								
SB 11-76 PERA			(30,537)				-		-	
PERA adjustment back to 10.15% from 7.65%										
DPA NP Printing Statewide Warrants and Mainframe Docs										
Salary POTS							-		-	
Health/Life/Dental	57,022		80,104				107,117			
Short Term Disability	1,618		1,915				1,793			
SB 04.257 A.E.D.	25,868		30,299				43,055			
SB 06.235 S.A.E.D.	18,861		24,347				36,953			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

MEDICAID FRAUD GRANT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Worker's Compensation	1,791		2,807				3,003			
Leased Space Allocation	216		216				229			
Capital Complex Lease Space	44,089		53,925				51,946			
Vehicle Lease Allocation	6,419		3,551				3,487			
IT Asset Maintenance	1,381		1,381				1,381			
ADP Capital Outlay Allocation										
Communication Service Payments	2,464		2,672				3,377			
CLE Registration Fees	751		751				1,125			
Building Security	4,256		5,268				5,758			
Rollforward from Previous FY										
Rollforward to Subsequent FY										
Overexpenditure/(Reversion) - GF	(30,513)	(0.5)	(3,320)	(0.1)						
Lapsed Appropriation Reappropriated Funds										
Lapsed Appropriation Federal Funds	(91,538)	(1.5)	(9,962)	(0.3)						
TOTAL RECONCILIATION	1,660,872	15.0	1,742,928	16.6			1,838,735	17.0	1,579,511	17.0
GRAND TOTAL	1,660,872	15.0	1,742,928	16.6	1,579,511	17.0	1,838,735	17.0	1,579,511	17.0
General Fund	415,218		435,732		394,876		459,383		394,876	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	-		-		-		-		-	
Federal Funds	1,245,654		1,307,196		1,184,635		1,379,352		1,184,635	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

MEDICAID FRAUD GRANT

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2011	FY 2012	FY 2013	FY 2013	FY 2014
Schedule 3 Total		1,660,872	1,742,928	1,579,511	1,838,735	1,579,511
General Funds		415,218	435,732	394,876	459,383	394,876
General Funds Exempt		-	-	-	-	-
Cash Funds		-	-	-	-	-
Reappropriated Funds		-	-	-	-	-
Federal Funds		1,245,654	1,307,196	1,184,635	1,379,352	1,184,635
Federal Funds						
Medicaid Fraud Federal Funds		1,245,654	1,307,196	1,184,635	1,379,352	1,184,635

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.

This grant and training program has achieved significant success, 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 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. For FY 12, P.O.S.T. awarded \$1,880,993 in grants.

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 Alamosa, 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.).

Recent Legislative Actions Affecting P.O.S.T. Workload

- HB 12-1163 eliminates the authority of the Peace Officer Standards and Training (POST) Board to grant conditional peace officer status. The bill also allows a person to be granted provisional peace officer status if he or she has been authorized to act as a peace officer in another state or federal jurisdiction *within the last three years*, in addition to the current requirement that he or she has served in good standing in the other jurisdiction for one year.
- 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.

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
POST Board	2,565,711	6.5	2,612,975	4.6	2,683,620	7.0	2,792,253	7.0	2,683,620	7.0
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	2,565,711		2,612,975		2,683,620		2,792,253		2,683,620	
Reappropriated Funds	-		-		-		-		-	
Federal Funds	-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
General Professional VI	98,760	1.0	96,800	1.0			98,760	1.0	98,760	1.0
General Professional V	52,300	0.7	73,986	0.9						
General Prof IV							65,772	1.0	65,772	1.0
Compliance Investigator II	66,876	1.0	66,876	1.0			66,876	1.0	66,876	1.0
Data Specialist	35,723	1.0	8,045	0.2					-	0.0
Technician III	37,708	0.8	1,239	0.0			44,736	1.0	44,736	1.0
Administrative Asst II			8,753	0.2			36,000	1.0	36,000	1.0
Program Assistant II	49,200	1.0	41,000	0.8			49,200	1.0	49,200	1.0
Program Assistant I	43,200	1.0	16,374	0.4			43,200	1.0	43,200	1.0
TOTAL POSITION DETAIL	383,767	6.5	313,074	4.6			404,544	7.0	404,544	7.0
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by Position) Continuation Salary Subtotal	383,767	6.5	313,074	4.6			404,544	7.0	404,544	7.0
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	28,925		27,325				41,061		41,061	
Medicare on Continuation Subtotal	5,493		5,210				5,866		5,866	
Non-Base building performance Award							-		-	
Part Time/Temporary Services	7,695		28,158				-	0.0	-	
Contractual Services	62,317		197,244				248,575		247,781	
Overtime Payments	-		5,106							
Termination/Retirement Payouts										
Furlough	-		-							
Leave Payout	558		17,099				-			
Sick Leave Payout	-		2,129				-			
Unemployment Payout			6,548				-			
SUBTOTAL	104,989		288,817				295,502		294,708	
(I.C.) PERSONAL SERVICES										
SUBTOTAL= A+B	488,756	6.5	601,891	4.6			700,046	7.0	699,252	7.0
(I.D.) POTS EXPENDITURES										
Health/Life Dental	39,478		19,036				46,496			
Salary Survey										
Performance Awards										

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Short Term Disability	623		544				716			
SB 04.257 A.E.D.	9,129		10,033				12,945			
SB 06.235 S.A.E.D.	6,685		8,076				11,125			
Other	1,143		1,275							
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL= C+D	545,815	6.5	640,855	4.6			771,328	7.0	699,252	7.0
(I.F.) DIFFERENCE=II- I.E.									-	
(I.G.) REQUEST YEAR DECISION ITEMS										
General Fund										
Cash Funds										
Reappropriated Funds										
II. PERSONAL SERVICES REQUEST TOTAL	545,815	6.5	640,855	4.6			771,328	7.0	699,252	7.0
General Fund							-		-	
General Fund Exempt										
Cash Funds	545,815		640,855				771,328		699,252	
Reappropriated Funds	-		-				-		-	
Federal Funds										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	1,399		20				1,250		1,250	
2231 ADP Equip Maint/Repair Services	1,876		1,664				2,250		2,250	
2232 Software Upgrades	5,899		6,167				-		-	
2240 Motor Veh Maint/Repair Svcs	-		-				-		-	
2250 Misc Rentals	-		-				-		-	
2251 Lease Motor Pool Vehicle	2,483		2,375				-		-	
2252 Motor Pool Mileage Charge	3,114		2,061				3,215		3,215	
2253 Equipment Rental	-		-				-		-	
2254 Rental of Motor Vehicles	-		-				-		-	
2255 Rental of Buildings	22,043		22,205				-		-	
2258 Parking Fees	1,320		1,320				-		-	
2259 Parking Fee Reimbursement	639		337				400		400	
2510 In State Travel	-		-				-		-	
2512 IS Personal Travel Per Diem	3,995		2,021				3,886		3,886	
2513 IS Personal Vehicle Reimbursement	170		320				-		-	
2514 State Owned Aircraft	-		-				-		-	
2520 IS Travel/Non Employee	-		25				-		-	
2523 IS/Non-Emp - Pers Veh Reimb	-		-				-		-	
2530 Out of State Travel	149		122				150		150	
2531 OS Common Carrier Fares	-		645				-		-	
2532 OS Personal Travel Per Diem	597		2,776				225		225	
2533 OS Personal Vehicle Reimbursement	-		-				-		-	
2540 OS Travel - Non Emp	-		87				-		-	
2541 OS Non Emp - Comm Carrier	-		209				-		-	
2542 OS/Non Employee Pers Per Diem	-		393				-		-	
2550 Out of Country Travel	-		-				-		-	
2552 OC Pers Travel Reimbursement	-		-				-		-	
2630 Telephone	4,135		3,830				4,214		4,214	
2631 Comm Svcs from Outside Sources	266		420				275		275	
2641 Other ADP Billings - Purchase Services	59		-				215		215	
2650 OIT Purchased Services	3		-				-		-	
2660 Insurance	895		1,156				-		-	
2680 Contract Printing	5,713		5,248				8,700		8,700	
2681 Photocopy Reimbursement	-		-				-		-	
2690 Other Pur Services - Legal	12,676		12,314				11,532		11,532	
2810 Freight & Storage	-		-				-		-	
2820 Other Purchased Services	16		-				-		-	
2830 Office Moving/Purchased Services	-		-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2831 Storage - Purch Svs	5		33							
3110 Other Supplies and Materials	-		-						-	
3112 Automotive Supplies	-		-						-	
3113 Clothing & Uniform Allowance	-		-						-	
3114 Custodial	-		-						-	
3115 DP Supplies	200		91				189		189	
3116 Purchase/Leased Software	431		46				-		-	
3117 Educational	-		-				75		75	
3120 Books & Subscriptions	882		8,959				212		212	
3121 Office Supplies	5,471		3,991				4,360		4,360	
3122 Microfilming/Photo. Supplies	33		46				39		39	
3123 Postage	4,159		4,336				4,250		4,250	
3124 Printing	-		337						-	
3126 Repair & Maintenance/Supplies	-		-						-	
3128 Non-Capitalized Equipment	2		-						-	
3131 Non-Capitalized Building Materials	-		-						-	
3132 Non-Capitalized Furn/Office Systems	1,460		-						-	
3140 Non-Capitalized IT PC's	3,519		802				-		-	
3141 Non-Capitalized IT - Servers	550		-				-		-	
3143 Non-Capitalized IT Other	864		10				-		-	
3146 Non-Capitalized IT Purchased Server	565		-				-		-	
3940 Electricity	-		-						-	
3950 Gasoline	-		-						-	
4100 Other Operating Expenses	-		-						-	
4111 Prizes and Awards	-		-						-	
4140 Dues & Memberships	1,585		3,076				1,475		1,475	
4151 Interest Late Payments	-		-						-	
4170 Miscellaneous Fees	-		-						-	
4180 Official Functions	1,351		1,646				1,200		1,200	
4220 Registration Fees	800		2,040						-	
5110 Grants to Cities	-		-						-	
5120 Grants to Counties	-		-						-	
5520 Distributions Counties	-		1,628						-	
5776 State Grant - Interfund	46,668		34,685				35,595		35,595	
5781 Grants to NonGov/Organizations	1,882,233		1,844,682				1,900,661		1,900,661	
6140 Buildings and Improves. to Bldg.	-		-						-	
6210 Other Capital Equipment	-		-						-	
6212 IT PC SW Direct Purchase	1,046		-				-		-	
6213 IT Servers Direct Purchase	-		-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
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:	2,019,896		1,972,120				1,984,368		1,984,368	
OPERATING EXPENSE TOTAL:	2,019,896		1,972,120				1,984,368		1,984,368	
General Fund										
General Funds Exempt										
Cash Funds	2,019,896		1,972,120				1,984,368		1,984,368	
Reappropriated Funds										
Potted Operating Expenses										
Workers' Compensation							1,237			
Leased Vehicle Expense							2,477			
Capital Complex Lease Space							21,390			
Leased Space							-			
IT Asset Maintenance							9,082			
ADP Capital Outlay							-			
Building Security							2,371			
Total							36,557			
General Fund							-			
Cash Funds							36,557			
Reappropriated Funds										
FY13 DECISION ITEM REQUEST										
General Fund							-			
Cash Funds							-			
							-			
TOTAL POST BOARD	2,565,711	6.5	2,612,975	4.6	2,683,620	7.0	2,792,253	7.0	2,683,620	7.0
General Fund							-			
General Fund Exempt							-			
Cash Funds	2,565,711		2,612,975		2,683,620		2,792,253		2,683,620	
Reappropriated Funds							-			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

PEACE OFFICERS STANDARDS & TRAINING BOARD

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Federal Funds										
RECONCILIATION OF FUNDS/REQUEST										
Long Bill Appropriation	2,681,744	7.0	2,683,620	7.0	2,683,620		2,683,620	7.0	2,683,620	7.0
Salary Survey-Classified							-		-	
PBP - Classified							-		-	
SB 11-76 PERA Reduction			(8,920)				-		-	
PERA change back to 10.15%										
<i>DPA NP Printing Statewide Warrants and Mainframe Docs</i>							-			
<i>Special Bill - HB08-1397</i>										
<i>Supplemental HB 10-1305</i>										
<i>HB 09-1036 Increase Motor Veh. Reg Fees</i>										
Salary POTS							-			
Health/Life/Dental	33,176		49,285				46,496			
Short Term Disability	394		663				639			
SB 04.257 A.E.D.	6,561		10,493				13,414			
SB 06.235 S.A.E.D.	4,784		8,432				11,527			
Workers Compensation	895		1,156				1,237			
Capital Complex Lease Space	22,044		-				21,390			
Leased Space Allocation										
Vehicle Lease Allocation	1,676		2,375				2,477			
Building Security	2,128		2,169				2,371			
IT Asset Maintenance	8,550		8,550				9,082			
ADP Capital Outlay Allocation										
Rollforward from Previous FY							-			
Rollforward to Subsequent FY										
Overexpenditure/(Reversion) - GF										
Lapsed Appropriation Cash Fund	(196,241)	(0.5)	(144,848)	(2.5)						
Lapsed Appropriation Cash Fund Exempt										
TOTAL RECONCILIATION	2,565,711	6.5	2,612,975	4.5			2,792,253	7.0	2,683,620	7.0
GRAND TOTAL	2,565,711	6.5	2,612,975	4.6	2,683,620	7.0	2,792,253	7.0	2,683,620	7.0
General Fund					-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	2,565,711		2,612,975		2,683,620		2,792,253		2,683,620	
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 2011	FY 2012	FY 2013	FY 2013	FY 2014
Schedule 3 Total		2,565,711	2,612,975	2,683,620	2,792,253	2,683,620
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		2,565,711	2,612,975	2,683,620	2,792,253	2,683,620
Reappropriated Funds		-	-	-	-	-
Cash Funds	296					
POST Board Fund		2,565,711	2,612,975	2,683,620	2,792,253	2,683,620
Reappropriated Funds	296					
POST Board Fund Reserve		-	-	-	-	-

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 was the subject of Senate Bill 12-079, "Concerning Revisions to the Safe2Tell Program Relating to Advances in Communications Technology." The act clarifies the existing structure of the Safe2Tell program as a single entity under that name and removes all references to a "hotline" to reflect that the program receives information through various methods of transmission in addition to telephone calls. In addition, the legislation clarifies that information received by the program through methods established by the program is confidential and is not subject to subpoena except under certain conditions. Materials that are confidential pursuant to the statute are not public records and the attorney general has standing on behalf of the program to oppose the disclosure of confidential materials.

III) WORKLOAD MEASURES

From September 2004 to May 2012, numerous calls, web reports and text tips have resulted in 6,151 tip reports from 163 Colorado cities and 59 counties. They include (but are not limited to) the following categories:

- 1,546 Bullying
 - 225 Assaults
 - 28 Prevented planned school attacks
 - 962 Drugs/alcohol
 - 219 Cutting
 - 48 Domestic violence
 - 799 Suicide interventions
 - 200 Fighting
 - 17 Animal cruelty
 - 706 Threats of violence
 - 56 Gangs
 - 65 Thefts
 - 361 Harassment
 - 272 Guns/weapons
 - 56 Sexting
 - 359 Sexually-related crimes
 - 318 Child abuse
 - 54 Vandalism

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

Safe2Tell

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Safe2Tell	109,946	1.0	106,805	1.0	100,686	1.0	110,051	1.0	100,686	1.0
General Fund	109,946		106,805		100,686		110,051		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 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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				93,384	1.0	93,384	1.0
TOTAL POSITION DETAIL	93,384	-	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	93,384	1.0
(Permanent FTE by position)										
Continuation Salary Subtotal										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	7,549		6,716				9,478		9,478	
Medicare on Continuation Subtotal	1,354		1,354				1,354		1,354	
Non-Base Building Performance Awards	-		-							
Contractual	304		-							
Furlough Days	-		-							
Other	-		-							
SUBTOTAL	9,207		8,070				10,833		10,833	
(I.C.) PERSONAL SERVICES SUBTOTAL= A+B	102,591	1.0	101,454	1.0			104,217	1.0	104,217	1.0
(I.D.) POTS EXPENDITURES										
Health/Life Dental	113		113				113			
Salary Survey							-			
Performance Awards							-			
Short Term Disability	158		165				165			
SB 04.257 A.E.D.	2,210		2,817				2,988			
SB 06.235 S.A.E.D.	1,595		2,257				2,568			
Other										
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL= C+D	106,666	1.0	106,805	1.0			110,051	1.0	104,217	1.0
(I.F.) DIFFERENCE= II- I.E.										

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

Safe2Tell

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	106,666	1.0	106,805	1.0			110,051	1.0	104,217	1.0
General Fund	106,666		106,805				110,051		104,217	
Cash Funds										
Reappropriated Funds									-	
Federal Funds									-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Safe2Tell

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	3,280		-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Safe2Tell

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	106,805	1.0	100,686	1.0	110,051	1.0	100,686	1.0
General Fund					100,686		110,051		100,686	
Reappropriated Funds					-		-		-	
Federal Funds									-	
RECONCILIATION OF FUNDS/REQUEST										
Long Bill Appropriation	98,351		100,686				100,686	1.0	100,686	1.0
Federal Grant										
Classified Salary POTS										
Health/Life/Dental	4,600		4,819				3,741			
Short Term Disability							138			
SB 04.257 A.E.D.	4,000		1,371				2,957			
SB 06.235 S.A.E.D.	3,000						2,529			
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)		(71)							

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Safe2Tell

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	106,805	1.0			110,051	1.0	100,686	1.0
GRAND TOTAL	109,946	1.0	106,805	1.0	100,686	1.0	110,051	1.0	100,686	1.0
General Fund	109,946		106,805		100,686		110,051		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 2011	FY 2012	FY 2013	FY 2013	FY 2014
Schedule 3 Total		109,946	106,805	100,686	110,051	100,686
General Funds		109,946	106,805	100,686	110,051	100,686
General Funds Exempt		-	-	-	-	-
Cash Funds		-	-	-	-	-
Reappropriated Funds		-	-	-	-	-
Federal Funds		-	-	-	-	-
Reappropriated Funds						
Victim Assistance & Law Enforcement Fund		-	-	-	-	-
Federal Funds						
Federal VOCA Grant		-	-		-	-

D) 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, there was a motion filed by the defendant in the Tenth Circuit raising complaints of ineffective assistance of counsel at trial. Oral argument was held in the Court, and the Victim Services Coordinator accompanied seven of the family members to the hearing. The Tenth Circuit denied the defendant's appeal, affirmed the trial courts ruling, and denied the defendant's petition for rehearing.

People v. Dominic Dale Duran, and People v. Angel Montoya

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 Duran's attempted murder conviction because of an erroneous jury instruction, and it vacated the reckless manslaughter conviction on sufficiency grounds. In August of 2011, the Court of Appeals reversed Montoya's convictions because of a different erroneous jury instruction. Duran's case has been remanded to Jefferson County for retrial, and Montoya's case is now scheduled to be heard by the Colorado Supreme Court.

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.

People v. Myrl Serra

In September, 2010, Myrl Serra, who was the elected District Attorney of the Seventh Judicial District, was arrested for sexual offenses. The three named victims were all employees in the Montrose District Attorney's office.

Governor Ritter appointed the Attorney General's office as Special Prosecutor in the case. First Attorney General Robert Shapiro was the Prosecutor, and Judy Page was the Victim Advocate during the eighteen months of legal proceedings.

The three victims were provided with their rights as crime victims, and there was a successful prosecution. A jury in Montrose, Colorado convicted Serra of felony bond violation and protection order violation, which carried a minimum of twelve months incarceration. A plea agreement was reached in the three counts of unlawful sexual contact and three counts of criminal extortion, and sentences of four years of probation and sex offender treatment and sex offender registry were imposed. Serra was required to surrender his license to practice law.

The proceedings were complicated by the distance between Denver and Montrose, the special position of authority that the defendant held over his victims, the small community of Montrose and public awareness of the details of these crimes. The victims have told Mr. Shapiro and Ms. Page that they were satisfied with the outcome and knew that the Attorney General's staff provided professional and thorough services.

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 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 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	1450	1400	1800	

Objective: To play an active role in the statewide coordination of victim services.

Workload Measure		FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 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 MEASURE

Performance Measure	Outcome	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Accompany victims to oral arguments to the Court of Appeals and the Colorado Supreme Court	Target	24	24	24	24
	Actual	24	26	25	

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.

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

INDIRECT COST ASSESSMENT - CRIMINAL JUSTICE & APPELLATE

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Criminal Justice & Appellate Indirect	382,767		440,209		446,544		446,544		490,623	
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	205,732		222,031		215,830		215,830		237,134	
Reappropriated Funds	46,101		71,943		73,184		73,184		80,408	
Federal Funds	130,934		146,235		157,530		157,530		173,081	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

INDIRECT COST ASSESSMENT - CRIMINAL JUSTICE & APPELLATE

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Criminal Justice & Appellate Indirect	382,767		440,209		446,544		446,544		490,623	
General Fund							-		-	
General Fund Exempt							-		-	
Cash Funds	205,732		222,031		215,830		215,830		237,134	
Reappropriated Funds	46,101		71,943		73,184		73,184		80,408	
Federal Funds	130,934		146,235		157,530		157,530		173,081	
RECONCILIATION OF FUNDS										
Long Bill Appropriation Supplemental	375,994		451,504							
Rollforward from Previous FY										
Rollforward to Subsequent FY										
Lapsed Appropriation Cash Funds	-		0							
Lapsed Appropriation Federal Funds	6,785		(11,295)							
Lapsed Appropriation Reappropriated Funds	(12)		0							
TOTAL RECONCILIATION	382,767		440,209							

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 2011	FY 2012	FY 2013	FY 2013	FY 2014
Schedule 3 Total		328,276	440,209	446,544	446,544	490,623
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		77,430	222,031	215,830	215,830	237,134
Reappropriated Funds		138,920	71,943	73,184	73,184	80,408
Federal Funds		111,926	146,235	157,530	157,530	173,081
Cash Funds		77,430	222,031	215,830	215,830	237,134
State Compensation Insurance Authority		3,008	38,452	-	-	-
POST Board Cash Fund		74,422	86,828	86,828	86,828	95,399
Insurance Fraud Cash Fund			96,751	129,002	129,002	141,735
Reappropriated Funds		138,920	71,943	73,184	73,184	80,408
DORA Division of Insurance Cash Fund		94,268	-	-	-	-
DORA Division of Securities		44,652	71,943	73,184	73,184	80,408
Federal Funds						
Medicaid Federal Grant		111,926	146,235	157,530	157,530	173,081

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 protects and defends the interests of the State and its citizens in all areas of natural resources law and environmental law. The Section is made up of nine units that represent and advise state agencies, and state boards and commissions 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, among others, the National Environmental Policy Act, Endangered Species Act, Wild and Scenic Rivers 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, the State Engineer, and the Colorado Commissioner to the Upper Colorado River Commission on issues pertaining to the Colorado River and the Colorado River Compacts. The Unit's major tasks include providing real-time counsel during interstate negotiations concerning reservoir operations including Glen Canyon and Hoover Dams, application of the 1944 Water Treaty with Mexico, and compliance with Federal environmental laws like the Endangered Species Act. The Unit also focuses on 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.

CERCLA Litigation Unit/Natural Resources Damages (NRDs)

This Unit handles the legal work for 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 (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 2011, the Unit continued work associated with 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, and represented 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.

CERCLA/Natural Resources Damages

Rocky Mountain Arsenal NRDs Settlement

We recovered about \$27 million from Shell Oil and the United States Army in 2008. The Natural Resources Trustees approved in July 2012 a plan to spend \$10 million of Foundation Fund money on eleven projects around the RMA/South Platt area. With matching funds, the projects total \$41 million. We are exploring ways to get \$17 Million in Restoration Fund monies released as soon as possible.

Rocky Flats National Wildlife Refuge/Section 16 litigation

Pursuant to authority granted in the Rocky Flats National Wildlife Refuge Act, the Fish and Wildlife Service has proposed to transfer a 300' wide right-of-way along the eastern edge of Rocky Flats to the Jefferson Parkway Public Highway Authority. In exchange, as part of a complex series of real estate transactions, 617 acres of Section 16 (now owned by the State Land Board) and 128 acres of privately-owned mineral rights located within the boundaries of the Refuge will be added to the Refuge. Two cities, Golden and Superior, and two environmental groups have sued to stop the transaction, alleging that FWS violated the National Environmental Policy Act, the Endangered Species Act, and the Rocky Flats Refuge Act. The State Natural Resource Trustees and the State Land Board, both of which are parties to the real estate transactions, have intervned in the suit

on the side of the Federal Defendants. We anticipate a decision by the Federal district Court before the end of the year.

Suncor Commerce City Refinery

In November 2011, a fisherman discovered oily material seeping out of the banks of Sand Creek approximately 500 feet from the confluence with the South Platte River, which is a major source of agricultural water and drinking water in northeastern Colorado. The oily material migrated in a groundwater plume off of Suncor's property, traveled under Metro Wastewater Reclamation District's property, and daylighted on Sand Creek. Water samples confirm levels of hydrocarbons exceeding water standards. The Natural Resource Trustees have authorized the Unit to evaluate the site for natural resource damages. The Unit has been working cooperatively with the Federal Trustees and Suncor in conducting pre-assessment activities.

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. Unit attorneys are currently focused on monitoring and participating to the extent appropriate in Kansas litigation of claims against Nebraska in the United States Supreme Court to defend Colorado's interests as required in that continuation of *Kansas v. Nebraska and Colorado*, No. 126, Original.

Finally, 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, Colorado's compliance with the Platte River Recovery Program, as well as numerous smaller water court cases throughout the State.

The significant drought and continually increasing demands for scarce water, both within and without the State, have ensured that the Unit's workload remains heavy. As the Unit attorneys take over more of Arkansas Compact matters from outside counsel, that workload has also increased. 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 and bi-national negotiations, agreements, legislation and litigation. These actions include monitoring implementation of interim surplus and shortage 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, assisting in analyzing the effects of drought on Colorado River water supplies and assisting the Department of Natural Resources in evaluating Colorado's options to respond to Colorado River shortages, continuing to participate in talks with the Department of the Interior to finalize the Environmental Impact Statements and Record of Decisions for operating the Aspinall

Unit and the Long-term Experimental and Management Plan for Glen Canyon Dam, participating in bi-national talks between the United States and Mexico to identify cooperative actions to benefit both countries concerning the Colorado River, 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 working with Colorado water users to identify a mutually agreeable solution to achieving the payback requirements for Reudi Dam, and for assisting in the preparation of intrastate and regional studies concerning future water availability and Compact implementation in the Colorado River Basin. Finally, the Unit is responsible for 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/NRDs

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. The Unit is also in the process of evaluating three new NRDs claims.

California Gulch Settlement

Over FY 2014, the CERCLA Litigation Unit will continue to assist CDPHE in overseeing cleanup, monitoring and maintenance of various Operable Units at the Cal Gulch site. Several areas have been delisted, OU nine recently. The natural resources damages settlement also made \$10.5 million from Resurrection/ Newmont and \$10 million from Asarco available for natural resources damages. NRDs: instream and stream bank Arkansas River, land acquisition, conservation easements, habitat. Natural resource projects are being identified and approved for funding by a committee that includes the State Natural Resource Trustees.

NRDs 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 and 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 Waste

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. 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. In addition to the Valley Floor, the State and Idarado are working to identify further remediation projects in the "high country" to improve water quality in the San Miguel River and Red Mountain Creek.

Implementation of Central City/Clear Creek Superfund Remedy

This CERCLA Remedial Project will collect contaminated mine tunnel water discharges, the legacy of historic mining, 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. CDPHE/CDOT coordination has resulted in stream improvements and joint contracting for certain portions, all done to improve water quality and stream habitat so that the remedial action goal of a fishery can be accomplished. Water rights issues complicate the ability to reach remedial action goals, as diversions by senior water rights could withdraw most of the water from the stream during certain parts of the year. CDPHE and the water users will continue complex negotiations in hopes of reaching a "win/win" so the water treatment plant construction occurs.

Summitville Mine

Superfund site listed on the NPL following failure of a tailings pond holding cyanide. We are working with area stakeholders, on two restoration projects, including expansion of a spillway at Terrace Reservoir to hold additional water rights for the benefit of the Alamosa River, and restoration along the banks of the Alamosa River to improve wildlife habitat.

DEPARTMENT OF LAW

FY 2013-14 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 2012-13 Long Bill Appropriation (HB 12-1335)	\$513,883	5.5	\$513,883	\$0	\$0	\$0
	\$0		\$0			
FY 2012-13 Total Appropriation	\$513,883	5.5	\$513,883	\$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% (Accommodating for HB 11-101)	\$0	0.0	\$0	\$0	\$0	\$0
FY 13-14 Base Request	\$513,883	5.5	\$513,883	\$0	\$0	\$0
	\$0	0.0	\$0			
FY 2013-14 November 1 Request	\$513,883	5.5	\$513,883	\$0	\$0	\$0
(B) Defense of the Colorado River Basin Compact						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$335,198	3.0	\$0	\$335,198	\$0	\$0
SB 11-76 PERA Bill	\$0		\$0	\$0		
FY 2012-13 Total Appropriation	\$335,198	3.0	\$0	\$335,198	\$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% (Accommodating for HB 11-101)	\$0	0.0	\$0	\$0	\$0	\$0
FY 13-14 Base Request	\$335,198	3.0	\$0	\$335,198	\$0	\$0
	\$0			\$0		
FY 2013-14 November 1 Request	\$335,198	3.0	\$0	\$335,198	\$0	\$0
(C) Defense of the Republican River Compact						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$110,000	0.0	\$0	\$110,000	\$0	\$0
FY 2012-13 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 2013-14 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 13-14 Base Request	\$110,000	0.0	\$0	\$110,000	\$0	\$0
FY 2013-14 November 1 Request	\$110,000	0.0	\$0	\$110,000	\$0	\$0
(D) Consultant Expenses						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$400,000	0.0	\$0	\$400,000	\$0	\$0
FY 2012-13 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 13-14 Base Request	\$400,000	0.0	\$0	\$400,000	\$0	\$0
FY 2013-14 November 1 Request	\$400,000	0.0	\$0	\$400,000	\$0	\$0
(E) Comprehensive Environmental Response, Compensation and Liability Act						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$460,629	3.5	\$0	\$0	\$460,629	\$0
	\$0		\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$460,629	3.5	\$0	\$0	\$460,629	\$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)	\$0	0.0	\$0	\$0	\$0	\$0
FY 13-14 Base Request	\$460,629	3.5	\$0	\$0	\$460,629	\$0
	\$0				\$0	
	\$0				\$0	
FY 2013-14 November 1 Request	\$460,629	3.5	\$0	\$0	\$460,629	\$0
(F) Comprehensive Environmental Response, Compensation and Liability Act Contracts						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$425,000	0.0	\$0	\$0	\$425,000	\$0

DEPARTMENT OF LAW
FY 2013-14 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
FY 2012-13 Total Appropriation	\$425,000	0.0	\$0	\$0	\$425,000	\$0
	\$0				\$0	
FY 13-14 Base Request	\$425,000	0.0	\$0	\$0	\$425,000	\$0
FY 2013-14 November 1 Request	\$425,000	0.0	\$0	\$0	\$425,000	\$0
(G) Natural Resource Damage Claims at Rocky Mountain Arsenal						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$50,000	0.0	\$0	\$0	\$50,000	\$0
FY 2012-13 Total Appropriation	\$50,000	0.0	\$0	\$0	\$50,000	\$0
FY 13-14 Base Request	\$50,000	0.0	\$0	\$0	\$50,000	\$0
FY 2013-14 November 1 Request	\$50,000	0.0	\$0	\$0	\$50,000	\$0
(H) Indirect Cost Assessment						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$43,414	0.0	\$0	\$0	\$43,414	\$0
	\$0		\$0	\$0	\$0	\$0
FY 2012-13 Total Appropriation	\$43,414	0.0	\$0	\$0	\$43,414	\$0
New Indirect Calculation	\$3,294	0.0	\$0	\$0	\$3,294	\$0
FY 13-14 Base Request	\$46,708	0.0	\$0	\$0	\$46,708	\$0
PIO Decision Item	\$991				\$991	
FY 2013-14 November 1 Request	\$47,699	0.0	\$0	\$0	\$47,699	\$0

DEPARTMENT OF LAW**FY 2013-14 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)	\$2,338,124	12.0	\$513,883	\$845,198	\$979,043	\$0
FY 2011-12 Base Request	\$2,341,418	12.0	\$513,883	\$845,198	\$982,337	\$0
FY 2011-12 November 1 Request	\$2,342,409	12.0	\$513,883	\$845,198	\$983,328	\$0

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
FEDERAL & INTERSTATE WATER UNIT	537,964	5.5	535,833	5.3	513,883	5.5	598,734	5.5	513,883	5.5
General Fund	537,964		535,833		513,883		598,734		513,883	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	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	83,010	0.8			47,784	0.5	47,784	0.5
Senior Assistant Attorney General			28,988	0.3			86,964	1.0	86,964	1.0
Assistant Attorney General	249,036	3.5	223,980	3.2			210,480	3.0	210,480	3.0
Assistant Attorney General II	0		-				-		-	
Assistant Attorney General I	0		-				-		-	0.0
Legal Assistant II	66,341	1.0	65,580	1.0			65,580	1.0	65,580	1.0
TOTAL POSITION DETAIL	414,869	5.5	401,558	5.3			410,808	5.5	410,808	5.5
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by position) Continuation Salary Subtotal	414,869	5.5	401,558	5.3			410,808	5.5	410,808	5.5
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	31,490		29,805				41,697		41,697	
Medicare on Continuation Subtotal	5,895		5,776				5,957		5,957	
Non-Base Building Performance Awards	1,500		-				-		-	
Part-Time/Temporary Salaries	-		-				-		-	
Contractual Services	1,672		1,704				35,890		39,065	
Leave			11,883							
Furlough Days	-		-							
Other	915		1,057						-	
SUBTOTAL	41,472	5.5	50,225	5.3			83,544	5.5	86,719	5.5
(I.C.) PERSONAL SERVICES SUBTOTAL=										
A+B	456,342	5.5	451,783	5.3			494,352	5.5	497,527	5.5
Difference										
(I.D.) POTS EXPENDITURES										
Health/Life Dental	25,539		28,472				36,555			
Salary Survey	-		-				-			
Performance Award	-		-				-			
Short Term Disability	700		704				727			
SB 04.257 A.E.D.	9,715		11,181				15,819			
SB 06.235 S.A.E.D.	7,084		9,004				13,595			
Other							-			
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL=	499,380	5.5	501,145	5.3			561,048	5.5	497,527	5.5

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
C+D										
(I.F) DIFFERENCE= II.-I.E										
(I.G.) REQUEST YEAR DECISION ITEMS										
General Fund										
Cash Funds										
Reappropriated Funds										
II. PERSONAL SERVICES REQUEST TOTAL	499,380	5.5	501,145	5.3			561,048	5.5	497,527	5.5
General Fund	499,380		501,145				561,048		497,527	
Cash Funds										
Reappropriated Funds										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation	1,627		1,993				2,215		2,215	
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		-				-		-	
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	18,107		17,447				-		-	
2559 2559 - Parking Fee Reimbursement	-		-						-	
2258 Parking Fees	-		-						-	
2510 In State Travel	47		11				50		50	
2511 In State Common Carrier Fares	2,140		389				800		800	
2512 IS Personal Travel Per Diem	1,546		892				1,220		1,220	
2513 IS Personal Vehicle Reimbursement	-		250				-		-	
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		55				45		45	
2531 OS Common Carrier Fares	184		1,581				350		350	
2532 OS Personal Travel Per Diem	126		694				215		215	
2533 2533 - OS Personal Vehicle Reimburse	-		-						-	
2550 2550 - Out of Country Travel	-		-						-	
2552 2552 - OC Pers Travel Reimbursement	-		-						-	
2630 Telephone	2,438		2,210				2,545		2,545	
2631 Comm Svcs from Outside Sources	-		-				-		-	
2641 Other ADP Billings - Purchase Services	6,970		5,099				4,822		4,822	
2660 Insurance	703		908				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2680 Contract Printing	309		278				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	-		-				-		-	
3116 Purchase/Leased Software	-		-				-		-	
3117 Educational	-		-				-		-	
3120 Books & Subscriptions	107		-				784		784	
3121 Office Supplies	-		3				100		100	
3122 3122 - Microfilming/Photo. Supplies	-		-						-	
3123 Postage	367		434				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		59				500		500	
3144 NonCap IT-Purchased Server SW	-		-						-	
3940 3940 - Electricity	-		-						-	
3950 3950 - Gasoline	-		-						-	
4100 4100 - Other Operating Expenses	-		-						-	
4140 Dues & Memberships	1,567		1,813				1,450		1,450	
4151 4151 - Interest Late Payments	-		-						-	
4170 4170 - Miscellaneous Fees	-		-						-	
4180 4180 - Official Functions	-		-						-	
4220 Registration Fees	368		573				450		450	
6140 6140 - Buildings and Improves. to Bldg.	-		-						-	
6210 6210 - Other Capital Equipment	-		-						-	
6212 IT Servers Direct Purchase	-		-				120		120	
6213 IT PC SW Direct Purchase	-		-				-		-	
Operating Expense Subtotal:	38,584		34,688				16,356		16,356	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSE TOTAL:	38,584		34,688				16,356		16,356	
General Fund	38,584		34,688				16,356		16,356	
General Funds Exempt										
Decision Item:							-		-	
General Fund							-		-	
Potted Operating Expenses										
#### Workers' Compensation							972			
Leased Vehicle Expense							-			
Capital Complex Lease Space							16,806			
Lease Space							-			
IT Asset Maintenance							-			
ADP Capital Outlay							-			
CLE Registration Fees							1,688			
Building Security							1,863			
Total							21,329			
General Fund							21,329			
General Fund Exempt										
Cash Funds										
Reappropriated Funds										
TOTAL FED & INTERSTATE WATER UNIT	537,964	5.5	535,833	5.3			598,734	5.5	513,883	5.5
General Fund	537,964		535,833				598,734		513,883	
CF	-		-							
RECONCILIATION OF FUNDS										
Long Bill Appropriation/Request	516,519	5.5	513,883	5.5	513,883	5.5	513,883	5.5	513,883	5.5
<i>Supplemental HB10-1305</i>										
<i>SB 11-76 PERA Bill</i>			(11,724)						-	
Salary POTS							-			
Health/Life/Dental	11,096		24,306				36,342			
Short Term Disability	655		729				683			
SB 04.257 A.E.D.	9,151		11,333				14,282			
SB 06.235 S.A.E.D.	6,927		9,078				12,215			
Worker's Compensation	703						972			
Capital Complex Lease Space	8,321						16,806			
Lease Space			-				-			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Vehicle Lease Allocation			-				-			
IT Asset Maintenance			-				-			
ADP Capital Outlay Allocation			-				-			
Building Security	1,672		1,704				1,863			
Insurance Reimbursement										
CLE Registration Fees	1,688		1,688				1,688			
Rollforward from Previous FY							-			
Rollforward to Subsequent FY										
Overexpenditures (Reversions) - GF	(18,768)		(12,190)	(0.2)						
Lapsed Appropriation Cash Fund										
TOTAL RECONCILIATION	537,964	5.5	538,808	5.3			598,734	5.5	513,883	5.5
GRAND TOTAL	537,964	5.5	535,833	5.3	513,883	5.5	598,734	5.5	513,883	5.5
General Fund	537,964		535,833		513,883		598,734		513,883	
General Fund Exempt										
Cash Funds	-		0							
Reappropriated Funds										
Federal Funds										

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2011	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		537,964	535,833	513,883	598,734	513,883
General Funds		537,964	535,833	513,883	598,734	513,883
General Funds Exempt		-	-	-	-	-
Cash Funds		-	-	-	-	-
Reappropriated Funds		-	-	-	-	-
Cash Funds						
Fund 13H Attorney Fees		-	-		-	-
Reappropriated Funds		-	-			

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
DEFENSE OF THE COLORADO RIVER COMPACT	311,496	3.0	323,410	3.0	335,198	3.0	376,091	3.0	335,198	3.0
General Fund	32,247		23,055		-		40,893		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	274,544		294,878		335,198		335,198		335,198	
Reappropriated Funds	4,705		5,477		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
First Assistant Attorney General			15,928	0.2			47,784	0.5	47,784	0.5
Assistant Attorney General	150,555	1.9	132,226	1.8			100,965	1.5	100,965	1.5
Assistant Attorney General II										
Assistant Attorney General I										
Legal Assistant II	75,218	1.1	69,432	1.0			69,432	1.0	69,432	1.0
TOTAL POSITION DETAIL	225,773	3.0	217,586	3.0			218,181	3.0	218,181	3.0
(I.A.) CONTINUATION FTE SALARY COSTS										
	225,773	3.0	217,586	3.0			218,181	3.0	218,181	3.0
(Permanent FTE by Position Continuation Salary Subtotal)										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	17,967		16,508				22,145		22,145	
Medicare on Continuation Subtotal	2,145		2,136				3,164		3,164	
Non-Base Building Performance Awards	-		0				-		-	
Part-Time/Temporary Salaries	-		0				-		-	
Contractual Services	12,807		27,307				74,032		68,585	
Leave	-		0				-		-	
Furlough	-		0				-		-	
Overtime	-		0				-		-	
Other	961		883				-		-	
SUBTOTAL	33,880		46,833				99,341		93,894	
(I.C.) PERSONAL SERVICES SUBTOTAL= A+B										
	259,653	3.0	264,419	3.0			317,522	3.0	312,075	3.0
(I.D.) POTS EXPENDITURES										
Health/Life Dental	14,587		9,742				10,614			
Salary Survey	-		-				-		-	
Performance Awards	-		-				-		-	
Short Term Disability	372		381				386			
SB 04.257 A.E.D.	4,841		6,033				6,982			
SB 06.235 S.A.E.D.	3,516		4,844				6,000			
Other	-		-				-		-	

[] Indicates a Non-add

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.E.) BASE PERSONAL SERVICES TOTAL= C+D	282,969	3.0	285,419	3.0			341,505	3.0	312,075	3.0
(I.G.) REQUEST YEAR DECISION ITEMS										
General Fund										
Cash Funds										
Reappropriated Funds										
II. PERSONAL SERVICES REQUEST TOTAL	282,969	3.0	285,419	3.0			341,505	3.0	312,075	3.0
General Fund	20,448		21,000				29,430			
Cash Funds	262,521		264,419				312,075		312,075	
Reappropriated Funds							-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 1930 - Litigation	244		200				11,563		11,563	
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	8,660		9,516						-	
2258 Parking Fees	-		0						-	
2259 Parking Fee Reimbursement	-		22						-	
2510 In State Travel	189		50						-	
2511 In State Common Carrier Fares	350		0						-	
2512 IS Personal Travel Per Diem	599		0				154		154	
2513 IS Personal Vehicle Reimbursement	90		0						-	
2520 IS Travel/Non Employee	-		0						-	
2522 IS Non-Emp - Pers Per Diem	-		0						-	
2530 Out of State Travel	249		1,202				675		675	
2531 OS Common Carrier Fares	4,490		11,391				5,258		5,258	
2532 OS Personal Travel Per Diem	1,269		4,049				2,585		2,585	
2533 OS Personal Vehicle Reimbursement	-		0						-	
2550 Out of Country Travel	-		0						-	
2552 OC Pers Travel Reimbursement	-		229						-	
2630 Telephone	2,768		237				493		493	
2631 Comm Svcs from Outside Sources	-		263				0		-	
2641 Other ADP Billings - Purchase Services	1,712		1,915				285		285	
2660 Insurance	384		495						-	
2680 Contract Printing	-		0						-	
3115 DP Supplies	-		0						-	
3116 Purchase/Leased Software	-		0						-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
3117 Educational	-		0						-	
3120 Books & Subscriptions	-		0						-	
3123 Postage			11							
3121 Office Supplies	3		0						-	
3140 Noncapitalized IT - PCs	-		0						-	
3141 Noncapitalized IT - Servers	-		0						-	
3143 Non-Capitalized IT Other	571		0						-	
3146 Non-Capitalized IT Purchased Server SW	-		0						-	
4140 Dues & Memberships	225		429				610		610	
4170 Miscellaneous Fees	-		0						-	
4180 Official Functions	-		0						-	
4220 Registration Fees	2,020		2,504				1,500		1,500	
6212 IT Servers - Direct Purchase	-		0						-	
6213 IT PC SW - Direct Purchase	-		0						-	
	-		0.0							
Operating Expense Subtotal:	23,822		32,514				23,123		23,123	
OPERATING EXPENSE TOTAL:	23,822		32,514				23,123		23,123	
General Fund	11,799		2,055							
General Funds Exempt										
Cash Funds	12,023		30,459				23,123		23,123	
Reappropriated Funds							-			
ROLLFORWARD	4,705		5,477				-			
RF: Lit Document Group	4,705		5,477							
Allocated Operating POTS										
Workers' Compensation							530			
Leased Vehicle Expense										
Capital Complex Lease Space							9,167			
IT Asset Maintenance							-			
Communication Service Payments							-			
ADP Capital Outlay							-			
CLE Registration Fees							750			
Building Security							1,016			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Total							11,463		-	
General Funds							11,463		-	
Reappropriated Funds							-		-	
Dec Item									-	
General Fund									-	
Cash Funds									-	
Cash Funds Exempt									-	
TOTAL COLORADO RIVER LITIGATION	311,496	3.0	323,410	3.0			376,091	3.0	335,198	3.0
General Fund	32,247		23,055				40,893		-	
General Fund Exempt									-	
Cash Funds	274,544		294,878				335,198		335,198	
Reappropriated Funds	4,705		5,477				-		-	
Federal Funds										
RECONCILIATION OF FUNDS										
Long Bill Appropriation	333,017	3.0	335,198	3.0	335,198	3.0	335,198	3.0	335,198	3.0
<i>SB 11-76 PERA Bill</i>			(4,278)		0		-		-	
<i>PERA going back to 10.15%</i>										
Salary POTS	-		-				-			
Health/Life/Dental	9,606		9,752				16,032			
Short Term Disability	374		389				337			
SB 04.257 A.E.D	5,768		6,072				7,040			
SB 06.235 S.A.E.D.	4,700		4,843				6,021			
Worker's Compensation	384						530			
Capital Complex Lease Space	9,378						9,167			
Vehicle Lease Allocation							-			
IT Asset Maintenance	-		-				-			
Office Suite Upgrade							-			
Storage Lease Space										
ADP Capital Outlay Allocation										
Communication Service Payments							-			
ALJ Allocation										
CLE Registration Fees	1,125		1,125				750			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Building Security	912		930				1,016			
Rollforward to Subsequent FY	80,203		(70,021)				-			
Rollforward	(75,498)		75,498		0		-			
Overexpenditure/(Reversion)										
Lapsed Appropriation Cash Fund	(58,473)	0.0	(36,098)	0.0						
Lapsed Appropriation GF Funds										
TOTAL RECONCILIATION	311,496	3.0	323,410	3.0			376,091	3.0	335,198	3.0
GRAND TOTAL	311,496	3.0	323,410	3.0	335,198	3.0	376,091	3.0	335,198	3.0
General Fund	32,247		23,055				40,893		-	
Cash Funds	274,544		294,878		335,198		335,198		335,198	
Reappropriated Funds	4,705		5,477		-		-		-	

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 11	Actual FY 12	Approp FY 13	Estimate FY 13	Request FY 14
Schedule 3 Total		311,496	323,410	335,198	376,091	335,198
General Funds		32,247	23,055	-	40,893	-
General Funds Exempt		-	-	-	-	-
Cash Funds		274,544	294,878	335,198	335,198	335,198
Reappropriated Funds		4,705	5,477	-	-	-
Cash Funds						
Water Conservation Board Litigation Fund		274,544	294,878	335,198	335,198	335,198
Reappropriated Funds						
Water Conservation Board Litigation Fund		4,705	5,477	-	-	-

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

DEFENSE OF THE REPUBLICAN RIVER COMPACT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
DEFENSE OF THE REPUBLICAN RIVER COMPACT	66,133	-	64,156	-	220,000	-	220,000	-	110,000	-
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	45,594		64,156		220,000		220,000		110,000	
Reappropriated Cash Funds	20,539		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

DEFENSE OF THE REPUBLICAN RIVER COMPACT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	39,585		34,547				170,959		88,991	
Purchased Services- Professional										
Termination/Retirement Payouts										
Overtime Wages										
Other:										
Vacancy Savings										
Subtotal:	39,585		34,547				170,959	-	88,991	-
Total Personal Services Continuation	39,585		34,547				170,959	-	88,991	-
PERSONAL SERVICES TOTAL	39,585		34,547				170,959		88,991	-
General Fund	-		-							
General Fund Exempt	-		-							
Cash Funds	39,585		34,547				170,959		88,991	
Reappropriated Cash Funds							-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DEFENSE OF THE REPUBLICAN RIVER COMPACT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation	3,752		21,405				30,500		16,250	
2258 Parking Fees	-		-							
2559 Parking Fee Reimbursement	-		-							
2510 In State Travel	-		92							
2512 IS Personal Travel Per Diem	280		549							
2513 IS Personal Vehicle Reimbursement	-		-							
2520 IS Travel/Non Employee	-		-							
2523 IS/Non-Emp - Pers Veh Reimb	-		-							
2530 Out of State Travel	109		1,058				2,500		450	
2531 OS Common Carrier Fares	456		3,186				6,000		2,200	
2532 OS Personal Travel Per Diem	1,217		3,029				4,250		1,825	
2533 OS Personal Vehicle Reimbursement	-		-							
2550 Out of Country Travel	-		-							
2552 OC Pers Travel Reimbursement	-		-							
2630 Telephone	73		5				31		31	
2681 Photocopy Reimbursement	-		-				260		98	
3117 Educational	-		-							
3120 Books & Subscriptions	30		-							
3121 Office Supplies	-		-							
3122 Microfilming/Photo. Supplies	-		-							
3123 Postage	92		285				5,500		155	
Operating Expense Subtotal:	6,009		29,609				49,041		21,009	
OPERATING EXPENSE TOTAL:	6,009		29,609				49,041		21,009	
General Fund	-		-				-		-	
General Funds Exempt										
Cash Funds	6,009		29,609				49,041		21,009	
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	20,539		-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DEFENSE OF THE REPUBLICAN RIVER COMPACT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Cash Funds							-		-	
Reappropriated Cash Funds	20,539		-				-		-	
TOTAL DEFENSE OF THE REPUBLICAN RIVER	66,133	-	64,156	-			220,000	-	110,000	-
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	45,594		64,156				220,000		110,000	
Reappropriated Cash Funds	20,539		-				-		-	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	110,000		110,000		110,000		110,000			
Special Bills										
<i>HB 12-1248 additional spending</i>					110,000		110,000			
<i>Supplemental SB09-192</i>										
Salary POTS										
Health/Life/Dental										
Short Term Disability										
Worker's Compensation										
Capital Complex Leased Space Allocation										
Vehicle Lease Allocation										
IT Asset Maintenance										
ADP Capital Outlay Allocation										
Rollforward to Subsequent FY	42,756						-		-	
Rollforward from Previous FY							-		-	
Overexpenditure/(Reversion) - GF										
Lapsed Appropriation Reappropriate Funds	(22,217)									
Lapsed Appropriation Cash Funds	(64,406)		(45,844)							
Total	66,133		64,156				220,000			
GRAND TOTAL	66,133	0.0	64,156	0.0	220,000	0.0	220,000	0.0	110,000	0.0
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	45,594		64,156		220,000		220,000		110,000	
Reappropriated Cash Funds	20,539		-				-		-	
Federal Funds										

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 2011	FY 2012	FY 2013	FY 2013	FY 2014
Schedule 3 Total		66,133	64,156	220,000	220,000	110,000
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		45,594	64,156	220,000	220,000	110,000
Reappropriated Cash Funds		20,539	-	-	-	-
Cash Fund						
Colorado Water Conservation Board		45,594	64,156	220,000	220,000	110,000
Cash Funds Exempt						
Colorado Water Conservation Board		20,539	-	-	-	-

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

CONSULTANT EXPENSE

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CONSULTANT EXPENSE	49,358		106,426		400,000		400,000	-	400,000	-
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	34,378		106,426		400,000		400,000		400,000	
Reappropriated Funds	14,980		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

CONSULTANT EXPENSE

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CONSULTANT EXPENSE TOTAL	49,358		106,426		400,000		400,000		400,000	
General Fund										
General Fund Exempt										
Cash Funds	34,378		106,426		400,000		400,000		400,000	
Reappropriated Funds	14,980		-				-			
RECONCILIATION OF FUNDS										
Long Bill Appropriation	50,000		400,000				400,000			
<i>Supplemental</i>	25,000		-				-			
Rollforward from Previous FY	39,010		0				-			
Rollforward to Subsequent FY							-			
Overexpenditure/(Reversion)										
Lapsed Appropriation Reappropriated F	(24,030)		(293,574)				-			
Lapsed Appropriation Cash Funds	(40,622)		-							
TOTAL RECONCILIATION	49,358		106,426				400,000			

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

CONSULTANT EXPENSE

Item	Actual FY 11	Actual FY 12	Approp FY 13	Estimate FY 13	Request FY 14
	Total Funds	Total Funds	Total Funds	Total Funds	Total Funds
Schedule 3 Total	49,358	106,426	400,000	400,000	400,000
General Fund				-	-
General Fund Exempt				-	-
Cash Funds	34,378	106,426	400,000	400,000	400,000
Reappropriated Funds	14,980	-	-	-	-
Cash Funds					
Attorneys Fees and Costs	9,379	7,426	50,000	50,000	50,000
DNR Water Conservation	24,999	99,000	350,000	350,000	350,000
Reappropriated Funds					
Attorneys Fees and Costs	14,980	-		-	-

FY 11 RF
 Hill and Robbins
 Dehr and Ault

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law		COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT									
		Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
Item		Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CERCLA		347,788	3.4	387,178	3.8	460,629	3.5	504,128	3.5	460,629	3.5
General Fund		0		0		0		-		-	
General Fund Exempt		-		-		-		-		-	
Cash Funds		-		-		-		-		-	
Reappropriated Funds		347,788		387,178		460,629		504,128		460,629	
Federal Funds		-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	24,890	0.3			23,124	0.2	23,124	0.2
Assistant Attorney General	192,676	2.6	206,421	2.9			193,837	2.4	193,837	2.4
Assistant Attorney General II										
Assistant Attorney General I										
General Professional V	57,429	0.6	56,642	0.6			56,642	0.6	56,642	0.6
Legal Assistant II							19,148	0.3	19,148	0.3
TOTAL POSITION DETAIL	273,229	3.4	287,954	3.8			292,752	3.5	292,752	3.5
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by Position) Continuation Salary Subtotal	273,229	3.4	287,954	3.8			292,752	3.5	292,752	3.5
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	21,861		22,074				29,714		29,714	
Medicare on Continuation Subtotal	3,097		3,399				4,245		4,245	
Non-Base Building Performance Awards	1,000		-				-		-	
Part-Time/Temporary Salaries										
Furlough	-		-							
Contractual Services	1,064		5,381				117,146		118,878	
Annual Leave Payout	459		4,746				-		-	
Overtime							-		-	
Vacancy Savings							-		-	
Sick Leave	-		2,539				-		-	
Other Employee Benefits	329		184				-		-	
SUBTOTAL	27,811		38,322				151,105		152,837	
(I.C.) PERSONAL SERVICES SUBTOTAL=										
A+B	301,040	3.4	326,276	3.8			443,857	3.5	445,589	3.5
(I.D.) POTS EXPENDITURES										
Health/Life Dental	12,747		13,740				13,483			
Salary Survey										
Performance Awards										

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Short Term Disability	462		507				518			
SB 04.257 A.E.D.	6,010		8,106				9,368			
SB 06.235 S.A.E.D.	4,390		6,525				8,051			
Other										
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL= C+D	324,648	3.4	355,154	3.8			475,277	3.5	445,589	3.5
(I.F.) DIFFERENCE- II- I.E.										
(I.G.) REQUEST YEAR DECISION ITEMS										
General Fund										
Cash Funds										
Reappropriated Funds										
II. PERSONAL SERVICES REQUEST TOTAL	324,648	3.4	355,154	3.8			475,277	3.5	445,589	3.5
General Fund							-		-	
General Funds Exempt										
Cash Funds										
Reappropriated Funds	324,648		355,154				475,277		445,589	
Federal Funds										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation	2,941		580				5,673		5,673	
2170 Waste Disposal Services	-		-				-		-	
2230 IT Hardware Maint/Repair Svcs	-		-				-		-	
2231 ADP Equip Maint/Repair Services	792		-				250		250	
2232 IT Software Mntc/Upgrade Svcs	-		-				380		380	
2255 Rental of Buildings	11,091		11,102							
2258 Parking Fees	-		-							
2259 Parking Fee Reimbursement	122		11							
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	-		142				-		-	
2531 OS Common Carrier Fares	26		1,734				-		-	
2532 OS Personal Travel Per Diem	-		2,080				-		-	
2630 Telephone	3,845		7,334				3,750		3,750	
2631 Comm Svcs from Outside Sources	-		-				-		-	
2641 Other ADP Billings - Purchase Services	225		271				972		972	
2660 Insurance	517		578				-		-	
2680 Contract Printing	131		364				200		200	
2820 Other Purchased Servs	-		-				-		-	
3115 DP Supplies	528		-				-		-	
3116 Purchase/Leased Software	-		-				33		33	
3117 Educational	-		-				-		-	
3120 Books & Subscriptions	1,196		1,519				1,500		1,500	
3121 Office Supplies	8		203				345		345	
3123 Postage	34		25				129		129	
3140 Non-Capitalized IT PC's	-		2,364				-		-	
3141 Non-Capitalized IT Servers	-		-				-		-	
3143 Non-Capitalized IT - Other	408		34				-		-	
3146 Non-Capitalized IT Purchased Server Software	-		-				-		-	
4140 Dues & Memberships	1,063		1,153				960		960	
4180 Official Functions	-		-				-		-	
4220 Registration Fees	173		2,532				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 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Operating Expense Subtotal:	23,139		32,025				15,040		15,040	
OPERATING EXPENSE TOTAL:	23,139		32,025				15,040		15,040	
General Fund	-		-				0		0	
Cash Funds										
Reappropriated Funds	23139.2		32,025				15,040		15,040	
ROLLFORWARD	-		-							
General Fund	-		-							
Reappropriated Funds										
Potted Operating Expenses										
Workers' Compensation							618			
Leased Vehicle Expense										
Capital Complex Lease Space							10,695			
Lease Space										
IT Asset Maintenance										
ADP Capital Outlay										
CLE Registration Fees							1,312			
Building Security							1,186			
Total							13,811			
General Fund							-			
Reappropriated Funds							13,811			
Rollforward - Previous Year	-		-				-		-	
General Fund Exempt							-		-	
FY013 DECISION ITEM REQUEST										
General Fund									-	
Refinance									-	
FY 13 DPA NP									-	
General Fund									-	
Cash Funds Exempt									-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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					0		-			
TOTAL CERCLA	347,788	3.4	387,178	3.8	460,629	3.5	504,128	3.5	460,629	3.5
General Fund					-		-			
General Fund Exempt	-		-				-			
Cash Funds					-					
Reappropriated Funds	347,788		387,178		460,629		504,128		460,629	
Federal Funds										
RECONCILIATION OF FUNDS										
Long Bill Appropriation	382,962	3.5	460,629	3.5			460,629	3.5	460,629	3.5
<i>Supplemental SB09-192</i>										
HB 10-1329 CF to RF	357,084									
PERA back to 10.15% from 7.65%									-	
SB 11=76 PERA			(7,947)				-		-	
Salary POTS							-		-	
Health/Life/Dental	10,720		11,009				12,024			
Short Term Disability	406		469				497			
SB 04.257 A.E.D.	7,486		7,415				9,233			
SB 06.235 S.A.E.D.	5,459		5,958				7,934			
Worker's Compensation	517		578				618			
Capital Complex Lease Space	11,092		11,102				10,695			
Lease Space							-			
Vehicle Lease Allocation							-			
IT Asset Maintenance							-			
Building Security	2,011		1,084				1,186			
ADP Capital Outlay Allocation										
CLE Registration Fees	938		938				1,312			
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 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Overexpenditure/(Reversion)- GF	(938)		-							
Lapsed Appropriation General Funds Exempt										
Lapsed Appropriation Reappropriated Funds	(72,865)		(104,057)							
TOTAL RECONCILIATION	347,788	3.5	387,178	3.5			504,128	3.5	460,629	3.5
GRAND TOTAL	347,788	3.4	387,178	3.8	460,629	3.5	504,128	3.5	460,629	3.5
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	347,788		387,178		460,629		504,128		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 2011	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		347,788	387,178	460,629	504,128	460,629
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		-	-	-	-	-
Reappropriated Funds		347,788	387,178	460,629	504,128	460,629
Federal Funds						
Reappropriated Funds						
Hazardous Substance Response Fund		347,788	387,178	460,629	504,128	460,629

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

COMPREHENSIVE ENVIRON RESPONSE COMPEN & LIAB ACT CONTRACTS

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CERCLA CONTRACTS	337,085	-	300,440	-	425,000		425,000	-	425,000	-
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash	-		-		-		-		-	
Reappropriated Funds	337,085		300,440		425,000		425,000		425,000	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

COMPREHENSIVE ENVIRON RESPONSE COMPEN & LIAB ACT CONTRACTS

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CERCLA CONTRACTS										
1920 - Purchased Services - Professional	337,085		300,440				425,000		425,000	
Rollforward										
General Fund Exempt	-		-				-		-	
Reappropriated Funds							-			
CERCLA CONTRACTS TOTAL	337,085		300,440		425,000		425,000		425,000	
General Fund	-		-		-		-		-	
General Fund Exempt							-			
Reappropriated Funds	337,085		300,440		425,000		425,000		425,000	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	500,000		425,000		425,000		425,000		425,000	
<i>Supplemental</i>										
HB 10-1329 Solid Waste Tipping Fees Ref	75,000		-							
GF to RF										
Rollforward from previous FY									0	
Rollforward to Subsequent FY	-		-				0			
Reversion GF							0			
Reversion RF	(162,915)		(124,560)							
TOTAL RECONCILIATION	337,085		300,440		425,000		425,000		425,000	
GF										
RF	337,085		300,440		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 11	Actual FY 12	Approp FY 13	Estimate FY 13	Request FY 14
	Total Funds	Total Funds	Total Funds	Total Funds	Total Funds
Schedule 3 Total	337,085	300,440	425,000	425,000	425,000
General Fund	-	-	-	-	-
General Fund Exempt	-	-	-	-	-
Reappropriated Funds	337,085	300,440	425,000	425,000	425,000
Cash Funds					
Reappropriated Funds					
Hazardous Substance Response Fund	337,085	300,440	425,000	425,000	425,000

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
NATURAL RESOURCE DAMAGE										
CLAIMS AT ROCKY MOUNTAIN ARSENAL	-	-	-	-	50,000	-	50,000	-	50,000	-
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	-		-		50,000		50,000		50,000	
Federal Funds	-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY13		Request FY 14	
	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	-	0.0	-	0.0			-	0.0	-	0.0
(Permanent FTE by position)										
Continuation Salary Subtotal										
(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 - PROGRAM DETAIL

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY13		Request FY 14	
	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 (AGGREGATE ADJUSTMENTS TO THE BASE APPROPRIATION)										
Previous Year Long Bill									50,000	0.0
Salary Survey-Classified									-	
PBP - Classified									-	
Salary Survey Exempt									-	
PBP - Exempt									-	
OSPB .2% Base Reduction									-	
SPECIAL BILLS:										
Subtotal									50,000	
II. PERSONAL SERVICES REQUEST TOTAL	-	0.0	-	0.0			50,000	0.0	50,000	0.0
General Fund	-		-				-		-	
Cash Funds	-		-				50,000		50,000	
Reappropriated Funds									-	
Federal Funds									-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	-		-							
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	-		-							
2631 Comm Svcs from Outside Sources	-		-							
2641 Other ADP Billings - Purchase Services	-		-							
2660 Insurance	-		-							
2680 Contract Printing	-		-							
3115 Data Processing Supplies	-		-							
3116 Purchase/Leased Software	-		-							
3117 Educational	-		-							
3123 Postage	-		-							
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 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
4220 Registration Fees	-		-							
6140 Buildings and Improves. to Bldg.	-		-							
6210 Other Capital Equipment	-		-							
6212 IT Servers Direct Purchase	-		-							
6213 IT PC SW Direct Purchase	-		-							
Operating Expense Subtotal:	-		-				-		-	
OPERATING EXPENSE TOTAL:	-		-				-		-	
General Fund	-		-				-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds							-		-	
ROLLFORWARD							-		-	
General Fund							-		-	
Cash Funds							-		-	
Allocated Operating POTS										
Workers' Compensation							-			
Leased Space Allocation							-			
IT Asset Maintenance							-			
ADP Capital Outlay							-			
Total							-			
General Fund							-			
Cash Fund										
Reappropriated Funds										
Budget Amendment										
FY 10 BRI#01							-	0.0	-	0.0
Cash Funds							-	-	-	
Special Bill HB 07-1357 Litigation Cost										
General Fund									-	
Cash Funds									-	
TOTAL ROCKY MOUNTAIN ARSENAL	-	0.0	-	0.0			50,000	-	50,000	0.0
General Fund	-		-				-		-	
Cash Funds	-		-				50,000		50,000	
Reappropriated Funds	-		-				-		-	
Federal Funds									-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
RECONCILIATION OF FUNDS										
Long Bill Appropriation	150,000	0.0	50,000	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	-		-							
Rollforward from Previous FY							-			
Rollforward to Subsequent FY										
Restriction										
Overexpenditure/(Reversion) - GF										
Lapsed Appropriation Cash Funds	(150,000)	0.0	(50,000)	0.0						
Lapsed Appropriation Federal Funds										
TOTAL RECONCILIATION	0	0.0	0	0.0			50,000	0.0		
GRAND TOTAL	-	0.0	-	0.0	50,000	0.0	50,000	0.0	50,000	0.0
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	-		-		50,000		50,000		50,000	
Federal Funds	-		-				-		-	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2011	FY 2012	FY 2013	FY 2013	FY 2014
Schedule 3 Total		-	-	50,000	50,000	50,000
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		-	-	-	-	-
Reappropriated Funds		-	-	-	50,000	50,000
Federal Funds		-	-	-	-	-
Cash Funds						
CDPHE Hazardous Substance Response Fund		-	-	-	-	-
Reappropriated Funds						
CDPHE Hazardous Substance Response Fund		-	-		50,000	50,000

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

INDIRECT COST ASSESSMENT - NATURAL RESOURCES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
INDIRECT COST ASSESSMENT	41,384	-	43,414		43,414		43,414	-	47,699	-
General Fund										
General Fund Exempt										
Cash Funds	-		-		-		-		-	
Reappropriated Funds	41,384		43,414		43,414		43,414		47,699	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

INDIRECT COST ASSESSMENT - NATURAL RESOURCES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
INDIRECT COST ASSESSMENT	41,384		43,414		43,414		43,414		47,699	
Cash Funds					-		-		-	
Reappropriated Funds	41,384		43,414		43,414		43,414		47,699	
INDIRECT COST ASSESSMENT	41,384		43,414		43,414		43,414		47,699	
Cash Funds					-		-		-	
Reappropriated Funds	41,384		43,414		43,414		43,414		47,699	
RECONCILIATION OF FUNDS										
Long Bill Appropriation					43,414		43,414			
HB 10-1329 Solid Waste Users Fees	41,384		43,414		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 2011	FY 2011	FY 2012	FY 2012	FY 2013
Schedule 3 Total		41,384	43,414	43,414	43,414	47,699
General Funds						
General Funds Exempt						
Cash Funds		-	-	-	-	-
Reappropriated Funds		41,384	43,414	43,414	43,414	47,699
Reappropriated Funds		41,384	43,414	43,414	43,414	47,699
CDPHE Haz Sub Response Fund		41,384	43,414	43,414	43,414	47,699
Federal Funds						

(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 fraud and foreclosure rescue schemes. *See, e.g.*, §§ 12-61-904.5, 12-61-911 and 38-40-105 (governing mortgage loan 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 lawyer is also responsible for enforcement of the no-call 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 still 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 investigator and one lawyer within the Antitrust, Tobacco and Consumer Protection Unit. The lawyer splits his time between this work and antitrust enforcement. The investigator position is funded in part 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 fraud 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 staffed with 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 Loan 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.

Most of the work of this unit throughout the past year has been occupied with the historic \$25.0 billion settlement with the five major mortgage servicing companies, Bank of America, Wells Fargo, JP Morgan Chase, Citibank and Ally/GMAC. This settlement concerned the way these five bank-affiliated servicers processed foreclosures and handled homeowners who were trying to save their homes from foreclosure. In particular the "robo-signing" allegations raised concerns whether state foreclosure laws were being followed as the servicing companies processed these unprecedented number of foreclosures. In addition, our office was receiving numerous complaints from homeowners about the problems they encountered when they tried to work with the banks to save their homes from foreclosure. Homeowners trying to work out a loan modification related stories about how they lost their homes to foreclosure while they were trying to arrange a modification that would save them from foreclosure.

This settlement resolved several state and federal claims related to the banks' foreclosure and loan servicing practices. It was the largest settlement reached in a joint federal - state investigation. The federal agencies participating in this settlement were the U.S. Department of Justice, the U.S. Department of Housing and Urban Development, the Consumer Protection Financial Bureau and the U.S. Department of Treasury. Forty-nine state Attorneys General and state banking departments participated in this settlement.

As a result of this settlement the servicing companies agreed to a detailed 42-page injunction and monitoring plan which will regulate the way they conduct foreclosures and handle loan modification requests. The settlement provides for monetary relief in an estimated amount of \$203.25 Million for Colorado. Most of this amount (\$119.6 Million) is available as credits that the banks can earn by modifying loans or refinancing certain high risk loans. In addition, \$51.17 Million in custodial funds were paid to Colorado to help prevent foreclosures and stabilize the housing market. This office has worked with the Governor's Office, the Division of Housing, the leadership in both the state House and Senate and with the housing community to devise a plan to spend this money in a way that will prevent foreclosures and stabilize housing. After holding public hearings and soliciting comments from numerous interested stakeholders this office announced the following foreclosure prevention and housing stabilization programs:

- ▶ \$24.0 Million for supplemental loan mod programs
- ▶ \$18.196 Million for affordable housing programs
- ▶ \$5.625 Million for housing counseling support over three years
- ▶ \$1.5 Million for Colorado Legal Services over three years
- ▶ \$750,000 for Colorado Attorney General's Office enforcement and monitoring support
- ▶ \$600,000 for the Colorado Foreclosure Hotline for an additional three years
- ▶ \$500,000 for marketing and outreach to distressed homeowners

This office has spent much of the 2Q and 3Q - 2012 in getting these programs up and running. Most of these programs will be operational by October 1, 2012.

The settlement negotiations and program development related to this settlement has occupied most of the work of this unit during FY11-12. As a result other investigations and enforcement efforts were put on hold.

In addition, during FY11-12 this unit has undertaken ten new investigations that have the potential to take as much time and resources as the mortgage servicing / foreclosure practices settlement. These investigations have the potential to further strain the resources of this unit but also to yeild relief that are additive of this historic settlement.

(II) PRIOR YEAR LEGISLATION

There was no legislation passed last year that will impact our workflow during FY13-14.

(III) HOT ISSUES

The major focus during FY12-13 will be on helping homeowners save their homes from foreclosure. This unit will be actively implementing and monitoring the mortgage servicing / foreclosure practices settlement. This unit will also be active in implementing and monitoring the Colorado specific programs that are being established with the \$51.17 Million in settlement funds. This unit will continue to dedicate a staff member to work with borrowers regarding their complaints against the mortgage servicers. The unit has had a staff member devoted to this complaint handling task since the robo-signing allegations were publicized in October 2010.

(IV) WORKLOAD MEASURES

Workload Indicators

As discussed in previous budget submissions, quantifiable workload measures are difficult to formulate for the type of consumer protection work that is done by these two units. It is impossible to predict how long any particular litigation will last, or the extent to which a single case will consume unit resources.

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.

As discussed below, this unit's experience with the foreclosure crisis provides a case-in-point as to why these artificial measures are poor predictors of workload and why they should not be used to set targets or project workload. We have found that our limited resources are best guided by enforcement priorities that respond to current issues that are affecting a large number of consumers, such as the foreclosure crisis. These current issues can arise quickly, such as the robo-signing scandal. Or they can be revealed by a qualitative analysis of complaints. In any event, we have found that being guided by quantifiable indicators such as consumer complaints or population growth are not accurate indicators of workload or the targets that should be pursued. As explained below, when the Attorney General moved substantial resources towards addressing foreclosure practices, this move resulted in less investigations and cases being commenced. This reallocation of priorities, however, resulted in a landmark settlement from which Colorado homeowners now stand to receive \$203.25 Million in relief.

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 or investigations commenced. 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 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 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	Target	70		60		70		70	
	Actual	69	-12.6%	55	-25%	70	0%	70	0%

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

Performance Evaluation: The number of lawsuits filed and the amount of settlements reached declined from last year. This decline can be attributed to the amount of time and resources devoted to two large cases handled over this past year; Westwood College and the Magazine case. Westwood required an estimated 70% of one attorney's time while the Magazine case required an estimated 70% of another's. Westwood resulted in a \$4.2 million dollar Consent Judgment. The court order also requires Westwood to implement extensive remedial measures. The Magazine case involves five corporate entities and numerous individual defendants. A lengthy hearing resulted in a preliminary injunction imposed by the court that will severely curtail the deceptive practices of this industry while significantly diminishing harm to consumers, a large percentage of whom are seniors.

The Magazine case will proceed to trial in January and will continue to consume the large majority of the attorney's time. With Westwood having concluded with a Consent Judgment it is expected that that attorney can devote more time to other investigations and filed cases.

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 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 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	Target	7		8		10		10	
	Actual	8	2%	9	12.5%				

Strategy:

The antitrust enforcement strategy is to leverage our limited resources by participating in investigations and cases with the Department of Justice, the Federal Trade Commission and other state Attorney General Offices. Anticompetitive practices with the most profound impact on Colorado residents are usually perpetrated by companies operating on a nationwide basis. With just one antitrust lawyer who also splits his time on enforcement of the no-call laws, this unit can leverage our enforcement efforts by coordinating with other state and federal antitrust enforcement agencies. This strategy allows us to take on those practices that have widespread harm within the state and across the nation.

The figure reported for FY12-13 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. These activities are broken down as follows:

- 1 lawsuit filed against 3 publishers and Apple, Inc. for the sale of electronic books
- 1 merger investigation opened
- 10 settlements reached

Performance Evaluation:

All of these cases were conducted in coordination with other state Attorney General offices and/or the U.S. Department of Justice. This strategy has allowed this unit to reach large scale anticompetitive conduct with a limited staff. As a result of this strategy we were able to fulfill our goal of providing protecting for Colorado consumers by leveraging limited resources. This same strategy will be used for FY 12-13.

The e-books lawsuit provides a good example as to the effectiveness of this strategy. In April 2012 Colorado, along with 32 state Attorney General offices, filed suit against 3 publishers and Apple for price fixing on best-selling books that are distributed electronically and read by consumers on tablets or other electronic devices. This is a nationwide practice that Colorado could not handle on its own with just one part-time attorney. This strategy has already resulted in settlements with 3 publishers that cancel the anticompetitive agency agreements that were used for to sell the e-books. These settlements have will result in the payment of \$69.0 Million to consumers on a nationwide basis. Colorado consumers will be eligible to receive \$1.5 Million in restitution.

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	FY11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 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.	Target	NA		NA		10		10	
	Actual	10	-33%	13	30%				

Performance Measure	Outcome	FY 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 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	Target	NA		NA		95		95	
	Actual	95		95					

Strategy:

The strategy for tobacco enforcement is to protect Colorado's settlement payments under the MSA. This is composed of two main functions. The first is to ensure that Colorado's diligent enforcement efforts are presented in the multistate arbitration that is currently pending with regard to the nonparticipating manufacturer (NPM) adjustment.

The other strategy that this unit employs to protect the MSA payments is to diligently enforce the tobacco escrow and certification laws relating to the MSA. Under these laws, an NPM must make certifications as to its sales in Colorado and pay an escrow equivalent to \$0.01 per cigarette. In addition, all tobacco manufacturers regardless of whether they are NPMs or parties to the MSA must certify the brands that they intend to sell in Colorado. If certified, the brands are published on a certified brands directory. This certification process provides an effective way to ensure compliance with the MSA, and therefore, protect Colorado's payment under the MSA.

Performance Evaluation:

In FY 11-12, our participation in the NPM arbitration proceedings has produced significant results that will protect the way disputed payments are made to Colorado, and other states. Our staff has attended each hearing before the arbitration panel and was successful in arguing for an interpretation of the MSA that requires payment of disputed amounts. Had the panel adopted the

tobacco companies' interpretation, they would have been able to reduce their MSA payments not only in the future, but potentially recover disputed NPM payments for past years without going through an arbitration and receiving an adjudication of a state's diligent enforcement. Colorado's participation was instrumental in receiving this ruling. As a result of this ruling, the current calculation methods are used to make the payments. Until a determination is made about the states' diligent enforcement the payments should continue in the range of \$80 - \$100.0 Million per year. Our office will continue to participate in these arbitration proceedings in order to protect Colorado's MSA payment. The hearing on Colorado's diligent enforcement efforts is set for December 2012. A decision will be rendered on our diligent enforcement efforts after all states have proceeded to arbitration, which will be in approximately mid-2013. The number reported in table #1 represents participation in proceedings that are conducted under the MSA for the processing of payments. This number has held steady for the last two fiscal years. Most of the work, however, is related to the diligent enforcement proceedings.

With regard to certification review, this unit has met our goal of reviewing each escrow certification and certification made for the certified brands directory in a timely manner. The numbers reported in table #2 represent certifications reviewed and other enforcement efforts to ensure NPM compliance. This number has declined because the number of NPMs selling cigarettes in Colorado has declined since FY 10-11. The certifications are then published to all retailers and provide them with up to date information about brands that may be sold in Colorado. By timely reviewing these certifications and publishing them to retailers, we are able to deter the sale of unauthorized brands in Colorado. This measure has proven to be an effective way to ensure that only compliant brands are sold in Colorado. This control measure in turn protects the MSA payments to Colorado.

No-Call

Objective: Ensure that residential privacy is protected by actively enforcing the Colorado No-Call List Act.

Performance Measure	Outcome	FY 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Identify telemarketers who are	Target	22		22		24		24	

responsible for the most number of violations and take immediate action to bring them into compliance with the No-Call Act.	Actual	20	20%	19	(5%)				
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Strategy:

No-call enforcement continues to be a challenge as a result of telemarketers that operate on a nationwide basis and use calling technologies that conceal their location and telephone numbers. The most common no-call violations are committed by companies that operate on a nationwide basis. They use auto-dialer devices that do not scrub calling lists against the no-call list. They use calling technologies that conceal the identity of telemarketers and make it difficult to trace the call back to them.

Our strategy is to use traditional investigative techniques to trace these calls back to the telemarketer, even if they are located out of state or outside the country. In order stop these calls, this office has coordinated information sharing among other state Attorney General Offices and the FTC. We have found that sharing information among state and federal law enforcement agencies has allowed the local Attorney General Office or the FTC to identify the telemarketers and other firms that they work with. The FTC or other Attorney General Office can then bring action to stop the calls.

This enforcement approach is labor intensive. It requires the issuance of numerous subpoenas to local telecom carriers, Internet service providers and financial institutions to identify the particular telemarketer originating the calls. Over the last two fiscal years, the number of these investigations has held steady at around 15 investigations. The number reported above includes these larger investigations and four smaller, local no-call investigations.

Performance Evaluation:

This enforcement strategy has been successful in cracking down on no-call violators who have otherwise tried to conceal their identities. Enforcement against these violators is made more difficult when they are located out of state. The information sharing promoted by this office among other law enforcement is starting to show results. Using traditional investigative techniques to trace the number back to the caller we are usually able to progress to a point in the investigation where our information, when shared with other law enforcement, allows the FTC or another Attorney General Office to shut down the violator. Over the last three years this information sharing has allowed the FTC to shut down three large scale telemarketers or other firms that provide the calling technologies. As this information sharing becomes more routinized

we feel that this will be an effective way to stop the calls that are being made in violation of the no-call laws. Therefore, we feel that information sharing among these other law enforcement agencies is the best way to identify the violators and stop the calls. We will continue this approach in FY 12-13.

MORTGAGE AND FORECLOSURE RESCUE FRAUD

Objective: Preserve and stabilize home ownership in Colorado by helping delinquent borrowers save their homes from foreclosure and preventing exploitation of homeowners in foreclosure.

Performance Measure	Outcome	FY 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 Request	
		Incidents	Incidents	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	140		140		145		145	
	Actual	138	+48%	138		145		145	

Strategy:

The foreclosure crisis continues to plague Colorado homeowners and depress home values. During FY11-12 filings of new foreclosures decreased from FY08-09 and FY10-11 due in part to the robo-signing scandal. During FY11-12 this office used this respite to change its approach to the crisis. The settlement reached with the major mortgage servicers attempts to stop the foreclosures before they happen. The settlement also requires that when a foreclosure occurs, state law must be followed. This settlement provides \$203.5 Million in possible relief to Colorado homeowners who are trying to save their homes.

This strategy differs from prior enforcement efforts. In prior fiscal years enforcement was largely directed at fraudulent mortgage brokers, loan modification firms and foreclosure rescue firms who were preying on vulnerable homeowners. During FY11-12 and in the next two fiscal years this unit will employ three strategies to try to reach homeowners before they fall victim to foreclosure and the rescue scams that prey on these homeowners.

First, this unit will be actively monitoring the settlement to ensure that relief is provided to homeowners in need. Our office serves on the monitoring committee which is tasked with working with the settlement monitor to ensure that the major mortgage servicers are following the requirements necessary to evaluate a modification request and provide meaningful relief to struggling homeowners.

Second, this unit will get the programs up and running with the settlement funds. These settlement programs are directly related to helping delinquent borrowers avoid foreclosure. There are also significant funds provided to help stimulate affordable housing construction. Taken together these programs will provide some assistance in stabilizing housing in Colorado.

Third, this unit will continue to devote one full-time staff to escalate complaints to the major mortgage servicers. During FY11-12 the staff member devoted to this job escalated 362 complaints by homeowners. Each of these complaints was reviewed at the highest levels of the major mortgage servicers. This afforded these particular homeowners an independent review of their request for assistance. It also provided this office with valuable information about the practices that the major mortgage servicers were using to process modification requests. This information was useful in our negotiations with the banks and will provide current information about their compliance with the settlement. We plan to continue this function in FY12-13 and FY13-14.

Performance Evaluation:

By focusing on the foreclosure and servicing practices this unit is trying to reach homeowners before they become a victim of the foreclosure crisis. This approach has achieved some large scale relief for struggling homeowners. This new enforcement approach took a tremendous amount of resources, which necessarily diverted resources from other enforcement efforts. In previous years these resources were devoted to enforcement against fraudulent mortgage brokers, loan modification firms and foreclosure rescue scams. These enforcement efforts resulted in large reported numbers in these reports. In FY11-12, however, the number of actions taken was reduced by 81% as the focus was placed on foreclosure and servicing practices. This resulted in a larger overall relief being made available to a greater number struggling homeowners. This unit will continue with this approach in FY12-13 and FY13-14.

The unit has ten large scale investigations that may provide additive of the significant relief already obtained. These larger scale investigations will be pursued in FY12-13 and FY13-14. We feel that this enforcement strategy provides the most effective way to get relief to homeowners at an earlier stage and provides a better chance of them saving their homes. It also provides an example of how our enforcement efforts are driven by strategic priorities rather than artificial targets that are based on complaints filed or population trends. As discussed above these factors are poor predictors of the enforcement priorities that this unit serves. Rather we will continue to be strategic in our choice of enforcement objectives.

DEPARTMENT OF LAW
FY 2013-14 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 2012-13 Long Bill Appropriation (HB 12-1335)	\$2,167,295	26.0	\$928,104	\$0	\$997,710	\$241,481	\$0
HB 12-1246 Reverse Portion of Paydate Shift	\$2,919		\$2,919		\$0	\$0	
FY 2012-13 Total Appropriation	\$2,170,214	26.0	\$931,023	\$0	\$997,710	\$241,481	\$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
Annualization of FY 12 Consumer Protection DI #1	(\$34,410)	0.0	\$0	\$0	(\$34,410)	\$0	\$0
FY 13-14 Base Request	\$2,135,804	26.0	\$931,023	\$0	\$963,300	\$241,481	\$0
Refinance PIO Position DI	(\$89,284)	(1.0)	\$0	\$0	(\$89,284)	\$0	
Refinance Tobacco DI			\$153,795		(\$153,795)		
FY 2013-14 November 1 Request	\$2,046,520	25.0	\$1,084,818	\$0	\$720,221	\$241,481	\$0
(B) Consumer Credit Unit							
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$1,521,916	20.0	\$0	\$0	\$1,521,916	\$0	\$0
	\$0		\$0		\$0		
FY 2012-13 Total Appropriation	\$1,521,916	20.0	\$0	\$0	\$1,521,916	\$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
Annualization of FY 12 UCCC DI #2	(\$9,766)	0.0	\$0	\$0	(\$9,766)	\$0	\$0
FY 13-14 Base Request	\$1,512,150	20.0	\$0	\$0	\$1,512,150	\$0	\$0
	\$0	0.0			\$0		
FY 2013-14 November 1 Request	\$1,512,150	20.0	\$0	\$0	\$1,512,150	\$0	\$0
(D) Indirect Cost Assessment							
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$471,352	0.0	\$0	\$0	\$434,140	\$37,212	\$0
FY 2012-13 Total Appropriation	\$471,352	0.0	\$0	\$0	\$434,140	\$37,212	\$0
New Indirect Calculation	\$22,419				\$19,595	\$2,823	

DEPARTMENT OF LAW

FY 2013-14 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 13-14 Base Request	\$493,771	0.0	\$0	\$0	\$453,735	\$40,035	\$0
PIO Decision Item	\$10,480				\$9,630	\$850	
FY 2012-13 Total Appropriation	\$504,251	0.0	\$0	\$0	\$463,366	\$40,885	\$0
(5) Consumer Protection							
FY 2011-12 Appropriation(Long Bill plus Special Bills)	\$4,163,482	46.0	\$931,023	\$0	\$2,953,766	\$278,693	\$0
FY 2012-13 Base Request	\$4,141,725	46.0	\$931,023	\$0	\$2,929,185	\$281,516	\$0
FY 2012-13 November 1 Request	\$4,062,921	45.0	\$1,084,818	\$0	\$2,695,737	\$282,366	\$0

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CONS. PROTECT. & ANTI-TRUST	2,078,028	19.7	1,986,411	19.3	2,170,214	26.0	2,536,380	26.0	2,046,520	25.0
General Fund	1,088,018		1,035,387		931,023		1,124,810		1,084,818	
General Fund Exempt	-		-		-		-		-	
Cash Fund	720,169		684,466		997,710		1,144,566		720,221	
Reappropriated Funds	269,841		266,558		241,481		267,004		241,481	
Federal Funds										

SCHEDULE 3 - PERSONAL SERVICES PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	200,097	2.0			210,780	2.0	210,780	2.0
Senior Assistant Attorney General			32,936	0.4			93,060	1.0	93,060	1.0
Assistant Attorney General	479,086	6.7	453,612	6.3			558,300	7.0	558,300	7.0
Assistant Attorney General II										
Assistant Attorney General I										
Compl Investigator I			6,534	0.1						
Criminal Investigator II	109,673	1.4	148,824	2.0			148,824	2.0	148,824	2.0
Criminal Investigator I	58,896	0.8					66,900	1.0	66,900	1.0
Compl Investigator II	61,792	1.0	64,800	1.0			121,152	2.0	121,152	2.0
Legal Assistant II	117,205	2.0	87,234	1.5			224,736	4.0	224,736	4.0
Admin Asst II	40,020	1.0	40,020	1.0			79,620	2.0	79,620	2.0
General Professional IV	69,996	1.0	64,498	0.9			80,004	1.0	80,004	1.0
General Professional III	9,949	0.2	61,080	1.0			61,080	1.0	61,080	1.0
General Professional II	46,270	0.8					-		-	0.0
Program Assistant II	39,793	0.8	52,176	1.0			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	1,407,103	19.7	1,385,714	19.3			1,870,536	26.0	1,870,536	26.0

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 11		Actual FY 12		Estimate FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.A.) CONTINUATION FTE SALARY COST	1,407,103	19.7	1,385,714	19.3			1,870,536	26.0	1,870,536	26.0
(Permanent FTE by position)										
Continuation Salary Subtotal										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	111,642		103,536				189,859		189,859	
Medicare on Continuation Subtotal	19,830		18,520				27,123		27,123	
Non-Base building Performance Awards							-		-	
Part-Time/Temporary Salaries	90,270		-				-		-	
Contractual Services	43,955		26,505				25,400		25,400	
Overtime Pay	90		6,995							
Sick Leave Conversion										
Termination/Retirement Payouts	97		5,014							
Employment Security Payments	2,102		-							
Furlough Days	0		-							
Other Employee Benefits	6971		3,378				2,500		2,500	
Forced Vacancy							(55,921)		(94,001)	
Special Bills										
SUBTOTAL	274,957		163,948				188,961		150,881	
(I.C.) PERSONAL SERVICE										
SUBTOTAL= A+B	1,682,060	19.7	1,549,662	19.3			2,059,497	26.0	2,021,417	26.0
(I.D.) POTS EXPENDITURES										
Health/Life/Dental	120,083		117,478				156,941			
Salary Act/Merit							-			
Performance Awards							-			
Short Term Disability	2,382		2,449				3,311			
SB 04.257 A.E.D.	34,705		37,833				59,857			
SB 06.235 S.A.E.D.	25,313		30,384				51,440			
Other										
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES	1,864,543	19.7	1,737,806	19.3			2,279,606	26.0	2,021,417	26.0
TOTAL = C+D										
General Fund							1,000,360		851,229	
General Funds Exempt										
Cash Funds							1,054,860		954,707	
Reappropriated Funds							224,386		215,481	
(I.F.) DIFFERENCE= II-I.E.							-		-	
(I.G.) REQUEST YEAR DECISION ITEMS									0	0.0
General Fund										
Cash Funds										
Reappropriated Funds										

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 11		Actual FY 12		Estimate FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
II. PERSONAL SERVICES REQUEST TOTAL	1,864,543	19.7	1,737,806	19.3			2,279,606	26.0	2,021,417	26.0
General Fund	983,361		930,730				1,000,360		851,229	
General Fund Exempt	-		-				-			
Cash Funds	654,122		571,501				1,054,860		954,707	
Reappropriated Funds	227,060		235,575				224,386		215,481	
Federal Funds	-		-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 11		Actual FY 12		Estimate FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 1930 - Purchased Services - Litigation	29,820		57,394				40,418		31,379	
2170 Waste Disposal Services	133		-				-		-	
2230 Equipment Contract Maintenance	375		28				48		48	
2231 ADP Equip Maint/Repair Services	2,717		2,808				2,160		2,160	
2232 Software Upgrades	9,084		8,097				250		250	
2251 Rental/Lease Motor Pool Veh	4,903		4,690				-		-	
2252 Leased Vehicle - Variable	1,497		1,114				1,500		1,500	
2253 Rental of Equipment	196		-				-		-	
2254 Rental of Motor Vehicles	-		-				-		-	
2255 Rental of Building	62,981		65,525				-		-	
2258 Parking	2,640		2,640				2,640		2,640	
2259 Parking Fee Reimbursement	16		4				-		-	
2510 In State Travel	20		-				50		50	
2511 IS Common Carrier Fares	-		-				-		-	
2512 IS Personal Travel Per Diem	358		-				100		100	
2513 IS Pers Vehicle Reimbursement	160		109				-		-	
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	1,197		645				950		950	
2531 OS Common Carrier Fares	4,944		2,634				2,250		2,250	
2532 OS Personal Travel Per Diem	5,986		11,763				5,858		5,858	
2533 OS Pers Vehicle Reimbursement	-		-				-		-	
2610 Advertising	-		-				-		-	
2611 Public Relations	-		-				-		-	
2630 Comm Service Div of Telecom	23,018		22,157				23,550		23,550	
2631 Comm Svcs from Outside Sources	2,155		2,441				2,850		2,850	
2641 Other ADP Billing	15,960		17,913				6,744		6,744	
2650 OIT Purchased Svs	4		-				-		-	
2660 Insurance	2,557		3,467				-		-	
2680 Contract Printing	3,310		2,782				2,625		2,625	
2681 Photocopy Reimbursement	-		-				-		-	
2710 Purchased Medical Services	-		-				-		-	
2810 Freight & Storage	-		-				-		-	
2820 Other Purchased Services	23		65				-		-	
2830 Office Moving-Pur Services	-		-				-		-	
2831 Storage Purchased Svs	8		48				-		-	
3110 Other Supplies and Materials	-		-				-		-	
3112 Automotive Supplies	-		-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 11		Actual FY 12		Estimate FY 13		Estimate FY 13		Request FY 14	
	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	1,196		187				200		200	
3116 Purchased/Leased Software	625		400				-		-	
3117 Educational	104		-				-		-	
3118 Food and Food Service Supplies	-		-						-	
3120 Books & Subscriptions	8,793		12,251				9,018		9,018	
3121 Office Supplies	4,284		5,230				5,280		5,280	
3123 Postage	5,805		5,115				5,385		5,385	
3124 Printing/Copy Supplies	-		467						-	
3126 Repair & Maintenance Supplies	-		-						-	
3128 Non-Capitalized Equipment	894		348						-	
3131 Noncapitalized Bldg Materials	-		-				21,335		-	
3132 Non- Cap Office Furn-Off Systems	550		110						-	
3140 Non-Capitlized IT - PC's	3,010		1,163						-	
3141 Non-Capitalized IT Servers	797		-						-	
3143 Non-Capitalized IT Other	951		1,954				13,075		-	
3146 Non-Capital. IT Purchsd. Server Software	819		-						-	
3940 Electricity	-		-						-	
3950 Gasoline	-		-						-	
3970 Natural Gas	-		-						-	
4111 Prizes and Awards	300		2,000						-	
4140 Dues & Memberships	5,933		7,300				7,550		7,550	
4151 Interest - Late Payments	-		-						-	
4170 Miscellaneous Fees	-		-						-	
4180 Official Functions	102		434						-	
4220 Registration Fees	2,835		5,321				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:	213,485		248,604				157,836		114,387	
OPERATING EXPENSE SUBTOTAL:	213,485		248,604				157,836		114,387	
General Fund	104,657		104,657				79,794		79,794	
General Fund Exempt	-		-				-		0	
Cash Funds	66,047		112,964				52,042		8,593	
Reappropriated Funds	42,781		30,983				26,000		26,000	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 11		Actual FY 12		Estimate FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Potted Operating Expenses										
Workers' Compensation							3,710			
Vehicle Leased Expense							4,894			
Capital Complex Lease Space							64,172			
Leased Space							-			
IT Asset Maintenance							13,275			
Communication Service Payments							1,647			
ADP Capital Outlay							-			
CLE Registration Fees							4,125			
Building Security							7,115			
Total							98,938			
General Fund							44,656			
Cash Funds							37,664			
Reappropriated Funds							16,618			
Rollforwards										
Reappropriated Funds										
DECISION ITEM REQUESTS:										
Dec Item - Tobacco Refiance									-	-
General Fund									153,795	
Cash Funds									(153,795)	
Reappropriated Funds										
Dec Item - PIO Refiance									(89,284)	(1.0)
General Fund									-	
Cash Funds									(89,284)	(1.0)
Reappropriated Funds										
General Fund									-	
Cash Funds									-	
Reappropriated Funds										
TOTAL CONSUMER PROTECTION	2,078,028	19.7	1,986,411	19.3			2,536,380	26.0	2,046,520	25.0
General Fund	1,088,018		1,035,387				1,124,810		1,084,818	
General Fund Exempt	-		-				-		-	
Cash Funds	720,169		684,466				1,144,566		720,221	
Reappropriated Funds	269,841		266,558				267,004		241,481	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 11		Actual FY 12		Estimate FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
RECONCILIATION OF FUNDS										
Long Bill Appropriation	1,814,069	21.0	1,815,952	21.0	2,167,295	26.0	2,167,295	26.0	2,167,295	26.0
Annualization of FY 13 DI									(34,410)	
PERA Bill SB 11-76			(34,271)		0		-			
Pay date Shift bill for biweekly employees					2919		2,919		2,919	0.0
Refinance Tobacco DI									(89,284)	(1.0)
PIO Refinance DI										
Supplemental SB09-192	-		-							
Allocated POTS: Salary POTS										
Health/Life/Dental	119,184		126,607				156,941			
Short Term Disability	2,633		2,406				2,795			
SB 04.257 A.E.D.	34,516		37,793				57,886			
SB 06.235 S.A.E.D.	24,288		30,231				49,606			
Worker's Compensation	2,557		3,468				3,710			
Vehicle Lease Payments	4,791		3,305				4,894			
Capital Complex Lease Space	71,984		66,614				64,172			
Lease Space							-			
ADP Capital Outlay							-			
Communication Service Payments	1,056		1,140				1,647			
IT Asset Maintenance	12,400		12,400				13,275			
CLE Registration Fees	4,499		4,499				4,125			
Building Security	6,080		6,507				7,115			
Year-End Transfer										
Rollforward from previous FY										
Rollforward to subsequent FY										
Overexpenditure/(Reversion) - GF	(20,029)	(0.7)	(42,726)	(1.2)						
Lapsed Appropriation Reappropriated Fund			(4)							
Lapsed Appropriation Cash Fund			(47,510)	(0.6)						
TOTAL RECONCILIATION	2,078,028	20.3	1,986,411	19.3			2,536,380	26.0	2,046,520	
TOTALS	2,078,028	19.7	1,986,411	19.3	2,170,214	26.0	2,536,380	26.0	2,046,520	25.0
General Fund	1,088,018		1,035,387		931,023		1,124,810		1,084,818	
General Fund Exempt	-		-				-		-	
Cash Funds	720,169		684,466		997,710		1,144,566		720,221	
Reappropriated Funds	269,841		266,558		241,481		267,004		241,481	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2011	FY 2012	FY 2013	FY 2013	FY 2014
Schedule 3 Total		2,078,028	1,986,411	2,170,214	2,536,380	2,046,520
General Fund		1,088,018	1,035,387	931,023	1,124,810	1,084,818
General Fund Exempt		-	-	-	-	-
Cash Funds		720,169	684,466	997,710	1,144,566	720,221
Reappropriated Funds		269,841	266,558	241,481	267,004	241,481
Federal Funds		-	-	-	-	-
Cash Funds		720,169	684,466	997,710	1,144,566	720,221
Dept of Local Affairs (Manufactured Home Fund)		20,784	20,784	20,668	20,668	20,668
No Call Fund Source		28,254	26,550	25,719	25,719	25,719
146 Custodial Fund		436,475	416,840	717,973	845,999	673,834
Tobacco Litigation Defense Account		154,656	140,292	153,795	169,053	-
UCCC Custodial		80,000	80,000	79,555	83,127	-
Reappropriated Funds		269,841	266,558	241,481	267,004	241,481
Custodial Fund Balance		-	-	-	-	-
Tobacco Litigation Defense Account		-	-	-	-	-
UCCC Custodial		-	-	-	-	-
Division of Real Estate		269,841	266,558	241,481	267,004	241,481

D) BACKGROUND INFORMATION: CONSUMER CREDIT UNIT

This Unit enforces seven state laws relating to consumer credit and debt collections. As of July 1, 2012, it has a combined FTE total of 20 consisting of 4 attorney positions and 17 classified staff positions.

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. These retailers must file an annual notification form. 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 12-1328 amended the UCCC to permit pawnbrokers licensed under it to charge the same rates for pawn loans as pawnbrokers licensed by local cities and counties. If a city or county has no local ordinances licensing or regulating pawnbrokers, they must be licensed and subject to compliance examinations under the UCCC. The bill was initiated by the state pawnbroker trade association and took effect August 8, 2012.

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. Over the last five years since the “mortgage meltdown,” all categories of licensed lenders have decreased. However, the numbers of creditors filing notifications have doubled in the same time period and sales finance companies have remained

virtually unchanged. In the near term, the number of licensed lenders is expected to be flat or decrease slightly as lenders reduce the number of direct loans made to subprime borrowers.

- Since January 1, 2010 when unit staff began to examine creditors and sales finance companies that file notification on a regular basis, and debt management companies as of July 1, 2009, compliance examinations have taken more time. This is the first compliance exam for many companies, they may be unfamiliar with detailed compliance and the examination process, and records may not be in good order resulting in larger refunds and slower examinations. In addition, creditors may contest findings, requiring more legal action.
- Enforcement of the Debt Management Services Act continues to take substantial resources. The law is detailed and compliance examinations reveal compliance problems. More importantly, many companies ignore the law or test its exemptions. More than half of the unit's pending litigation involves DMSA cases.
- 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. No appeal was filed and compliance exams focus on industry adjustment to the three-tiered fee law, now over two years old.
- Significant legal action and investigations involve unlicensed internet payday lenders and claims that loans are made by arms of Native American Indian tribes asserting tribal sovereign immunity. Cases are pending in the Colorado Court of Appeals and Denver District Court. Another unrelated but precedent setting case involves litigation advance funding and whether these transactions are loans.
- The federal Consumer Financial Protection Bureau has been in operation since June 21, 2011 and has federal supervision and regulatory authority to enforce federal law over many of the same non-depository financial industries that the unit regulates – specifically payday loans, private student loans, and some mortgage loans. It will also have supervisory authority over larger market participants (to be defined) in other credit areas and enforcement authority over all consumer credit products. The unit expects to be involved in joint enforcement efforts with the Bureau.

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 has resulted in larger 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.
- With the unit now licensing as many collection agencies as supervised lenders, and receiving twice the number of consumer complaints about debt collection as consumer lending, it may be worth considering whether to amend the CFDCPA to allow periodic compliance examinations of collection agencies or continue to investigate only on a complaint basis. Consumers cannot choose a collection agency so there is no free market among consumers in this area (creditors, of course, choose collection agencies but a number of collection agencies purchase and collect their own charged-off debt for collection).

IV) WORKLOAD MEASURE:

WORKLOAD INDICATORS

Consumer Credit					
Workload Measure	Unit	FY11 Actual	FY12 Actual	FY 13 Estimate	FY14 Request
New Licenses Issued (UCCC)	Number	80	140	110	120
License Total on June 30 (UCCC)	Number	799	745	725	725
Notifications Filed (Credit Sales, Sales Finance, Rent-to-Own)	Number	1,462	1,433	1,400	1,500
New Registrations Issued (Debt Management)	Number	6	4	5	5
Registration Total on June 30 (Debt Management)	Number	51	49	50	50
Written Complaints Received (UCCC, CSOA, CROA)	Number	461	473	500	500
Written Complaints Received (Debt Management)	Number	61	31	75	80
Compliance Examinations (UCCC)	Number	321	386	450	450

Debt Collection					
Workload Measure	Unit	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY14 Request
New Licenses Issued	Number	148	122	125	120
License Total on June 30	Number	722	786	750	750
Written Complaints Received	Number	876	964	1,000	800

CORE OBJECTIVES AND PERFORMANCE MEASURES

CONSUMER CREDIT

Objective: Ensure compliance with consumer credit laws.

Performance Measure	Outcome	FY 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Open investigations and file, defend, or settle cases	Target	100		200		120		130	
	Actual	207		131					

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. In addition, in the consumer lending and credit area, 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 decreased because of substantial time required on a few large court cases that required attorney and staff time and resources. In addition, in the prior year there was a high priority on contacting debt management companies to advise them of the relatively new law. Companies should now be aware of the DMSA.

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 11 Actual		FY 12 Actual		FY 12 Estimate		FY 13 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Require consumer refunds	Benchmark	\$2,000,000		\$2,200,000		\$3,000,000		\$3,000,000	
	Actual	\$2,159,806		\$5,287,437	145%				

Strategy: Refunds result from overcharges and illegal charges discovered from compliance examinations, consumer complaints, searching the Internet, and from litigation. Refunds may include credits to existing balances on open accounts.

Evaluation of Prior Year Performance: Consumer refund total amounts were substantially larger than anticipated. This was due to the new examination program of creditors and sales finance companies that had never before been examined and to the litigation under the DMSA. That law prohibits debt management companies from retaining any enrollment fees for certain violations of the law. In addition, the total refund number reflects payday lender refunds due under erroneous interpretations of HB 10-1351. Refunds may not be this large again.

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	FY11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and resolve complaints within 60 days or less	Benchmark	45		50		50		55	
	Actual	52		41					
Performance Measure	Outcome	FY 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and resolve 80% of complaints received during FY	Benchmark	80%		80%		80%		80%	
	Actual	89%		78%					

Debt Management

Performance Measure	Outcome	FY 11 Actual		FY 12 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		60		60	
	Actual	56		16					
Performance Measure	Outcome	FY 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and resolve 80% of complaints received during FY	Benchmark	80%		80%		65%		65%	
	Actual	67%		45%					

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 decreased and the percent of closed complaints showed a slight improvement. Debt management closure time increased but the percent of closed complaints decreased. This was due to staff time spent on litigation to the detriment of consumer complaint investigation.

Key Workload Indicators: Completion time depends on the number and complexity of consumer complaints, whether the business complies with state law, and other workload demands. 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	FY11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Open investigations and file, defend, or settle cases	Benchmark	50		50		70		70	
	Actual	45		81					

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 FY12 increased. In addition, unit attorneys resolved two large cases against unlicensed collection agencies, resulting in preliminary injunctions, fines of \$180,000 total, and judgments against the companies. Resolution of these cases allowed staff to focus on other matters.

Key Workload Indicators: The unit filed two administrative disciplinary cases against licensed collection agencies. These cases are not yet set for evidentiary hearings, but will take substantial pre-hearing motion practice and discovery during FY 13. The hearings should be held during that fiscal year. It is difficult to project these numbers as they are based on violations of the law reported by the public and collection agency clients. The unit filed two administrative discipline cases against licensed collection agencies during FY 12. Hearings in these cases will be set for the latter part of FY 13 and will take substantial pre-hearing motion and discovery time. Continuances may push the hearings into FY 14. Of course, it is impossible to predict whether a case will settle or proceed to trial or hearing.

Performance Measure	Outcome	FY 11 Actual		FY12 Actual		FY 13 Estimate		FY 14 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Issue cease and desist notices to unlicensed collection agencies	Benchmark	65		70		70		70	
	Actual	71		87					

Strategy: Cease and desist advisory notices are issued based on information provided by 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: These numbers are typically consistent over the years. 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 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 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		56					
Performance Measure	Outcome	FY 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and resolve 80% of complaints received during FY	Benchmark	80%		80%		80%		75%	
	Actual	80%		91%					

Strategy: The Unit's goals is 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, but resolution time increased as complaint numbers grew. Interestingly, the percent of closed complaints also increased. This may be because the two large lawsuits described above were resolved during FY12, allowing staff to devote time to resolving more consumer complaints.

Key Workload Indicators: Resolution time depends on the number and complexity of consumer complaints, whether complaints reveal violations of the law, whether violations can be resolved informally or require administrative or legal action, and whether staff time must be devoted to other activities such as litigation.

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

Consumer Credit Unit

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CONS. PROTECT. & ANTI-TRUST	1,587,766	18.0	1,611,151	17.9	1,521,916	20.0	1,830,503	20.0	1,512,150	20.0
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Fund	1,587,766		1,611,151		1,521,916		1,830,503		1,512,150	
Reappropriated Funds	-		-		-		-		-	
Federal Funds										

SCHEDULE 3 - PERSONAL SERVICES PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	119,952	1.0
Senior Assistant Attorney General	159,178	2.0	164,045	2.0			164,045	2.0	164,045	2.0
Assistant Attorney General							78,624	1.0	78,624	1.0
Financial Credit Examiner IV	89,640	1.0	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	89,244	1.0
Financial Credit Examiner II	312,657	4.9	352,788	5.6			378,060	6.0	378,060	6.0
Financial Credit Examiner I	59,321	1.1	13,227	0.3			-	0.0	-	0.0
Compl Investigator I	100,822	2.0	102,072	2.0			109,188	2.0	109,188	2.0
Legal Assistant II	47,186	1.0	50,150	1.0			100,836	2.0	100,836	2.0
Admin Asst II	36,284	1.0	39,720	1.0			39,360	1.0	39,360	1.0
Program Assistant I	146,196	3.0	146,196	3.0			150,612	3.0	150,612	3.0
									-	0.0
TOTAL POSITION DETAIL	1,160,480	18.0	1,167,034	17.9			1,319,561	20.0	1,319,561	20.0

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 11		Actual FY 12		Estimate FY 13		Estimate FY 13		Request FY 14	
	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	1,167,034	17.9			1,319,561	20.0	1,319,561	20.0
(Permanent FTE by position)										
Continuation Salary Subtotal										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	85,952		85,715				133,935		133,935	
Medicare on Continuation Subtotal	14,611		14,507				19,134		19,134	
Non-Base building Performance Awards							-		-	
Part-Time/Temporary Salaries	0		-				-		-	
Contractual Services	8,577		7,629				5,245		5,245	
Overtime Pay	-		513							
Board Member Compensation	550		400							
Sick Leave Conversion										
Termination/Retirement Payouts	0		3,038							
Employment Security Payments	0		-							
Furlough Days	0		-							
Other Employee Benefits	5421		3,666				3,500		3,500	
Other										
Special Bills										
SUBTOTAL	115,112		115,469				161,814		161,814	
(I.C.) PERSONAL SERVICE										
SUBTOTAL= A+B	1,275,591	18.0	1,282,502	17.9			1,481,375	20.0	1,481,375	20.0
(I.D.) POTS EXPENDITURES										
Health/Life/Dental	101,521		114,690				121,851			
Salary Act/Merit							-			
Performance Awards							-			
Short Term Disability	1,973		2,065				2,071			
SB 04.257 A.E.D.	26,980		31,363				42,226			
SB 06.235 S.A.E.D.	19,680		25,198				36,288			
Other										
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES	1,425,746	18.0	1,455,819	17.9			1,647,523	20.0	1,481,375	20.0
TOTAL = C+D										
General Fund							-		-	
General Funds Exempt										
Cash Funds							1,647,523		1,481,375	
Reappropriated Funds							-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 11		Actual FY 12		Estimate FY 13		Estimate FY 13		Request FY 14	
	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	1,455,819	17.9			1,647,523	20.0	1,481,375	20.0
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	1,425,746		1,455,819				1,647,523		1,481,375	
Reappropriated Funds	-		-				-		-	
Federal Funds	-		-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 11		Actual FY 12		Estimate FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 1930 - Purchased Services - Litigation	8,904		8,325				14,494		7,500	
2170 Waste Disposal Services	-		-				-		-	
2230 Equipment Contract Maintenance	820		62				83		83	
2231 ADP Equip Maint/Repair Services	2,844		3,004				-		-	
2232 Software Upgrades	10,532		11,477				-		-	
2251 Rental/Lease Motor Pool Veh	11,174		10,742				-		-	
2252 Leased Vehicle - Variable	9,135		9,737				10,250		10,250	
2253 Rental of Equipment	-		-				-		-	
2254 Rental of Motor Vehicles	-		-				118		118	
2255 Rental of Building	59,320		59,974				-		-	
2258 Parking	-		-				-		-	
2259 Parking Fee Reimbursement	-		11				-		-	
2510 In State Travel	-		-				-		-	
2511 IS Common Carrier Fares	-		-				-		-	
2512 IS Personal Travel Per Diem	2,419		2,403				2,512		2,512	
2513 IS Pers Vehicle Reimbursement	-		1,441				-		-	
2514 IS State Owned Aircraft	-		-				-		-	
2515 State-Owned Vehicle Charge	-		-				-		-	
2520 IS Travel Non Employee	98		84				85		85	
2522 IS Non Employee Per Diem	76		39				45		45	
2523 IS Non Employee Personal Vehicle Reimb	428		395				420		420	
2530 Out of State Travel	-		56				250		250	
2531 OS Common Carrier Fares	-		-				-		-	
2532 OS Personal Travel Per Diem	-		869				-		-	
2533 OS Pers Vehicle Reimbursement	-		-				-		-	
2610 Advertising	-		-				-		-	
2611 Public Relations	-		-				-		-	
2630 Comm Service Div of Telecom	8,029		10,016				11,520		11,520	
2631 Comm Svcs from Outside Sources	957		1,024				1,984		1,984	
2641 Other ADP Billing	3,812		5,211				5,474		5,474	
2650 OIT Purchased Services	8		-				-		-	
2660 Insurance	2,301		2,972				-		-	
2680 Contract Printing	3,114		1,749				3,352		3,352	
2681 Photocopy Reimbursement	-		-				-		-	
2710 Purchased Medical Services	-		-				-		-	
2810 Freight & Storage	-		-				-		-	
2820 Other Purchased Services	51		10				25		25	
2830 Office Moving-Pur Services	-		-				-		-	
2831 Storage Purch Svs	17		104				-		-	
3110 Other Supplies and Materials	-		-				-		-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 11		Actual FY 12		Estimate FY 13		Estimate FY 13		Request FY 14	
	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		73				450		450	
3116 Purchased/Leased Software	1,366		146				115		115	
3117 Educational	-		-				-		-	
3118 Food and Food Service Supplies	-		-				-		-	
3120 Books & Subscriptions	1,182		1,905				2,050		2,050	
3121 Office Supplies	3,674		3,020				4,020		4,020	
3123 Postage	10,447		7,904				10,852		10,852	
3124 Printing/Copy Supplies	-		148				-		-	
3128 Non-Capitalized Equipment	199		-				-		-	
3131 Noncapitalized Bldg Materials	307		-				-		-	
3132 Non- Cap Office Furn-Off Systems	200		-				-		-	
3140 Non-Capitalized IT - PC's	6,345		2,543				-		-	
3141 Non-Capitalized IT Servers	1,744		-				-		-	
3143 Non-Capitalized IT Other	245		2,413				-		-	
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		5,933				4,500		4,500	
4151 Interest - Late Payments	-		-				-		-	
4170 Miscellaneous Fees	-		-				-		-	
4180 Official Functions	735		666				700		700	
4220 Registration Fees	225		874				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									(35,754)	
Operating Expense Subtotal:	162,020		155,332				73,523		30,775	
OPERATING EXPENSE SUBTOTAL:	162,020		155,332				73,523		30,775	
General Fund							0		0	
General Fund Exempt	-		-				-		0	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 11		Actual FY 12		Estimate FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Cash Funds	162,020		155,332				73,523		73,523	
Reappropriated Funds							0		0	
Potted Operating Expenses										
Workers' Compensation							3,177			
Vehicle Leased Expense							10,677			
Capital Complex Lease Space							55,004			
Leased Space							3,052			
IT Asset Maintenance							28,813			
Communication Service Payments							-			
ALJ							1,135			
CLE Registration Fees							1,500			
Building Security							6,099			
Total							109,457			
General Fund							-			
Cash Funds							109,457			
Reappropriated Funds							-			
DECISION ITEM REQUESTS										
General Fund									-	-
Cash Funds									-	-
Reappropriated Funds									-	-
NP #2										
General Fund									-	-
Cash Funds									-	-
Reappropriated Funds									-	-
TOTAL CONSUMER PROTECTION	1,587,766		1,611,151	17.9			1,830,503	20.0	1,512,150	20.0
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	1,587,766		1,611,151				1,830,503		1,512,150	
Reappropriated Funds	-		-				-		-	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	1,350,707		1,359,706	18.0	1,521,916	20.0	1,521,916	20.0	1,521,916	20.0
PERA Adjustment back to 10.15%									-	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 11		Actual FY 12		Estimate FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
PERA SB 11-76 @ 7.65%			(28,499)				-			
Supplemental										
Annualization of FY 13 DI									(9,766)	
Allocated POTS:										
Salary POTS							-			
Health/Life/Dental	94,938		101,846				127,731			
Short Term Disability	1,746		1,946				1,783			
SB 04.257 A.E.D.	26,237		30,780				37,440			
SB 06.235 S.A.E.D.	19,131		24,733				32,176			
Worker's Compensation	2,301		2,972				3,177			
Vehicle Lease Payments	11,159		11,748				10,677			
Capital Complex Lease Space	56,686		79,302				55,004			
Lease Space	2,880		2,880				3,052			
ALJ							1,135			
IT Asset Maintenance	27,123		27,123				28,813			
CLE Registration Fees	1,875		1,875				1,500			
Building Security	5,472		5,577				6,099			
Year-End Transfer										
Rollforward from previous FY							-			
Rollforward to subsequent FY										
Overexpenditure/(Reversion) - GF										
Lapsed Appropriation Reappropriated Fund										
Lapsed Appropriation Cash Fund	(12,489)		(10,838)	(0.1)						
TOTAL RECONCILIATION	1,587,766		1,611,151	17.9			1,830,503	20.0	1,512,150	
TOTALS	1,587,766		1,611,151	17.9	1,521,916	20.0	1,830,503	20.0	1,512,150	20.0
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	1,587,766		1,611,151		1,521,916		1,830,503		1,512,150	
Reappropriated Funds	-		-		-		-		-	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

Consumer Credit Unit

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2011	FY 2012	FY 2013	FY 2013	FY 2014
Schedule 3 Total		1,587,766	1,611,151	1,521,916	1,830,503	1,512,150
General Fund		-	-	-	-	-
General Fund Exempt		-	-	-	-	-
Cash Funds		1,587,766	1,611,151	1,521,916	1,830,503	1,512,150
Reappropriated Funds		-	-	-	-	-
Federal Funds		-	-	-	-	-
Cash Funds		1,587,766	1,611,151	1,521,916	1,830,503	1,512,150
Collection Agency Cash Fund		408,735	417,724	364,893	461,615	363,428
UCCC Cash Fund		1,179,032	1,193,427	1,157,023	1,368,888	1,148,722

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

INDIRECT COST ASSESSMENT - CONSUMER PROTECTION

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
INDIRECT COST ASSESSMENT	307,418		334,907		471,352		471,352	-	504,251	-
General Fund Exempt										
General Fund										
Cash Funds	271,947		297,695		434,140		434,140		463,366	
Reappropriated Funds	35,471		37,212		37,212		37,212		40,885	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

INDIRECT COST ASSESSMENT - CONSUMER PROTECTION

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
INDIRECT COST ASSESSMENT	307,418		334,907		471,352		471,352		504,251	
Cash Funds	271,947		297,695		434,140		434,140		463,366	
Reappropriated Funds	35,471		37,212		37,212		37,212		40,885	
INDIRECT COST ASSESSMENT	307,418		334,907		471,352		471,352		504,251	
Cash Funds	271,947		297,695		434,140		434,140		463,366	
Reappropriated Funds	35,471		37,212		37,212		37,212		40,885	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	328,698		334,907				471,352			
Supplemental Appropriation										
Lapsed Spending Authority CF	(17,510)		(17,510)							
TOTAL RECONCILIATION	311,188		317,397				471,352			

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

INDIRECT COST ASSESSMENT - CONSUMER PROTECTION

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2011	FY 2012	FY 2013	FY 2013	FY 2014
Schedule 3 Total		307,418	334,907	471,352	471,352	504,251
General Funds						
General Funds Exempt						
Cash Funds		271,947	297,695	434,140	434,140	463,366
Reappropriated Funds		35,471	37,212	37,212	37,212	40,885
Cash Funds		271,947	297,695	434,140	434,140	463,366
146 Department Custodials Funds		39,413	49,615	161,252	161,252	190,798
DOLA-Manuf Housing Fund		-	-		-	-
No-Call Fund					-	-
Tobacco Litigation Defense Fund		11,824	12,404	12,404	12,404	-
Collection Agency Board Fund		65,031	68,222	68,222	68,222	79,045
UCCC Custodial Fund		7,882	12,404	12,404	12,404	-
Uniform Consumer Credit Code fund		147,797	155,050	179,858	179,858	193,523
Reappropriated Funds		37,212	37,212	37,212	37,212	40,885
Department Custodials Funds		-	-			
Collection Agency Board Fund		-	-			
Tobacco Litigation Defense Fund		-	-			
UCCC Custodial Fund		-	-			
UCCC Fund Balance		-	-			
Division of Real Estate Cash Fund		37,212	37,212	37,212	37,212	40,885
Federal Funds						

DEPARTMENT OF LAW
FY 2013-14 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 2012-13 Long Bill Appropriation (HB 12-1335)	\$2,656,368	0.0	\$2,656,368	\$0	\$0	\$0
	\$0					
FY 2012-13 Total Appropriation	\$2,656,368	0.0	\$2,656,368	\$0	\$0	\$0
Base Salary Increase per HB 07-1170 (\$10,000*22*.8)	\$0	0.0	\$0	\$0	\$0	\$0
PERA on Salary Increase	\$0	0.0	\$0	\$0	\$0	\$0
AED & SAED Adjustment	\$20,592	0.0	\$20,592	\$0	\$0	\$0
	\$0		\$0			
FY 13-14 Base Request	\$2,676,960	0.0	\$2,676,960	\$0	\$0	\$0
FY 2013-14 November 1 Request	\$2,676,960	0.0	\$2,676,960	\$0	\$0	\$0
(B) Litigation Management Fund						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$325,000	0.0	\$0	\$325,000	\$0	\$0
FY 2012-13 Total Appropriation	\$325,000	0.0	\$0	\$325,000	\$0	\$0
FY 13-14 Base Request	\$325,000	0.0	\$0	\$325,000	\$0	\$0
FY 2013-14 November 1 Request	\$325,000	0.0	\$0	\$325,000	\$0	\$0
(C) Tobacco Litigation						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$880,000	0.0	\$0	\$880,000	\$0	\$0
FY 2012-13 Total Appropriation	\$880,000	0.0	\$0	\$880,000	\$0	\$0
Reduction in need due to change in stage of Litigation	(\$380,000)		\$0	(\$380,000)	\$0	\$0
FY 13-14 Base Request	\$500,000	0.0	\$0	\$500,000	\$0	\$0
Tobacco Funding Decision Item	\$0		\$500,000	(\$500,000)		
FY 2013-14 November 1 Request	\$500,000	0.0	\$500,000	\$0	\$0	\$0

DEPARTMENT OF LAW

FY 2013-14 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 2012-13 Long Bill Appropriation (HB 12-1335)	\$50,000	0.0	\$0	\$0	\$50,000	\$0
FY 2012-13 Total Appropriation	\$50,000	0.0	\$0	\$0	\$50,000	\$0
	\$0				\$0	
FY 13-14 Base Request	\$50,000	0.0	\$0	\$0	\$50,000	\$0
FY 2013-14 November 1 Request	\$50,000	0.0	\$0	\$0	\$50,000	\$0
(E) Lowry Range Litigation Expenses						
FY 2012-13 Long Bill Appropriation (HB 12-1335)	\$638,870	0.0	\$0	\$638,870	\$0	\$0
FY 2012-13 Total Appropriation	\$638,870	0.0	\$0	\$638,870	\$0	\$0
	\$0				\$0	
Annualization of Budget Decision Item	(\$22,350)		\$0	(\$22,350)		
FY 13-14 Base Request	\$616,520	0.0	\$0	\$616,520	\$0	\$0
FY 2013-14 November 1 Request	\$616,520	0.0	\$0	\$616,520	\$0	\$0
(6) Special Purpose						
FY 2011-12 Appropriation(Long Bill plus Special Bills)	\$4,550,238	0.0	\$2,656,368	\$1,843,870	\$50,000	\$0
FY 2012-13 Base Request	\$4,168,480	0.0	\$2,676,960	\$1,441,520	\$50,000	\$0
FY 2012-13 November 1 Request	\$4,168,480	0.0	\$3,176,960	\$941,520	\$50,000	\$0

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

DISTRICT ATTORNEY'S SALARIES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
District Attorney Salaries	2,263,229		2,479,847		2,656,368		2,656,368	-	2,676,960	-
General Fund	2,263,229		2,479,847		2,656,368		2,656,368		2,676,960	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

DISTRICT ATTORNEY'S SALARIES

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
District Attorney Salaries	2,024,000		2,200,044				2,288,000		2,288,000	
PERA/Other Retirement Plans	154,838		168,304				232,232		232,232	
SB 04.257 A.E.D.	48,752		61,777				73,216		82,368	
SB 06.235 S.A.E.D.	35,640		49,722				62,920		74,360	
Subtotal	2,263,229		2,479,847				2,656,368		2,676,960	
TOTAL D.A. SALARIES	2,263,229		2,479,847		2,656,368		2,656,368	-	2,676,960	-
General Fund	2,263,229		2,479,847		2,656,368		2,656,368		2,676,960	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	2,313,828		2,534,796		2,656,368		2,656,368		2,656,368	
Supplemental (SB11-144)	(50,600)									
SB 11-76 PERA Reduction			(55,000)				0		0	
Reversion	-		(1)							
AED/SAED POT Increase	1		52						20,592	
TOTAL RECONCILIATION	2,263,229		2,479,847		2,656,368		2,656,368		2,676,960	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

DISTRICT ATTORNEY'S SALARIES

Item	Actual FY 11	Actual FY 12	Approp FY 13	Estimate FY 13	Request FY 14
	Total Funds	Total Funds	Total Funds	Total Funds	Total Funds
Schedule 3 Total	2,096,027	2,479,847	2,656,368	2,656,368	2,676,960
General Fund	2,096,027	2,479,847	2,656,368	2,656,368	2,676,960

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

LITIGATION MANAGEMENT FUND

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Litigation Management Fund	382,256	-	250,894	-	325,000		325,000	-	325,000	-
General Fund	-		-		-		-		-	
General Fund Exempt										
Cash Funds	262,256		250,894		325,000		325,000		325,000	
Reappropriated Funds	120,000		-		-		-		-	

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

LITIGATION MANAGEMENT FUND

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	20,000		19,375				325,000		325,000	
1962 PERSONAL SVCS- IT - CONSULTING	15,696		9,080							
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	3,779		286							
2231 ADP Equip Maint/Repair Services	8,091		7,722							
2232 Software Upgrades	44,475		54,394							
2268 Rental of IT Software Network			35,000							
2630 Telephone	-		-							
2631 Comm Svcs from Outside Sources	17		1,085							
2641 Other ADP Billings - Purchase Services	-		-							
2650 OIT Purchased Services	37		-							
2660 Insurance	-		-							
2680 Printing/Reproduction	845		-							
2810 Freight & Storage	-		-							
2820 Other Purchased Services	233		-							
2830 Office Moving/Purchased Services	-		-							
2831 Storage Purchased Service	76		480							
3110 Other Supplies and Materials	-		-							
3112 Automotive Supplies	-		-							
3114 Custodial	-		-							
3115 DP Supplies	249		28							
3116 Purchase/Leased Software	6,297		20,055							
3117 Educational	-		-							
3120 Books & Subscriptions	-		-							
3121 Office Supplies	-		21							

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

LITIGATION MANAGEMENT FUND

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
3122 Microfilming/Photo. Supplies	-		-							
3123 Postage	-		10							
3124 Printing	-		-							
3126 Repair & Maintenance/Supplies	-		-							
3128 Non-Capitalized Equipment	22		750							
3131 Noncap. Building Mat'ls	-		-							
3140 Non-Capitalized IT - PC's	44,115		11,721							
3141 Non-Capitalized IT - Servers	8,039		22,709							
3143 Non-Capitalized IT - Other	58,792		249							
3146 Non-Capitalized IT - SW	8,260		5,643							
4170 Miscellaneous Fees	-		-							
4180 Official Functions	-		-							
4220 Registration Fees	-		-							
6140 Buildings and Improves. to Bldg.	-		-							
6212 IT Servers - Direct Purchase	15,290		62,286							
6213 IT PC SW - Direct Purchase	18,176		-							
6214 IT Other- Direct Purchase	9,152		-							
Expense Subtotal:	262,256		250,894				325,000		325,000	
Rollforward							-			
Hetrick DNA	120,000						-			
TOTAL Litigation Management Fund	382,256		250,894				325,000	-	325,000	-
General Fund										
General Fund Exempt							-			
Cash Funds	262,256		250,894				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						-			
Lapsed CF Spending Authority	(62,744)		(74,106)							
Lapsed CFE Spending Authority	(1)									

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

LITIGATION MANAGEMENT FUND

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
TOTAL RECONCILIATION	382,256		250,894				325,000			
GRAND TOTAL	382,256		250,894		325,000		325,000	-	325,000	-
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	262,256		250,894		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 2011	FY 2012	FY 2012	FY 2013	FY 2014
Schedule 3 Total		382,256	250,894		325,000	325,000
General Funds		-	-			-
General Funds Exempt		-	-			-
Cash Funds		262,256	250,894		325,000	325,000
Reappropriated Funds		120,000	-		-	-
Cash Funds						
Attorney Fees and Costs	13H	-	0		231,511	
LSSA Excess Revenues		262,256	250,894		93,489	325,000
Reappropriated Funds						
Attorney Fees and Costs	13H	-	-			
LSSA Excess Revenues		120,000	-		-	-

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

LITIGATION MANAGEMENT FUND

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Litigation Management Fund	382,256	-	250,894	-	325,000		325,000	-	325,000	-
General Fund	-		-		-		-		-	
General Fund Exempt										
Cash Funds	262,256		250,894		325,000		325,000		325,000	
Reappropriated Funds	120,000		-		-		-		-	

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

LITIGATION MANAGEMENT FUND

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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	20,000		19,375				325,000		325,000	
1962 PERSONAL SVCS- IT - CONSULTING	15,696		9,080							
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	3,779		286							
2231 ADP Equip Maint/Repair Services	8,091		7,722							
2232 Software Upgrades	44,475		54,394							
2268 Rental of IT Software Network			35,000							
2630 Telephone	-		-							
2631 Comm Svcs from Outside Sources	17		1,085							
2641 Other ADP Billings - Purchase Services	-		-							
2650 OIT Purchased Services	37		-							
2660 Insurance	-		-							
2680 Printing/Reproduction	845		-							
2810 Freight & Storage	-		-							
2820 Other Purchased Services	233		-							
2830 Office Moving/Purchased Services	-		-							
2831 Storage Purchased Service	76		480							
3110 Other Supplies and Materials	-		-							
3112 Automotive Supplies	-		-							
3114 Custodial	-		-							
3115 DP Supplies	249		28							
3116 Purchase/Leased Software	6,297		20,055							
3117 Educational	-		-							
3120 Books & Subscriptions	-		-							
3121 Office Supplies	-		21							

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

LITIGATION MANAGEMENT FUND

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
3122 Microfilming/Photo. Supplies	-		-							
3123 Postage	-		10							
3124 Printing	-		-							
3126 Repair & Maintenance/Supplies	-		-							
3128 Non-Capitalized Equipment	22		750							
3131 Noncap. Building Mat'ls	-		-							
3140 Non-Capitalized IT - PC's	44,115		11,721							
3141 Non-Capitalized IT - Servers	8,039		22,709							
3143 Non-Capitalized IT - Other	58,792		249							
3146 Non-Capitalized IT - SW	8,260		5,643							
4170 Miscellaneous Fees	-		-							
4180 Official Functions	-		-							
4220 Registration Fees	-		-							
6140 Buildings and Improves. to Bldg.	-		-							
6212 IT Servers - Direct Purchase	15,290		62,286							
6213 IT PC SW - Direct Purchase	18,176		-							
6214 IT Other- Direct Purchase	9,152		-							
Expense Subtotal:	262,256		250,894				325,000		325,000	
Rollforward							-			
Hetrick DNA	120,000						-			
TOTAL Litigation Management Fund	382,256		250,894				325,000	-	325,000	-
General Fund										
General Fund Exempt							-			
Cash Funds	262,256		250,894				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 (Hettrick DNA)	120,001						-			
Lapsed CF Spending Authority	(62,744)		(74,106)							
Lapsed CFE Spending Authority	(1)									

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

LITIGATION MANAGEMENT FUND

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
TOTAL RECONCILIATION	382,256		250,894				325,000			
GRAND TOTAL	382,256		250,894		325,000		325,000	-	325,000	-
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	262,256		250,894		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 2011	FY 2012	FY 2012	FY 2013	FY 2014
Schedule 3 Total		382,256	250,894		325,000	325,000
General Funds		-	-			-
General Funds Exempt		-	-		-	-
Cash Funds		262,256	250,894		325,000	325,000
Reappropriated Funds		120,000	-		-	-
Cash Funds						
Attorney Fees and Costs	13H	-	0		231,511	
LSSA Excess Revenues		262,256	250,894		93,489	325,000
Reappropriated Funds						
Attorney Fees and Costs	13H	-	-			
LSSA Excess Revenues		120,000	-		-	-

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

TOBACCO LITIGATION

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Tobacco Litigation Fund	972,823	-	745,624	-	880,000		880,000	-	500,000	-
General Fund	-		-		-		-		500,000	
General Fund Exempt	-		-		-		-		-	
Cash Funds	972,823		745,624		880,000		880,000		-	
Reappropriated Funds	-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

TOBACCO LITIGATION

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Tobacco Litigation Fund							880,000		500,000	
General Fund							-			
General Fund Exempt							-			
Reappropriated Funds							880,000		500,000	
Personal Service Codes:										
1920 - Personal Services Professional	972,823		745,624				880,000		500,000	
Personal Service Subtotal:	972,823		745,624				880,000		500,000	
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:	-		-				-	-	-	-
Tobacco Refinance Decision Item	-		-				-	-	-	-

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

TOBACCO LITIGATION

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
General Fund							-		500,000	
Cash Funds	-		-				-		(500,000)	
Long Bill Appropriation	750,000		880,000				-			
General Fund	-		-							
Cash Funds	750,000		880,000				-			
Reappropriated Funds	-		-							
SPECIAL BILLS									-	
<i>SB 11-209 Long Bill Add On</i>	259,790		-				-			
General Fund										
Reappropriated Funds										
TOBACCO LITIGATION TOTAL	972,823		745,624		880,000		880,000		500,000	
General Fund									500,000	
General Fund Exempt							-		-	
Cash Funds	972,823		745,624		880,000		880,000		-	
Reappropriated Funds									-	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	750,000		880,000				880,000			
<i>Supplemental</i>							-		-	
<i>SB 11-209 Long Bill Add On</i>	259,790		-				-		-	
Rollforward from Previous FY							-			
Rollforward to Subsequent FY										
Reversion										
Lapsed Appropriation Cash Funds	(36,967)		(134,376)							
TOTAL RECONCILIATION	972,823		745,624				880,000			

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

TOBACCO LITIGATION

Item	Actual FY 11	Actual FY 12	Approp FY 13	Estimate FY 13	Request FY 14
	Total Funds	Total Funds	Total Funds	Total Funds	Total Funds
Schedule 3 Total	535,462	745,624	880,000	880,000	500,000
General Fund	-	-	500,000	-	500,000
General Fund Exempt	-	-	-	-	-
Cash Funds	535,462	745,624	880,000	880,000	-
Reappropriated Funds	-	-	-	-	-
Cash Funds					
Tobacco Litigation Defense Account	535,462	745,624	880,000	880,000	-
Rollforward from previous year			-	-	
Excess Revenues from LSSA Line					
Reappropriated Funds					
Tobacco Litigation Defense Account				-	-
Excess Revenues from LSSA Line				-	

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law		LOBATO LITIGATION								
Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Tobacco Litigation Fund	417,573	-	242,037	-	50,000		50,000	-	50,000	-
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	417,573		242,037		50,000		50,000		50,000	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law		LOBATO LITIGATION								
Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	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		2,311							
1520 Medicare	3		34							
SPS Retirement Plans	18		1,254							
1524 SPS AED	6		60							
1525 SPS SAED	5		46							
1920 - Personal Services Professional	17,159		3,450				50,000		50,000	
Personal Service Subtotal:	17,423		7,155				50,000		50,000	
Operating Expenses:										
1930 Litigation	100,922		3,379				-			
2231 IT Hardware Maint/Repair Svcs	792		528							
2259 Parking Fee Reimbursement			28							
2510 In-State Travel	181		-							
2511 In -State Common Carrier Fares	1,070		-							

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LOBATO LITIGATION

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2512 In-State- Pers Travel Per Diem	3,531		62							
2513 In State Pers Vehicle Reimbursemer	461		60							
2530 Out of State Travel	924		445							
2531 Out of State Common Carrier Fares	3,343		3,090							
2532 OS Personal Travel Per Diem	2,490		2,330							
2630 Comm Svs Div of Telectom	7		34							
2631 Comm Svs from Outside Sources	2,118		771							
2641 Other ADP Billing - Purchased Servid	268,146		-				-			
2680 Printing/Reproduction Svs	88		-							
3115 Data Processing Supplies	1,331		197							
3116 Non Cap IT PC SW	116		-							
3120 Books/ Periodicals Subscription	71		-							
3121 Office Supplies	11,091		2,768							
3123 Postage	1,124		489							
3128 Non Capitalized Equipment	84		349							
3143 Non Cap IT Other	364		212							
3140 Non Capitalized IT PCs	1,898		-							
4180 Official Function	1,898		1,151							
Operating Expenses Subtotal:	400,151		15,893				-		-	
Rollforwards	-		-				-		-	
Cash Funds							-		-	
Reappropriated Funds			218,989				-		-	
Long Bill Appropriation							-		-	
General Fund							-		-	
Cash Funds							-		-	
Reappropriated Funds							-		-	
SPECIAL BILLS										
<i>SB07-113 Use of Tobacco Lit Fund</i>							-		-	
General Fund										
Reappropriated Funds										

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LOBATO LITIGATION

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
LOBATO LITIGATION TOTAL	417,573		242,037		50,000		50,000		50,000	
General Fund									-	
General Fund Exempt							-		-	
Cash Funds					-					
Reappropriated Funds	417,573		242,037		50,000		50,000		50,000	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	432,500		432,500		50,000		50,000		50,000	
BR 1 Lobato Base Reduction									0	
Supplemental SB 11-144	774,593		-				-		-	
1331 Supplemental for FY07							-		-	
Rollforwards from Previous FY							-		-	
Rollforward to Subsequent FY	(617,051)		617,051							
Reversion										
Lapsed Appropriation Reappropriated Funds	(172,469)		(807,514)				-			
TOTAL RECONCILIATION	417,573		242,037		50,000		50,000		50,000	

Lobato Roll Forwards:

Blue Moose	166,138
Moloney	39,650
Hunter & Geist	309,644
IDEA	1,619
Hanusheck	100,000
Total	617,051

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

LOBATO LITIGATION

Item	Actual FY 11	Actual FY 12	Approp FY 13	Estimate FY 13	Request FY 14
	Total Funds	Total Funds	Total Funds	Total Funds	Total Funds
Schedule 3 Total	417,573	242,037	50,000	50,000	50,000
General Fund	-	-	-	-	-
General Fund Exempt	-	-	-	-	-
Cash Funds	-	-	-	-	-
Reappropriated Funds	417,573	242,037	50,000	50,000	50,000
Reappropriated Funds					
Governor's Office	-		50,000	50,000	50,000
	-			-	

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law		LOWRY RANGE LITIGATION									
		Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
Item		Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Tobacco Litigation Fund		-	-	-	-	638,870		638,870	-	616,520	-
General Fund		-		-		-		-		-	
General Fund Exempt		-		-		-		-		-	
Cash Funds		-		-		638,870		638,870		616,520	
Reappropriated Funds		-		-		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law		LOWRY RANGE LITIGATION									
		Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
Item		Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Lobato Litigation								638,870		616,520	
General Fund								-		-	
General Fund Exempt								-		-	
Reappropriated Funds								638,870		616,520	
Personal Service Codes:											
1120	SPS Temp Full Time Wages	-		-							
1520	Medicare	-		-							
1522	SPS PERA	-		-							
1524	SPS AED	-		-							
1525	SPS SAED	-		-							
1920	- Personal Services Professional	-		-				600,000		600,000	
Personal Service Subtotal:		-		-				600,000		600,000	
Operating Expenses:											
1930	Litigation	-		-				38,870		16,520	
2231	IT Hardware Maint/Repair Svcs	-		-							
2510	In-State Travel	-		-							
2511	In -State Common Carrier Fares	-		-							
2512	In-State- Pers Travel Per Diem	-		-							

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LOWRY RANGE LITIGATION

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2513 In State Pers Vehicle Reimbursemen	-		-							
2530 Out of State Travel	-		-							
2531 Out of State Common Carrier Fares	-		-							
2532 OS Personal Travel Per Diem	-		-							
2630 Comm Svs Div of Telectom	-		-							
2631 Comm Svs from Outside Sources	-		-							
2641 Other ADP Billing - Purchased Servid	-		-				-			
2680 Printing/Reproduction Svs	-		-							
3115 Data Processing Supplies	-		-							
3116 Non Cap IT PC SW	-		-							
3120 Books/ Periodicals Subscription	-		-							
3121 Office Supplies	-		-							
3123 Postage	-		-							
3128 Non Capitalized Equipment	-		-							
3143 Non Cap IT Other	-		-							
3140 Non Capitalized IT PCs	-		-							
Operating Expenses Subtotal:	-		-				38,870		16,520	
Rollforwards	-		-				-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	-		-				-		-	
LOBATO LITIGATION TOTAL	-		-		638,870		638,870		616,520	
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	-		-		638,870		638,870		616,520	
Reappropriated Funds	-		-				-		-	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	-		-		638,870		638,870		638,870	
Budget change from decision item									(22,350)	
Supplemental SB 11-144	-		-				-		-	
1331 Supplemental for FY07							-			
Rollforwards from Previous FY							-			

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

LOWRY RANGE LITIGATION

Item	Actual FY 11		Actual FY 12		Approp. FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Rollforward to Subsequent FY	-		-							
Reversion										
Lapsed Appropriation Cash Funds	-		-				-			
TOTAL RECONCILIATION	-		-		638,870		638,870		616,520	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

LOWRY RANGE LITIGATION

Item	Actual FY 11	Actual FY 12	Approp. FY 13	Estimate FY 13	Request FY 14
	Total Funds	Total Funds	Total Funds	Total Funds	Total Funds
Schedule 3 Total	-	-	638,870	638,870	616,520
General Fund	-	-	-	-	-
General Fund Exempt	-	-	-	-	-
Cash Funds	-	-	638,870	638,870	616,520
Reappropriated Funds	-	-	-	-	-
Reappropriated Funds	-	-	0	0	0
	-	-		-	

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

CP- CUSTODIAL - 146

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
PERSONAL SERVICES										
DOL Internal Transfer	478,294		466,456				1,007,245		1,134,810	
Regular Wages	10,063		-							
Temporary Services	2,500		293,402							
Medicare	146		4,254							
PERA	1,233		22,445							
AED	-		8,253							
SAED			6,648							
PERSONAL SERVICES TOTAL	492,235		801,459							
OPERATING EXPENSES										
1910 Personal Services Temp Services			2,500							
1920 Professional Services	250,000		550,000							
1930 Purchased Service - Litigation	36,055		187							
1961 IT Personal Services - Software			1,800							
1962 Personal Services IT Consulting	4,822		4,703							
2231 IT Hardware Maintenance/Repair			2,372							
2232 IT Software Upgrad Services	6,300		6,490							
2255 Rental of Buildings	-		-							
2513 IS Personal Vehicle Reimbursement	200		156							
2520 IS Travel/Non Employee	-		-							
2522 IS Non Emp - Pers Per Diem			254							
2523 IS/Non-Emp - Pers Veh Reimb			267							
2530 Out of State Travel	515		1,195							
2531 OS Common Carrier Fares	2,924		4,648							
2532 OS Personal Travel Per Diem	3,984		5,439							
2533 OS Personal Vehicle Reimbursement	-		-							
2550 Out of Country Travel	-		-							
2552 OC Pers Travel Reimbursement	-		-							
2630 Telephone	4,882		92							
2631 Comm Svcs from Outside Sources	-		-							
2641 Other ADP Billings - Purchase Services	-		-							
2660 Insurance	-		-							
2680 Contract Printing	25,460		7,958							
2681 Photocopy Reimbursement	-		-							
2810 Freight & Storage	-		-							
2820 Other Purchased Services	180		441							

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

CP- CUSTODIAL - 146

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2830 Office Moving/Purchased Services	-		-							
3110 Other Supplies and Materials	-		-							
3112 Automotive Supplies	-		-							
3114 Custodial	-		-							
3115 DP Supplies	-		-							
3116 Purchase/Leased Software	-		-							
3117 Educational	-		-							
3120 Books & Subscriptions	-		-							
3121 Office Supplies	8		-							
3122 Microfilming/Photo. Supplies	-		-							
3123 Postage	525		155							
3124 Printing	-		-							
3126 Repair & Maintenance/Supplies	-		-							
3128 Non-Capitalized Equipment	5,000		-							
3131 Non-Capitalized Bldg Mat.	-		-							
3132 Noncap Office Furn/Office Syst	5,149		-							
3140 Noncap IT - PC'S	-		-							
3940 Electricity	-		-							
3950 Gasoline	-		-							
4100 Other Operating Expenses	-		-							
4140 Dues & Memberships	-		-							
4151 Interest Late Payments	6		-							
4170 Miscellaneous Fees	-		-							
4180 Official Functions	-		4,684							
4220 Registration Fees	1,585		2,683							
6140 Buildings and Improves. to Bldg.	-		-							
6210 Other Capital Equipment	-		-							
6212 IT Servers	-		18,018							
6220 Office Furn & Equip	-		-							
6280 Other Capital Equipment (direct purchase)	-		-							
6410 ADP Equipment-Lease Purchase	-		-							
OPERATIONAL EXPENSES SUBTOTAL	839,829		1,415,502				1,007,245		1,134,810	
TOTAL CP Custodial	839,829		1,415,502				1,007,245		1,134,810	
General Fund										
General Funds Exempt										
Cash Funds										
Cash Funds Exempt	839,829		1,415,502				1,007,245		1,134,810	

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

CP- CUSTODIAL - 146

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
GRAND TOTAL	839,829		1,415,502				1,007,245		1,134,810	
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	-		-				-		-	
Reappropriated Funds	839,829		1,415,502				1,007,245		1,134,810	
Federal Funds										

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

SPECIAL PROSECUTIONS CUSTODIAL #147

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Fund	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	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	-		-							
3131 Non-Capt. Buidling Mat'l	-		-							
Expense Subtotal:	19,597		-				-		-	
Decision Item										
Cash Funds Exempt										
EXPENSE TOTAL:	19,597		-				-		-	
General Fund										
General Funds Exempt										
Cash Funds										
Cash Funds Exempt	19,597		-				-		-	
GRAND TOTAL	19,597		-				-		-	
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds										
Cash Funds Exempt	19,597		-				-		-	
Federal Funds										

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

NATURAL RESOURCES CUSTODIAL FUNDS #148

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Natural Resources Custodial Funds										
1920 - PS / Professional			1,712				-			
1930 Purchased Service Litigation	782		-							
5570- Distributions Intergov entity			136,595							
Expense Subtotal:	782		138,307				-		-	
EXPENSE TOTAL:	782		138,307				-		-	
General Fund										
General Funds Exempt										
Cash Funds							-			
Cash Funds Exempt	782		138,307				-		-	
GRAND TOTAL	782		138,307				-		-	
General Fund							-		-	
General Fund Exempt							-		-	
Cash Funds							-		-	
Cash Funds Exempt	782		138,307				-		-	
Federal Funds										

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

UCCC CUSTODIAL 16B

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
DOL Internal Transfer	93,940		92,404				95,531		-	
1120 SPS Temp FT Wages			9,393							
1220 CN Temp FT Wages			22,890							
Medicare			416							
Retirement Plans (PERA, Other)			2,522							
AED			953							
SAED			787							
1910 Personal Services - Temp Svs			4,784							
1920 Purchased Services - Professional	69,605		5,200							
1930 Litigation	609		-							
1961 Personal Services IT Software	-		88,125							
2150 Custodial Services	-		-							
2160 Janitorial Service	-		-							
2170 Waste Disposal Services	-		-							
2210 Bldg Maintenance/Repair Svcs	-		-							
2220 Building Grounds Maintenance	-		-							
2230 Equipment Contract Maintenance	-		-							
2231 ADP Equip Maint/Repair Services	2,306		-							
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	110		135							
2520 IS Travel/Non Employee	-		-							
2523 IS/Non-Emp - Pers Veh Reimb	-		-							
2530 Out of State Travel	323		1,225							
2531 OS Common Carrier Fares	1,675		5,855							
2532 OS Personal Travel Per Diem	2,618		5,301							
2533 OS Personal Vehicle Reimbursement	-		-							
2550 Out of Country Travel	-		-							

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

UCCC CUSTODIAL 16B

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2552 OC Pers Travel Reimbursement	-		-							
2630 Telephone	-		-							
2631 Comm Svcs from Outside Sources	-		-							
2641 Other ADP Billings - Purchase Services	-		-							
2660 Insurance	-		-							
2680 Contract Printing	-		-							
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	-		-							
3115 DP Supplies	-		-							
3116 Purchase/Leased Software	-		-							
3117 Educational	-		-							
3120 Books & Subscriptions	1,376		5,012							
3121 Office Supplies	-		-							
3122 3122 - Microfilming/Photo. Supplies	-		-							
3123 Postage	113		10							
3124 Printing	-		-							
3126 Repair & Maintenance/Supplies	-		-							
3128 Non-Capitalized Equipment	-		-							
3940 Electricity	-		-							
3950 Gasoline	-		-							
3131 Noncap Building Mat's	-		-							
3132 Noncap Office Furn/Off. Syst	-		-							
3140 Noncap IT PC's	-		-							
3143 Noncap IT - Other	4,786		-							
4100 Other Operating Expenses	-		-							
4140 Dues & Memberships	1,600		2,020							
4151 Interest Late Payments	-		-							
4170 Miscellaneous Fees	-		-							
4180 Official Functions	-		-							
4120 Bad Debt Expense	-		-							
4220 Registration Fees	1,780		1,780							
6140 Buildings and Improves. to Bldg.	-		-							

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

UCCC CUSTODIAL 16B

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
6210 6210 - Other Capital Equipment	-		-							
6222 Office Furn & Equip Dir Pur Decision item to move PIO to Administration	-		-						-	
Expense Subtotal:	180,840		248,811				95,531		-	
EXPENSE TOTAL:	180,840		248,811				95,531		-	
Cash Funds	180,840		248,811				95,531		-	
Reappropriated Funds	-		-				-		-	
TOTAL UCCC CUSTODIAL	180,840		248,811				95,531		-	
Cash Funds	180,840		248,811				95,531		-	
Reappropriated Funds	-		-				-		-	
GRAND TOTAL	180,840		248,811				95,531		-	
Cash Funds	180,840		248,811				95,531		-	
Cash Funds Exempt	-		-				-		-	
Federal Funds	-		-				-		-	

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

CAB CUSTODIAL 19A

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	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	10		-							
2511 In State Comm Carrier Fares	0		-							
2512 IS Personal Travel Per Diem	157		-							
2513 IS Personal Vehicle Reimbursement	88		101							
2520 IS Travel/Non Employee	0		-							
2523 IS/Non-Emp - Pers Veh Reimb	0		-							
2530 Out of State Travel	194		402							
2531 OS Common Carrier Fares	2,103		2,454							
2532 OS Personal Travel Per Diem	1,693		2,748							
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 FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	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	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	500		1,149							
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:	5,032		7,053				9,000		5,000	
EXPENSE TOTAL:	5,032		7,053				9,000		5,000	
Cash Funds Exempt	5,032		7,053				9,000		5,000	

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

CAB CUSTODIAL 19A

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
GRAND TOTAL	5,032		7,053				-		-	
General Fund	0		-				-		-	
General Fund Exempt	0		-				-		-	
Cash Funds							-		-	
Reappropriated	5,032		7,053				-		-	
Federal Funds							-		-	

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

ATTORNEYS FEES AND COSTS 13H

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Attorney Fees and Costs										
DOL Internal Transfer	22,417		7,426				435,881		50,000	
EXPENSE TOTAL:	22,417		7,426				435,881		50,000	
General Fund										
General Funds Exempt										
Cash Funds							-		-	
Cash Funds Exempt	22,417		7,426				435,881		50,000	
TOTAL Attorneys Fees and Costs Custodial	22,417	0.0	7,426	-			435,881	-	50,000	-
Cash Funds										
Cash Funds Exempt	22,417		7,426				435,881		50,000	
GRAND TOTAL	22,417	0.0	7,426	-			435,881	-	50,000	-
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	-		-				-		-	
Cash Funds Exempt	22,417		7,426				435,881		50,000	
Federal Funds										

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

POST CUSTODIAL 14P

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	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	-		-							
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:	-		-				-		-	
EXPENSE TOTAL:	-		-				-		-	
Cash Funds	-		-				-		-	
Cash Funds Exempt	-		-				-		-	
TOTAL POST Custodial	-		-				-		-	
Cash Funds	-		-				-		-	
Cash Funds Exempt	-		-				-		-	
GRAND TOTAL	-		-				-		-	
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	-		-				-		-	
Cash Funds Exempt	-		-				-		-	
Federal Funds							-			

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

IDENTITY THEFT FINANCIAL FRAUD #19Q

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
AARD - Transfer DOL to CDPS	86,400		84,800							
Expense Subtotal:	86,400		84,800				-		-	
EXPENSE TOTAL:	86,400		84,800				-		-	
Cash Funds Exempt	86,400		84,800				-		-	
GRAND TOTAL	86,400		84,800				-		-	
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds							-		-	
Cash Funds Exempt	86,400		84,800				-		-	
Federal Funds							-		-	

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

MORTGAGE FRAUD SETTLEMENT FUND 14D

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
DOL Internal Transfer										
Temporary Services										
1622 - CN PERA										
1910 - PS Temporary Services							250,000		250,000	
1920 - Professional Services										
1930 - Litigation										
2150 - Custodial Services										
2160 - Janitorial Service										
2170 - Waste Disposal Services										
2210 - Bldg Maintenance/Repair Svcs										
2220 - Building Grounds Maintenance										
2230 - Equipment Contract Maintenance										
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										
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										

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

MORTGAGE FRAUD SETTLEMENT FUND 14D

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2630 - Telephone										
2631 - Comm Svcs from Outside Sources										
2641 - Other ADP Billings - Purchase Services										
2660 - Insurance										
2680 - Contract Printing										
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										
3115 - DP Supplies										
3116 - Purchase/Leased Software										
3117 - Educational										
3120 - Books & Subscriptions										
3121 - Office Supplies										
3122 - Microfilming/Photo. Supplies										
3123 - Postage										
3124 - Printing										
3126 - Repair & Maintenance/Supplies										
3128 - Non-Capitalized Equipment										
3140 - Non-Capitalized IT										
3143 - Non-Capitalized Other										
3940 - Electricity										
3950 - Gasoline										
4100 - Other Operating Expenses										
4140 - Dues & Memberships										
4151 - Interest Late Payments										
4170 - Miscellaneous Fees										
4180 - Official Functions										
4220 - Registration Fees										
5891 - Distribution to Individuals										
6140 - Buildings and Improves. to Bldg.										

SCHEDULE 3 - CUSTODIAL PROGRAM DETAIL

Department of Law

MORTGAGE FRAUD SETTLEMENT FUND 14D

Item	Actual FY11		Actual FY12		Approp FY13		Estimate FY13		Request FY14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
6210 - Other Capital Equipment										
6220 - Office Furn & Equip										
6280 - Other Capital Equipment (direct purchase)										
6410 - ADP Equipment-Lease Purchase										
5140 - Grant Intergovernmental							18,196,000		-	
5781 - Grant to Nongovern/Organization							32,678,000		-	
5992 - Refunds to Non-Gov/Org.										
Expense Subtotal:	-		-				51,124,000		250,000	
Decision Item										
Cash Funds Exempt										
EXPENSE TOTAL:	-		-				51,124,000		250,000	
General Fund										
General Funds Exempt										
Cash Funds	-		-				-			
Cash Funds Exempt	-		-				-		250,000	
TOTAL Mortgage Fraud Custodial	-		-				51,124,000		250,000	
Cash Funds	-		-				-			
Cash Funds Exempt	-		-				-			
GRAND TOTAL	-		-				51,124,000		250,000	
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	-		-				-		-	
Cash Funds Exempt	-		-				51,124,000		250,000	
Federal Funds							-			

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

DNA Grant

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Auto Theft	429,688	2.5	415,819	2.5	0	0.0	573,382	2.8	-	0.0
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	0		0		0		573,382		0	
Federal Funds	429,688		415,819		-		-		-	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

DNA Grant

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
General Prof IV	39,923	0.5	4,537	0.0						
Senior Asst Attorney General	89,837	1.0	67,692	0.8			73,503	0.8	-	0.0
Accountant II			22,481	0.4						
Asst Attorney General			29,318	0.3			90,000	1.0	-	0.0
Criminal Investigator II	74,400	1.0	74,400	1.0			74,400	1.0	-	0.0
TOTAL POSITION DETAIL	204,160	2.5	198,429	2.5			237,903	2.8	-	-
(I.A.) CONTINUATION FTE SALARY COSTS	204,160	2.5	198,429	2.5			237,903	2.8	-	0.0
(Permanent FTE by position) Continuation Salary Subtotal										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	15,483		13,655				18,200		-	
Medicare on Continuation Subtotal	2,942		2,590				3,450		-	
Annual Leave Payments			1,649							
Non-Base Building Performance Awards										
Contractual	-		12,217				-		-	
Furlough Days	-		-				-		-	
Other	734		441							
SUBTOTAL	19,158		30,552				21,649		-	
(I.C.) PERSONAL SERVICES SUBTOTAL= A+B	223,318	2.5	228,981	2.5			259,552	2.8	-	0.0
(I.D.) POTS EXPENDITURES										
Health/Life Dental	12,943		21,745				20,286		-	
Salary Survey							-			
Performance Awards							-			
Short Term Disability	333		317				421		-	
SB 04.257 A.E.D.	4,872		4,999				6,661		-	
SB 06.235 S.A.E.D.	3,560		4,017				5,353		-	
Other										
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL=	245,027	2.5	260,059	2.5			292,274	2.8	-	0.0

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

DNA Grant

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
C+D										
(I.F.)DIFFERENCE= II- I.E.									-	
(I.G.) REQUEST YEAR DECISION ITEMS										
General Fund										
Cash Funds										
Reappropriated Funds										
II. PERSONAL SERVICES REQUEST TOTAL	245,027	2.5	260,059	2.5			292,274	2.8	-	0.0
General Fund										
Cash Funds	245,027		260,059							
## Reappropriated Funds	-		-							
Federal Funds							292,274		-	

Assumption is Grant will end June 2013
with no extension

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DNA Grant

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 Litigation			288				225		-	
2210 Bldg Maintenance/Repair Svcs			-						-	
2230 Equipment Maintenance/Repair Svcs	-		-				-		-	
2231 ADP Equip Maint/Repair Services	-		-				-		-	
2252 Motor Pool Mileage Charge	-		1,051				-		-	
2254 Rental of Motor Vehicles	-		-						-	
2255 Rental of Buildings	-		3,141				0		0	
2258 Parking Fees	-		-				0		0	
2259 Parking Fee Reimbursement	-		-				25		0	
2510 In State Travel	-		4				0		0	
2258 Parking Fees	-		-						0	
2512 IS Personal Travel Per Diem	-		2,265				800		0	
2513 IS Personal Vehicle Reimbursement	-		427				500		0	
2530 Out of State Travel	-		-				-		0	
2531 OS Common Carrier Fares	-		-				800		0	
2532 OS Personal Travel Per Diem	-		-				700		0	
2533 OS Personal Vehicle Reimbursement	-		-						0	
2630 Comm Svcs Div of Telecom	965		1,800				1,621		0	
2631 Comm Svcs from Outside Sources	285		639				682		0	
2641 Other ADP Billings - Purchase Services	-		432						0	
2660 Insurance	-		-						0	
2680 Contract Printing	1		1,700				1,242		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	
3115 DP Supplies	168		150				649		0	
3116 Purchase/Leased Software	-		-						0	
3117 Educational	-		-						0	
3120 Books & Subscriptions	-		1,134				155		0	
3121 Office Supplies	822		988				1,000		0	

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DNA Grant

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
3122 Microfilming/Photo. Supplies	-		-						0	
3123 Postage	1		1,746				-		0	
3124 Printing	-		-				-		0	
3126 Repair & Maintenance/Supplies	-		-				-		0	
3128 Non-Capitalized Equipment	-		-				-		0	
3132 Non-Capitalized Furn/Office Sust	1,434		-				-		0	
3140 Non-Capitalized IT - PCs	7,046		-				-		0	
3141 Non-Capitalized IT - Servers	-		-				-		0	
3143 Non-Capitalized IT - Other	-		10				-		0	
3146 Non-Capitalized IT Purchased Server SW	-		-				-		0	
4100 Other Operating Expenses	-		-				-		0	
4140 Dues & Memberships	-		225				225		0	
4170 Miscellaneous Fees	-		-				-		0	
4180 Official Functions	-		69				-		0	
4220 Registration Fees	-		450				-		0	
5110 GRANTS-CITIES	87,588		139,242				272,484		0	
Operating Expense Subtotal:	98,309		155,760				281,108		-	
Decision Item										
OPERATING EXPENSE TOTAL:	98,309		155,760				281,108		-	
General Fund										
General Funds Exempt										
Cash Funds	-		-							
Federal Funds	98,309		155,760				281,108		-	
Potted Operating Expenses										
Workers' Compensation							-			
Leased Vehicle Expense										
Leased Space Allocation							-			
IT Asset Maintenance										
ADP Capital Outlay										
Building Security										
Total							-			
General Fund							-			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DNA Grant

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Cash Funds Exempt							-			
FY06 DECISION ITEMS										
Dec Item #										
Cash Funds Exempt										
Federal Funds										
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	343,335	1.1	415,819	2.5	-	0.0	573,382	2.8	-	0.0
General Fund										
General Fund Exempt										
Cash Funds	-		-							
Reappropriated Funds										
Federal Funds	343,335		415,819			0.0	573,382		-	
RECONCILIATION OF FUNDS										
Long Bill Appropriation	-						-			
Supplemental HB 10-1305			-							
PERA, AED, SAED adjustments										
Removal of one time equipment purchases										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

DNA Grant

Item	Actual FY 11		Actual FY 12		Approp FY 13		Estimate FY 13		Request FY 14	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Classified 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										
Building Security										
Rollforward from Previous FY year										
Restriction										
Overexpenditure/(Reversion) - GF										
Lapsed Appropriation Reappropriated Funds										
Lapsed Appropriation Federal Funds	-		-							
TOTAL RECONCILIATION		0.0		0.0			-	0.0	-	
GRAND TOTAL	343,335	1.1	415,819	2.5	-	0.0	573,382	2.8	-	0.0
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	-		-		-		573,382		-	
Federal Funds	343,335		415,819				-			

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law

DNA Grant

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2011	FY 2012	FY 2013	FY 2013	FY 2014
Schedule 3 Total		343,335	415,819	-	573,382	-
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		-	-	-	-	-
Reappropriated Funds		-	-	-	573,382	-
Federal Funds		343,335	415,819	-	-	-
Reappropriated Funds						
Victim Assistance & Law Enforcement Fund		-	-	-	573,382	-
Federal Funds						
Federal VOCA Grant		343,335	415,819		-	-

Receipt and Expenditures of Public Grant Sources

HB 12-1248, "Concerning Receipt of Certain Moneys by the Department of Law", sponsored by the Joint Budget Committee, in part, authorizes the Department of Law to solicit, accept, and expend gifts, grants, and donations from public and private sources, consistent with its duties and the laws of the state. The bill requires the Department to include with its annual budget request to the Joint Budget Committee a report describing the receipt and expenditure of any such moneys. The bill repeals these new provisions after three years, effective July 1, 2015.

The Department of Law has two instances whereby it has received resources from public sources in line with HB 12-1248.

The Department of Law receives spending authority for the Auto Theft Prevention Grant Line Item through the annual Long Bill Appropriation. The Long Bill appropriation for FY 2012-13 for these efforts is \$239,075. The FY 2012-13 budget request was based on the previous year's grant award. The budget request is due prior to the grant application to the Department of Public Safety.

The Department of Law made an application to the Department of Public Safety for FY 2012-13 efforts in an amount of \$282,234 and was approved for this amount. The increase is primarily due to the addition of a 0.5 FTE Administrative Assistant position and associated operating costs. The balance of the grant accommodates the salary and associated costs for an Assistant Attorney General and a Criminal Investigator. The Department has provided the anticipated expenses by object code for this grant in the Schedule 3 associated with the Auto Theft Prevention Grant Line Item.

The Auto Theft Initiative addresses the need for a coordinated, multijurisdictional approach to the investigation and prosecution of auto theft in Colorado. Additionally, the Initiative seeks to help raise public awareness and to provide both practical and classroom training to law enforcement agencies. Lastly, this Initiative is committed to seeking orders of restitution in appropriate cases in order to provide victims of auto theft an opportunity to recover costs without having to incur additional expenditures. The Attorney General has jurisdiction to investigate throughout the state and may cross jurisdictional lines when necessary and appropriate. In addition the office maintains an excellent prosecutorial reputation and has been well-received in each jurisdiction in which cases have been filed. With access to the statewide grand jury and a dedicated investigator and prosecutor without jurisdictional limits and with contacts across the state, the

Attorney General's Auto Theft Initiative is uniquely situated to take a multijurisdictional approach to the prosecution of auto theft in Colorado.

Secondly, the Department receives spending authority for the Defense of the Republican River Basin Compact, through the annual Long Bill Appropriation. The FY 2012-13 appropriations for these efforts is established in the Long Bill at \$110,000.

The Attorney General requested an additional \$110,000 dollars from the Colorado Water Conservation Board (CWCB) for expenditure during FY 2012-13. Per the request letter to the CWCB, "First, funds are necessary for continued outside consultant fees relating to the Compact Compliance Pipeline and Nebraska's proposed changes to the Republican River Compact Administration Accounting Procedures..."

"In addition, The United States Supreme Court has appointed a Special Master to hear Kansas' current petition. Colorado is a named party to this interstate suit and is responsible for a portion of the Special Master's expenses and fees."

The CWCB approved this request. The request letter and the minutes are included in this report.

The Department has provided the anticipated expenses by object code for this grant in the Schedule 3 associated with the Defense of the Colorado River Basin Compact line item.



JOHN W. SUTHERS
Attorney General
CYNTHIA H. COFFMAN
Chief Deputy Attorney General
DANIEL D. DOMENICO
Solicitor General

STATE OF COLORADO
DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL

STATE SERVICES BUILDING
1525 Sherman Street - 7th Floor
Denver, Colorado 80203
Phone (303) 866-4500

March 9, 2012

Request for Expenditure from Litigation Fund
for Republican River Compact Litigation

Dear Board Members:

By this letter, I request expenditure of \$220,000 for FY13 from the Colorado Water Conservation Board Litigation Fund pursuant to Section 37-60-121(2.5)(a)(III), C.R.S. That section authorizes the CWCB to expend money from its Litigation Fund, at the request of the Attorney General, for the costs to defend and protect Colorado's allocations of water in interstate streams and rivers. I believe this expenditure is necessary to adequately defend, in negotiations and in litigation, Colorado's interests in the Republican River.

These funds continue to be necessary to defend Colorado's allocation of water under the Republican River Compact. First, funds are necessary for continued outside consultant fees relating to the Compact Compliance Pipeline and Nebraska's proposed changes to the Republican River Compact Administration Accounting Procedures. We continue to negotiate with Kansas on construction and operation of the pipeline, which requires outside consultants to assist in the process. If Kansas will not agree to the proposal, non-binding arbitration will likely be invoked in FY13 on the revised proposal, which will again require outside consultants fees and arbitration fees.

In addition, the United States Supreme Court has appointed a Special Master to hear Kansas' current petition. Colorado is a named party to this interstate suit and is responsible for a portion of the Special Master's expenses and fees. As trial has not yet been set, it is not possible to accurately estimate those expenses. However, all indications are that trial will be set at a location convenient to the Special Master in the fall of this calendar year. Trial preparation and participation will require the Department of Law to incur expert and consultant fees and other expenses such as attorney and consultant travel.

Finally, Kansas may also pursue a determination of Colorado's compact compliance and the validity of the Compact Compliance Pipeline in future Supreme Court litigation. Although a petition filed by Kansas may be stayed pending non-binding arbitration, the question of any damages may still proceed to trial. Whether and to what extent these events take place in the near future will depend on the Special Master and the willingness of the respective parties to negotiate.

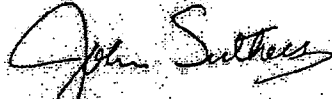
These efforts are essential to support my office and the CWCB in ongoing negotiations and litigation to protect Colorado's rights to the Republican River, now and in the future. I, therefore, request and recommend that CWCB authorize the expenditure of \$220,000, to retain consultants, pay arbitration fees, pay Supreme Court litigation costs and fees and provide funds for travel and other expenses. I further recommend that the CWCB's authorization allow the funds to be used in FY14 if not expended in FY13, and allow the Board Director, in consultation with the State

Page 2

Engineer and my staff, to allocate funds between these activities based on actual costs and litigation necessities.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "John Suthers". The signature is written in dark ink and is positioned above the printed name.

JOHN W. SUTHERS
Colorado Attorney General

STATE OF COLORADO

Colorado Water Conservation Board Department of Natural Resources

1313 Sherman Street, Room 721
Denver, Colorado 80203
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SUMMARY MINUTES AND RECORD OF DECISIONS March 20 -21, 2012 Final and Approved May 15, 2012

John W. Hickenlooper
Governor

Mike King
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

A regular meeting of the Colorado Water Conservation Board (CWCB) was convened at the Colorado Water and Power Development Authority offices located 1580 Logan Street, Denver CO, 80203. The meeting was called to order by Vice Chair John McClow. Nine voting members were present at the call to order, so a quorum was present (at least 6 required). Voting members present were John McClow, Geoff Blakeslee, Barbara Biggs, Alan Hamel, Travis Smith, Russ George, April Montgomery Ty Wattenberg, and Diane Hoppe. Non-voting *ex officio* members present or represented were CWCB Director Jennifer Gimbel; Attorney General, John Suthers; Casey Shpall, Deputy Attorney General; Kevin Rein of the Division of Water Resources, and Grady McNeill of Colorado Parks and Wildlife. Ginny Brannon, Assistant Director for Water and Energy, Colorado Department of Natural Resources, and John Stulp, Special Policy Advisor to the Governor on Water, and Chair of the Interbasin Compact Committee, John Salazar the Commissioner for Department of Agriculture, and Mike Brod with the Colorado Water and Power Development Authority were also in attendance.

On the second day, the meeting was called to order by Chair John McClow. Ten voting members were present at the call to order, so a quorum was present (at least 6 required). Voting members present on the second day were Chair John McClow, Geoff Blakeslee, Alan Hamel, Russ George, Travis Smith, April Montgomery, Ty Wattenberg, Barbara Biggs, Diane Hoppe and Mike King. Non-voting *ex officio* members present or represented were Grady McNeill of Colorado Parks and Wildlife, John Stulp, Special Policy Advisor to the Governor on Water, and Casey Shpall, Deputy Attorney General. Ginny Brannon, Assistant Director for Water and Energy, Colorado Department of Natural Resources was also in attendance. Prior to the discussion of agenda item 25 Travis Smith made a motion that "the Board directs the Executive Director and CWCB staff to develop the appropriate letter of support, to the appropriate congressional members, in regards to the hydro development for Colorado," which was seconded by Alan Hamel. This item was not on the agenda and therefore does not have a corresponding agenda number. The motion was approved unanimously (9-0).

Note: While the Board's consideration of agenda items does not always follow the sequence indicated by the agenda numbers, these minutes are listed in agenda item order for easier reference.

Tuesday, March 20, 2012

Call to Order 8:30 AM

1. Swearing in of Officers

Track 1 00:00:00 – 00:02:00

Action: Board Members Diane Hoppe, Ty Wattenberg, and John McClow were formally sworn in as Board Members of the Colorado Water Conservation Board.

2. Election of Officers

Track 1 00:02:00 – 00:05:28

Action: Geoff Blakeslee made a motion to elect John McClow as Chair of the Colorado Water Conservation Board, by acclamation. The motion was approved unanimously. Travis Smith made a motion to elect Alan Hamel Vice Chair of the Colorado Water Conservation Board, by acclamation. The motion was approved unanimously.

3. Review and Approval of Agenda

Track 1 00:05:28 – 06:08

Action: This item was informational only. No action was required of the Board.

4. Review and Approval of Meeting Minutes – January 23 - 24, 2012

Track 1 00:06:08 – 00:07:28

Action: Diane Hoppe clarified that Jim Miller, representing the Department of Agriculture, was present, as was Mike Brod representing the Colorado Water and Power Development Authority. Travis Smith made a motion to approve the January 23 – 24, 2012 minutes with the specified revisions, which was seconded by Barbara Biggs. The motion was approved unanimously (9-0).

5. Approve and/or Remove Items from Consent Agenda

1. Stream and Lake Protection Section - Statements of Opposition -- *The Board will be asked to ratify Statements of Opposition that have been filed by staff to protect instream flow and natural lake level water rights in the following cases:*

- a. *Case No. 1-11CW253: Application of Suzanne F. Van Hall, et al.*
- b. *Case No. 1-11CW265: Application of The City of Fort Collins*
- c. *Case No. 1-11CW279: Application of Cheley Colorado Camps, Inc.*
- d. *Case No. 1-11CW294: Application of Aggregate Industries – WCR, Inc.*
- e. *Case No. 2-11CW77: Application of The Lower Arkansas Valley Water Conservancy District and Larkspur, Inc.*
- f. *Case No. 2-11CW081: Application of The City of Aurora, Colorado*
- g. *Case No. 2-11CW089: Application of Three Elk Creek Estates, Inc.*
- h. *Case No. 2-11CW093: Application of ACA Products, Inc.*
- i. *Case No. 4-11CW161: Application of Moores Mining Ranching and Sawmill*
- j. *Case No. 5-11CW185: Application of Encana Oil & Gas (USA) Inc.*
- k. *Case No. 5-11CW196: Application of Aspen Camp School for the Deaf*
- l. *Case No. 5-11CW198: Application of Music Associates of Aspen, Inc.*
- m. *Case No. 5-11CW199: Application of PT Ranch Barn, L.L.C.*

2. Finance Section – Prequalification Project List

3. Interstate and Federal Section -- *The Board will be asked to ratify a Statement of Opposition that has been filed by staff:*

- a. *Case No. 11CW274: Application for a Conditional Storage Right and the Conditional Right of Appropriated Exchange by the Logan County Water Conservancy District*

Track 1 **00:07:28 – 00:07:55**

Action: Alan Hamel made a motion to accept the consent agenda, which was seconded by Travis Smith. The motion was approved unanimously (9-0).

6. Future Board Meeting Dates

- a. *May 15-16, 2012* *Glenwood Springs*
- b. *July 17-18, 2012* *Gunnison*
- c. *September 17—18, 2012* *Berthoud*
- d. *November 13 – 14, 2012* *Denver*

Track 1 **00:07:59 – 00:11:15**

Action: This was an informational item only. No Board action was required. Jennifer Gimbel requested to change the meeting dates for September. The Board agreed to set the date of the September meeting to be the 27th and 28th, 2012.

7. Directors' Reports

Track 1 **00:11:15 – 01:03:51**

- a. **DNR Executive Director** – Report by Mike King/Ginny Brannon.

Track 1 **00:11:15 – 00:19:09**

Action: Mike King was unavailable to give this report on the first day of the meeting; therefore Ginny Brannon gave the report. This was an informational item only. No Board action was required.

- b. **IBCC Director** – Report by John Stulp.

Track 1 **00:19:09 – 00:23:09**

Action: This was an informational item only. No Board action was required.

- c. **Agriculture Commissioner** – Report by John Salazar.

Track 1 **00:23:09 – 00:25:49**

Action: This was an informational item only. No Board action was required.

- d. **CWCB Director** – Report by Jennifer Gimbel.

Track 1 **00:25:49 – 00:40:24**

Action: This was an informational item only. No Board action was required.

- e. **Director of the Division of Water Resources** – Dick Wolfe was unavailable to give his report so it was given by the Assistant State Engineer, Kevin Rein

Track 1 **00:40:24 – 00:50:53**

Action: This was an informational item only. No Board action was required.

- f. **Colorado Parks and Wildlife** – Rick Cables was unavailable to give his report so it was given by Grady McNeill.

Track 1 **00:50:53 – 00:53:18**

Action: This was an informational item only. No Board action was required.

- g. **Water Resource and Power Development Authority – Report by Michael Brod.**

Track 1 00:53:18 – 01:03:51

Action: This was an informational item only. No Board action was required.

8. Colorado River Basin Study

Track 1 01:28:42 – 01:56:35

Action: Presentation by Ted Kowalski. This was an informational item only. No Board action was required.

9. Interstate and Federal Section – Colorado River Water Availability Study Phase 1

Track 1 01:03:51 – 01:28:15

Action: Presentation by Ray Alvarado. Travis Smith made a motion to approve the staff recommendation that “the Board direct them to publicly post ~~refined Draft~~ the Final CRWAS Phase I report and corresponding project deliverables”, striking the word “refined” and “Draft” and adding “the” before the word “Final”, from the recommendation. The motion was seconded by Geoff Blakeslee. The motion was approved unanimously (9-0).

10. Attorney General’s Report, Legal Briefing and Executive Session – *This is a briefing on legal issues contained in the Attorney General’s written report and on items listed below that the Board may refer for discussion in an Executive Session based upon attorney-client privilege.*

Track 1 02:10:33 – 02:17:10

Action: Presentation by Casey Shpall, Deputy Attorney General. This was an informational item only. No action was required by the Board. Travis Smith made a motion to go into Executive Session, which was seconded by Geoff Blakeslee. The motion was approved unanimously (9 - 0).

11. Executive Session

- a. *Colorado River issues*
- b. *Case No. 5-04CW238: Application of S.G. Company*
- c. *Case No. 4-10CW184: Application of Montrose County*
- d. *Republican River issues*

Track ES 00:00:00 – 01:11:00

Action: Barbara Biggs made a motion to go out of Executive Session, which was seconded by Diane Hoppe. The motion was approved unanimously (9 – 0).

12. Report from Executive Session

Track 2 00:02:15 – 00:02:48

Action: Casey Shpall reported that the items discussed in Executive Session were the items listed in the agenda under Agenda Item 11. No Board actions were taken during executive session.

13. Finance Section – Cash Balance Report

Track 2 00:02 – 00:08:52

Action: Presentation by Kirk Russell. This was an informational item only. No Board action was required.

14. Finance Section/Water Supply Planning Section - City of Trinidad – North Lake Dam Rehabilitation Project

- a. *Water Project Loan - Construction Fund*
- b. *Water Supply Reserve Account Grant*

Track 2 00:08:52 – 00:12:09

Action: 14a. Presentation by Anna Mauss. Geoff Blakeslee made a motion to approve the staff recommendation that, “the Board approve a loan not to exceed \$746,627 (\$739,235 for project costs and \$7,392 for the 1% Loan Service Fee) from the Construction Fund to the City of Trinidad, acting by and through its Water Enterprise, for engineering and construction costs related to the North Lake Dam Rehabilitation Project. The loan terms shall be 10 years at the low-income municipal/ restricted reservoir rate of 2.50% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5,” which was seconded by Barbara Biggs. The motion was approved unanimously (9-0).

14b. Presentation by Todd Doherty. Alan Hamel made a motion to approve the staff recommendation, “approval of up to \$702,273 of Statewide WSRA funds and up to \$36,962 of Arkansas Basin WSRA funds (total of \$739,235) the City of Trinidad to help complete the North Lake Dam Rehabilitation Project. Grant funds will not be disbursed until the City receives a letter of conditional approval of its Water Conservation Plan by the CWCB,” which was seconded by Barbara Biggs. The motion was approved unanimously (9-0).

15. Finance Section/Water Supply Planning Section - North Delta Irrigation Company – NDIC Tunnel Repair Project

- a. *Water Project Loan - Construction Fund*
- b. *Water Supply Reserve Account Grant*

Track 2 00:12:09 – 00:17:27

Action: 15a. Presentation by Ryan Edwards. Travis Smith made a motion to approve the staff recommendation that, “the Board approve a loan, from the Construction Fund, not to exceed \$808,000 (\$800,000 for project costs and \$8,000 for the 1% Loan Service Fee) to the North Delta Irrigation Company for the NDIC Tunnel Repair Project. The loan terms shall be 30 years at a blended interest rate of 3.10% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5,” which was seconded by Geoff Blakeslee. The motion was approved unanimously (9-0).

15b. Presentation by Todd Doherty. Geoff Blakeslee made a motion to approve the staff recommendation, “waive the 60 day deadline requirement and approve up to \$370,000 of Statewide WSRA funds and up to \$40,000 of Gunnison Basin WSRA funds to help complete the Tunnel Reconstruction Project. This is contingent upon the resolution of items under the issues/additional needs section of the attached Water Activity Summary Sheet,” which was seconded by Travis Smith. The motion was approved unanimously (9-0). Issues/additional needs state that “Upon receiving a revised cost estimate, if the project is at or below the \$1,210,000 amount, staff recommends that the loan/grant ratio be maintained at a 2:1 ratio or higher. If the cost estimate exceeds \$1,210,000 to complete the project as outlined in the scope of work then staff recommends maintaining the loan amount at \$800,000 and using up to \$800,000 in WSRA funds to make up the difference. If the revised costs estimate exceeds \$1.6 million, then the applicant will need to provide staff with documentation that they have the funds available through other sources to complete the project prior to contracting with the CWCB.”

16. Finance Section/Water Supply Planning Section - Terrace Irrigation Company – Spillway Replacement Project

- a. *Water Project Loan - Construction Fund*
- b. *Water Supply Reserve Account Grant*

Track 2 00:17:27 – 00:22:43

Action: 16a. Presentation by Ryan Edwards. Travis Smith made a motion to approve the staff recommendation that, “the Board approve a loan, from the Construction Fund, not to exceed \$2,751,968 (\$2,724,721 for project costs and \$27,247 for the 1% Loan Service Fee) to the Terrace Irrigation Company for the Spillway Replacement Project. The loan terms shall be 30 years at the agricultural restricted reservoir interest rate of 1.75% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5,” which was seconded by Barbara Biggs. The motion was approved unanimously (9-0).

16b. Presentation by Greg Johnson. Travis Smith made a motion to approve the staff recommendation, “approval of up to \$1,425,000 of Statewide WSRA funds and up to \$75,000 of Rio Grande Basin WSRA funds to the Terrace Irrigation Company to help complete the Terrace Reservoir Spillway Replacement,” which was seconded by Ty Wattenberg. The motion was approved unanimously (9-0).

17. Finance Section - New Construction Fund Loan

- a. *Montezuma Valley Irrigation Company – Lone Pine and May Pipeline Improvements Project (A)*

Track 2 00:22:43 – 00:29:23

Action: Presentation by Anna Mauss. April Montgomery made a motion to approve the staff recommendation, “the Board approve an initial construction loan not to exceed \$439,603 (\$435,250 for project costs and \$4,353 for the 1% Loan Service Fee) from the Construction Fund to the Montezuma Valley Irrigation Company, for engineering and construction costs related to the Lone Pine and May Pipeline Improvements Project. Following construction, staff further recommends the loan be amended to a long-term loan in an amount not to exceed \$339,603 (\$335,250 for the remaining balance of the Project and \$4,353 for the Loan Service Fee). The loan terms shall be 30 years at the agricultural interest rate of 2.75% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5,” which was seconded by Geoff Blakeslee. The motion was approved unanimously (9-0)

18. Finance Section/Interstate & Federal Section – Animas-La Plata (A-LP) State’s Pool Allocation – Water Purchase Update

Track 2 00:29:23 – 00:37:14

Action: Presentation by Ted Kowalski and Tim Feehan. This was an informational item only. No Board action was required.

19. Water Supply Planning Section – WSRA Grants – Basin and State Applications (4 Applications) (3:25 – 3:45)

- a. *Upper Swan River Restoration Project*
- b. *Investigation of Water Savings, Water Quality Benefits and Profitability of Sub-Surface Drip on Alfalfa in Grand Valley*
- c. *Gunnison Basin Education Program*
- d. *Conejos River System Gauging Stations Project*

Track 2 00:29:15 – 00:50:50

Action: 19a. Presentation by Greg Johnson and Jacob Bornstein. Alan Hamel made a motion to approve the staff recommendation, “To fund up to \$30,000 from the Colorado basin account to the Blue River Watershed Group for the Upper Swan River Restoration Project”, which was seconded by Geoff Blakeslee. The motion was approved unanimously (9-0).

19b. Presentation by Todd Doherty. Geoff Blakeslee made a motion to approve the staff recommendation, “To fund up to \$46,894 from the Colorado Basin Account to Colorado State University/Colorado Water Institute for the Investigation of Water Savings, Water Quality benefits and Profitability of Sub Surface Drip on Alfalfa in Grand Valley”, they also recommended the Board approve the waiver for the 60 day application period. The motion seconded by Ty Wattenberg and was approved unanimously (9-0).

19c. Presentation by Jacob Bornstein. Travis Smith made a motion to approve the staff recommendation, “To fund up to \$19,750 from the Gunnison Basin account to Colorado Mesa University for the Gunnison Basin Education Program,” which was seconded by April Montgomery. The motion was approved unanimously (9-0).

19d. Presentation by Greg Johnson. Travis Smith made a motion to approve the staff recommendation, to fund up to \$387,280 from the Statewide Account and up to \$20,000 from the Rio Grande Basin Account to the Conejos Water Conservancy District for the Conejos River System Gauging Stations Project, which was seconded by Barbara Biggs. The motion was approved unanimously (9-0).

20. Water Supply Planning /Watershed and Flood Protection Sections - Spring Flood and Drought Outlook

Track 2 01:16:35 – 01:36:20

Track 2 02:23:04 – 02:46:06

Track 3 00:53:23 – 01:09:41

Action: Presentation by Kevin Houck, Veva Deheza, and Klous Wolter with the University of Colorado. This was an informational item only. No action was required from the Board.

21. Water Supply Planning Section – Castle Pines Metro District Conservation Grant

Track 2 00:50:50 – 01:05:47

Action: Presentation by Veva Deheza and Emily Cole with Castle Pines Metro District. Barbara Biggs made a motion to approve the staff recommendation, “that the Board approve a Water Efficiency Grant for Castle Pines Metropolitan District in the amount of \$115,752 to purchase and install an Advanced Meter Infrastructure (AMI) Fixed Based System with water consumption analysis software,” which was seconded by Ty Wattenberg. The motion was approved unanimously (9-0).

22. Finance Section – Projects Bill

Track 2 01:05:47 – 01:15:20

Track 2 01:36:48 – 02:23:04

Action: Presentation by Tim Feehan, Senator Gail Schwartz, and Chris Piper with Denver Water. Diane Hoppe made a motion to support the Division of Water Resources request for \$300,000 to pursue abandonment legal costs, which was seconded by Travis Smith. The motion was approved unanimously (9-0). Diane Hoppe made a motion, to allow the Division of Water Resources to accept grants from the CWCB, which was seconded by Travis Smith. The motion was approved unanimously (9-0). Barbara Biggs made a motion, “that the Board approve an Exemption of Policy 13 to allow for the variance in the fund from 3.71% to 2.5%, which was seconded by Alan Hamel. The motion was approved unanimously (9-0). Travis Smith made a motion, to add \$250,000 to the Watershed Restoration fund, which was seconded by Geoff Blakeslee. The motion was approved unanimously (9-0). Barbara Biggs made a motion to make an exception to Policy 13 with regard to the construction fund allowing for a .01% variance, which was seconded by Ty Wattenberg.

23. Basin Directors’ Reports

Track 3 00:01:59 – 00:53:00

a. **Colorado River (Mainstem) Basin Director’s Report** - Russell George reporting.

Action: This was an informational item only. No Board action was required.

b. **San Juan/San Miguel-Dolores River Basin Director’s Report** – April Montgomery reporting.

Action: This was an informational item only. No Board action was required.

c. **Gunnison River Basin Director’s Report** – John McClow reporting.

Action: This was an informational item only. No Board action was required.

d. **North Platte River Basin Director’s Report** – Ty Wattenberg reporting.

Action: This was an informational item only. No Board action was required.

e. **South Platte River Basin Director’s Report** – Diane Hoppe reporting.

Action: This was an informational item only. No Board action was required.

f. **Arkansas River Basin Director’s Report** – Alan Hamel reporting.

Action: This was an informational item only. No Board action was required.

g. **City and County of Denver Director’s Report** – Barbara Biggs reporting.

Action: This was an informational item only. No Board action was required.

h. **Rio Grande River Basin Director’s Report** – Travis Smith reporting.

Action: This was an informational item only. No Board action was required.

i. **Yampa – White River Basin Director’s Report** – Geoff Blakeslee reporting.

Action: This was an informational item only. No Board action was required.

24. Interstate, Federal, and Water Information Section – Litigation Account

- a. *Litigation Account Draft Report to General Assembly*
- b. *Request for Utilization of Litigation Account – Colorado River*
- c. *Request for Utilization of Litigation Account – Arkansas River*
- d. *Request for Utilization of Litigation Account – Republican River*

Track 1 01:56:42 – 02:10:33

Action: Presentation by Ted Kowalski, Attorney General John Suthers and Casey Shpall Assistant Attorney General. Geoff Blakeslee made a motion to approve the staff recommendations a-d, as stated in the board memo, which was seconded by Russ George. The motion was approved unanimously (9-0).

25. Stream and Lake Protection Section – New Appropriation Recommendations in Water Division 1

Track 3 01:33:24 – 01:57:56

Action: Presentation by Jeff Baessler. Mr. Baessler informed the Board that staff was withdrawing the recommendation on North Clear Creek pending further discussions by local stakeholders. Geoff Blakeslee made a motion to approve the staff recommendation, “pursuant to ISF Rule 5d, the Board declare its intent to appropriate an ISF water right on each stream segment listed on the Tabulation of Instream Flow and Natural Lake Level Recommendations, and direct Staff to publicly notice the Board’s declaration of intent to appropriate,” which was seconded by April Montgomery. The motion was approved (9-1). Ty Wattenberg voted against the motion. This Board action did not include the recommendation on North Clear Creek.

26. Stream and Lake Protection Section – 2012 New Instream Flow Appropriations

Track 3 01:57:56 – 02:01:50

Action: Presentation by Jeff Baessler. This was an informational item only. No Board action was required.

27. Stream and Lake Protection Section – Instream Flow Appropriation Recommendations for 2013

Track 3 02:01:50 – 02:07:47

Action: Presentation by Jeff Baessler and Linda Bassi. This was an informational item only. No Board action was required.

28. Water Infrastructure Network (WIN Colorado) Update

Track 3 02:07:47 – 02:41:00

Action: Presentation Ken Smith, Executive Director of the Water Infrastructure Network (WIN) and Anne Terry the President of WIN Colorado. This was an informational item only. No Board action was required.

29. Watershed and Flood Protection Section – Community Assistance Program Functions

Track 3 02:41:00 – 02:54:10

Action: Presentation by Kevin Houck and Jamie Prochno. This was an informational item only. No action was required from the Board.

30. Watershed and Flood Protection Section – Weather Modification Rules and Regulations Update

Track 3 02:54:10 – 03:27:26

Action: Presentation by Joe Busto. This was an informational item only. No action was required from the Board.

31. Watershed and Flood Protection Section – Fish and Wildlife Resources Fund

Track 4 00:15:15 – 00:22:17

Action: Presentation by Chris Sturm. Alan Hamel made a motion to approve the staff recommendation, “that the Board approve a non-reimbursable expenditure up to \$50,000 from the Fish and Wildlife Resources Fund pending match funding commitments from the EPA, State Land Board, local state partners, and/or other parties.” which was seconded by Geoff Blakeslee. The motion was approved unanimously (10-0).

32. Watershed and Flood Protection Section – Map Modernization/RiskMap Update

Track 4 00:38:06 – 00:51:03

Action: Presentation by Thuy Patton. This was an informational item only. No action was required from the Board.

33. Interstate, Federal, and Water Information Section – Public Deliberation on the Board of Commissioners for the County of Grand’s Recreational In-Channel Diversion (RICD) Application in Case No. 5-10CW298

Track 4 00:51:03 – 02:49:53

Action: Presentations by staff member Suzanne Sellers; Grand County Commissioner Nancy Stewart; Grand County Manager Lurline Underbrink-Curran; Dave Taussig and Mitra Pemberton representing Grand County; Jason Carey with River Restoration; Lee Rozaklis with AMEC; Scott Steinbrecher Assistant Attorney General; Leila Benenpour representing the Homestake Partners; Bret Grassley with Colorado Springs Utilities for Homestake Partners; and Barney White representing Summit County. Geoff Blakeslee made the motion to accept the staff recommendation that: “The Board adopt the following abbreviated Findings of Fact so long as the specific conditions of the Comprehensive Findings of Fact are incorporated in the final decree: 1. The adjudication and administration of the RICD will not materially impair the ability of Colorado to fully develop and place to consumptive beneficial use its compact entitlements; 2. material injury to existing ISF water rights is not a basis for denial of the RICD, but should this RICD be constructed, the Applicant should consult with the Division of Parks and Wildlife (DPW) before and during construction and maintenance of the RICD structures to assure that these actions will not injure the natural environment that the ISF water rights protect; and 3. the adjudication and administration of the RICD, in the amounts claimed, will promote maximum utilization of the waters of the State.”. The motion also included acceptance of the staff’s comprehensive findings of fact with the following changes: 1. modification of Para. 45.c. of the decree and the corresponding paragraph in the comprehensive findings of fact to “In addition to the no call provision in p. 21.c. and 45 g., Grand County reserves the right not to call the RICD water rights, within the sole discretion of Grand County, as against future water rights up to the first 3,000 acre-feet of depletions per year, applied to all water users in the order of their priority.”; and 2. replace the term “1922” in Para. I.a.ii. of staff’s comprehensive finding of fact with “compact”. Lastly, the motion included instructions to Staff to fully participate in the water court case to defend the subject Findings of Fact and to assure that the final decree fully complies with statute. This motion was seconded by April Montgomery and approved unanimously (10-0).

34. Watershed and Flood Protection Section – Update on Watershed Restoration Programs

Track 4 00:22:17 – 00:38:06

Action: Presentation by Chris Sturm. This was an informational item only. No Board action was required.

35. Water Supply Planning Section – Projects and Methods Implementation

Track 4 03:07:39 – 03:24:36

Action: Presentation by Todd Doherty. This was an informational item only. No action was required from the Board.

36. Water Supply Planning Section - SWSI Work Plan

Track 4 03:24:36 – 03:31:52

Action: Presentation by Eric Hecox. This was an informational item only. No action was required from the Board.

37. Finance Section – Water Infrastructure and Supply Efficiency (W.I.S.E.) Project

Track 4 03:31:52 – 03:35:13

Action: Presentation by Jacob Bornstein. Barbara Biggs made a motion to accept the staff recommendation, to adopt the resolution provided to the Board in support of the WISE Partnership, which was seconded by Alan Hamel. The motion was approved unanimously (10-0).

38. Finance Section – Severance Tax Trust Fund Operational Account, Approval of Project Recommendations

Track 4 03:35:13 – 03:42:58

Action: Presentation by Tim Feehan and Steve Biondo. Geoff Blakeslee made the motion to approve the staff recommendation, “that the Board approve the proposed funding for each of the projects from the Operational Account of the Severance Tax Trust Fund as summarized as Attachment A to this memo; presentations of these projects were provided in a workshop prior to the Board Meeting,” which was seconded by Travis Smith. The motion was approved unanimously (10-0).

ADJOURN

Barbara Biggs made a motion to adjourn the March 2012 Colorado Water Conservation Board Meeting. Alan Hamel seconded the motion, which was passed unanimously (10-0).

Mission Statement:

It is the mission of the Department of Law to provide professional, ethical, and independent legal services to the State of Colorado and its citizens, to promote respect for law and access to the justice system, to ensure the fair and open exercise of government, and to protect and advance the public interest.

Vision Statement:

The Colorado Department of Law will be the premier law enforcement agency and public law office leading the state with the trust, confidence, and support of partners, consumers, and policy-makers, while committing to the highest professional and ethical standards.

Statutory Authority:

The statutory authority for the Department is found in Section 24-31 C.R.S. Additional more specific statutory authority is found in Titles 5, 6, 10, 11, 12, 25, 33, 34, 36, 37 and 39.

Description:

The Colorado Attorney General is one of four independently elected statewide offices in Colorado and was established by the state constitution upon statehood in 1876.

The Attorney General and the Department of Law, which Attorney General John W. Suthers oversees (collectively referred to as the Colorado Attorney General's Office or AGO), represents and defends the legal interests of the people of the State of Colorado and its sovereignty. The Attorney General exercises the responsibilities given to his office by the Colorado Constitution, statutes enacted by the Colorado General Assembly and the people of the state of Colorado, and the common law.

The Attorney General has primary authority for enforcement of consumer protection and antitrust laws, prosecution of criminal appeals and some complex white-collar crimes, the Statewide Grand Jury, training and certification of peace officers, and most natural resource and environmental matters. Additionally, the Attorney General's Office works concurrently with Colorado's 22 district attorneys and other local, state and federal law enforcement authorities to carry out the criminal justice responsibilities and activities of the office. The Attorney General is also the chief legal counsel and advisor to the executive branch of state government including the governor, except as otherwise provided by statute, all of the departments of state government, and to the many state agencies, boards, and commissions.

The Department is primarily a cash funded agency that receives funding from state agencies and various programs for the provision of legal services, the investigation and prosecution of fraud, and helping protect the citizens of this state through a number of consumer protection efforts. The Department delivers its responsibilities within a nearly \$57M budget and utilizes roughly

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430 employees to carry out these responsibilities. The Department's services are delivered primarily through seven operational sections.

These seven divisions carry out their specific responsibilities in order to provide the highest quality legal representation for state clients, to all state government agencies, and each program and board within. Additionally, investigative and prosecutorial efforts help protect the interests of state citizens through minimizing fraud and ensuring public safety. These seven units include:

- 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 defense 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, under the Department of Regulatory Agencies. The section also represents the Department of Agriculture and the Independent Ethics Commission.
- Legal Services to State Agencies/ Revenue and Utilities – Provides litigation and legal counsel representing 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 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 (including the various Governor's offices),and provides legal advice and counsel to the Public Utilities Commission, and the State Higher Education Institutions.
- Legal Services to State Agencies/Civil Litigation and Employment Law Section – Defends State employees and agencies in State and federal courts. Cases may involve personal injury suits, property damage, or employment discrimination among others.

The Section also prosecutes civil rights violations in administrative and state courts and provides employment law legal advice to all state agencies.

- Consumer Protection Section – Protects Colorado consumers against fraud and provides a competitive business environment through enforcement of state and federal consumer protection, charitable solicitations, antitrust, consumer lending, fair debt collection practices, and numerous other consumer protection statutes. The Section also represents the state Office of Consumer Counsel, advocating before the Public Utilities Commission on behalf of residential, small business, and agricultural rate payers.

Objectives:

The Department of Law aims to achieve our vision and accomplish our mission through these objectives:

- Minimize state risk through the effective representation of client agencies and protect citizens by enforcing regulatory laws and prosecuting cases referred by client agencies;
- Facilitate consumer protection and maintain financial integrity through consumer protection and antitrust enforcement efforts;
- Ensure consumer protection through licensure and registration of regulated consumer lenders, debt collectors, debt-management services providers, and credit repair companies;
- Minimize state risk through the effective representation of state prosecution when defendants challenge their felony convictions before the state appellate courts or the federal courts;
- The Attorney General’s Office has statewide jurisdiction to prosecute criminal offenses and, as such, this section handles a wide variety of criminal matters across all areas of the state including white-collar crime offenses, human trafficking cases, homicides, complex drug conspiracies, and special prosecutions in which our assistance is requested by the Governor or an elected district attorney.

The Department tracks specific workload and performance measures and strategic efforts in attempting to meet performance measures. In coordination with the objectives listed above, the Department of Law has provided specific performance measures, strategies, and performance evaluations provided below.

The Department’s annual budget request reports additional measures to help provide a complete analysis of the Department’s efforts. Please refer to the Attorney General’s webpage at <http://www.coloradoattorneygeneral.gov/> to review the annual budget document.

Priorities:

Representation of Client Agencies. The Attorney General by statute is the legal counsel and advisor of each department, division, board, bureau and agency of state government other than the legislative branch (§ 24-31-101 C.R.S.). The Department represents the various clients efficiently and effectively. The key to this success is retaining quality employees by providing competitive attorney compensation and benefits package and a dynamic work environment.

Objective: To provide quality legal counsel and representation and provide effort that is satisfactory or greater to client agencies.

Performance Measures	Actual FY 11	Actual FY12	Estimate FY13	Request FY14
Provide quality legal counsel and representation to client agencies as measured by client annual survey as satisfied or very satisfied with legal counsel.	Target			
	95%	95%	95%	95%
	Actual	95.4%	96.61%	

Strategy: The Attorney General’s Office strives to hire and retain the best lawyers possible to represent client agencies by providing high level and interesting work. Additionally, the office attempts to build the career for each attorney through ongoing continuing legal training, brief writing, oral advocacy, and substantive and procedural matters, as well as exercising good judgment in advising and representing client agencies.

Evaluation of Prior Year Performance: The department witnessed the highest overall satisfaction rating since implementing this performance measure. The department will continue to hire and do its best to retain quality attorneys through the valuable work attorneys are exposed to and within available resources be “an employer of choice” for the legal field.

Criminal Enforcement and Prosecution. The Department has acquired additional resources in order to pursue criminal prosecutions, particularly in the insurance fraud arena. It’s important that the Department be effective in these areas because many DA’s offices do not have the resources or expertise to handle them.

Complex and/or multi-jurisdictional Securities fraud investigations and prosecutions

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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 11	Actual FY12	Estimate FY13	Request FY14
Measure 1.5. Restitution Ordered	Target	\$4,000,000	\$5,000,000	\$9,000,0000	\$9,000,000
	Actual	\$20,680,887	\$11,023,182		

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 103 referrals for FY 12.

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.

Complex and/or multi-jurisdictional Insurance 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 FY11	Actual FY12	Estimate FY13	Request FY1
Measure 1.4 Restitution Ordered	Target	\$450,000	\$450,000	\$450,000	\$450,000
	Actual	\$164,386	\$648,347		

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.

While the Unit did not have any grand jury cases in FY 12, it is anticipated that there will be a couple in FY 13. Due to the complexity of cases taken to the grand jury, and the time frame of when the grand jury is available, the timing did not work out this year to make appropriate use of the grand jury.

Evaluation of Prior Year Performance: The significant increase in restitution ordered helps illustrate that the Unit is meeting the goal of prosecuting more serious cases.

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.

Performance Measures	Actual FY11	Actual FY12	Estimate FY13	Request FY14
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Medicaid Fraud Total fines / Costs / Restitution Recovered	Target	\$450,000	\$450,000	\$2,000,000	\$2,000,000
	Actual	\$5,197,151.64	\$8,469,092.38		

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.

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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 had an increase in criminal convictions in FY12, which was a direct result of increased criminal filings in FY11. The dollar amount listed in this measure reflects all recoveries, both civil and criminal, made by the Unit. Per estimates obtained from the National Association of Medicaid Fraud Control Units(NAMFCU), with whom the Unit coordinates its participation in global cases, the amount of dollar recoveries to be obtained through global cases over the next few years is expected to decrease markedly. While such estimates are not an exact science, they are worth noting, as the largest part of the Unit’s recoveries over the past several years has been through global cases. Future years’ recoveries have been adjusted to reflect both current trends and the NAMFCU estimates.

Per 18-1.3-602(3)(a) C.R.S, restitution is defined as, “..any pecuniary loss suffered by a victim and includes but is not limited to all out-of-pocket expenses, interest, loss of use of money, anticipated future expenses, rewards paid by victims, money advanced by law enforcement, money advanced by a governmental agency for a service animal, adjustment expenses, and other losses or injuries proximately caused by an offender’s conduct and that can be reasonably calculated and recompensed in money.”

Consumer Protection: Given the fact that the AG’s Consumer Protection Section is small but has very broad jurisdiction (Consumer Protection Act, Antitrust Act, Charitable Solicitation Act and approximately a dozen other statutes) the section does a very good job of selecting appropriate cases for investigation and enforcement, as well as providing consumer outreach to vulnerable groups, most notable the elderly.

Performance Measure	Outcome	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Investigate and either sue or settle with individuals or entities that are engaged in deceptive trade practices					
	Target	70	60	70	70
	Actual	69	55		

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

Performance Evaluation: The number of lawsuits filed and the amount of settlements reached declined from last year. This decline can be attributed to the amount of time and resources devoted to two large cases handled over this past year; Westwood College and the Magazine case. Westwood required an estimated 70% of one attorney's time while the Magazine case required an estimated 70% of another's. Westwood resulted in a \$4.2 million dollar Consent Judgment. The court order also requires Westwood to implement extensive remedial measures. The Magazine case involves five corporate entities and numerous individual defendants. A lengthy hearing resulted in a preliminary injunction imposed by the court that will severely curtail the deceptive practices of this industry while significantly diminishing harm to consumers, a large percentage of whom are seniors.

The Magazine case will proceed to trial in January and will continue to consume the large majority of the attorney's time. With Westwood having concluded with a Consent Judgment it is expected that that attorney can devote more time to other investigations and filed cases.

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Performance Measure	Outcome	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
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		<u>Incidents</u>	<u>Incidents</u>	<u>Incidents</u>	<u>Incidents</u>
	Target	7	8	10	10
	Actual	8	9		

Strategy:

The antitrust enforcement strategy is to leverage our limited resources by participating in investigations and cases with the Department of Justice, the Federal Trade Commission and other state Attorney General Offices. Anticompetitive practices with the most profound impact on Colorado residents are usually perpetrated by companies operating on a nationwide basis. With just one antitrust lawyer who also splits his time on enforcement of the no-call laws, this unit can leverage our enforcement efforts by coordinating with other state and federal antitrust enforcement agencies. This strategy allows us to take on those practices that have widespread harm within the state and across the nation.

The figure reported for FY12-13 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. These activities are broken down as follows:

- 1 lawsuit filed against 3 publishers and Apple, Inc. for the sale of electronic books
- 1 merger investigation opened
- 10 settlements reached

Performance Evaluation:

All of these cases were conducted in coordination with other state Attorney General offices and/or the U.S. Department of Justice. This strategy has allowed this unit to reach large scale anticompetitive conduct with a limited staff. As a result of this strategy we were able to

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 FY 2013-14 Budget Request

fulfill our goal of providing protecting for Colorado consumers by leveraging limited resources. This same strategy will be used for FY 12-13.

The E-books lawsuit provides a good example as to the effectiveness of this strategy. In April 2012 Colorado, along with 32 state Attorney General offices, filed suit against 3 publishers and Apple for price fixing on best-selling books that are distributed electronically and read by consumers on tablets or other electronic devices. This is a nationwide practice that Colorado could not handle on its own with just one part-time attorney. This strategy has already resulted in settlements with 3 publishers that cancel the anticompetitive agency agreements that were used for to sell the e-books. These settlements have will result in the payment of \$69.0 Million to consumers on a nationwide basis. Colorado consumers will be eligible to receive \$1.5 Million in restitution.

Consumer Credit:

Objective: Ensure compliance with consumer credit laws by regulated entities.

Performance Measures		Actual FY11	Actual FY12	Estimate FY13	Request FY14
Require Consumer Refunds	Target	\$2,000,000	\$2,200,000	\$3,000,000	\$3,000,000
	Actual	\$2,159,806	\$5,287,437		

Strategy: Refunds result from overcharges and illegal charges discovered from compliance examinations, consumer complaints, searching the Internet, and from litigation. Refunds may include credits to existing balances on open accounts.

Evaluation of Prior Year Performance: Consumer refund total amounts were substantially larger than anticipated. This was due to the new examination program of creditors and sales finance companies that had never before been examined and to the litigation under the DMSA. That law prohibits debt management companies from retaining any enrollment fees for certain violations of the law. In addition, the total refund number reflects payday lender refunds due under erroneous interpretations of HB 10-1351. Refunds may not be this large again.

Appellate:

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.

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Performance Measures		Actual FY11	Actual FY12	Estimate FY13	Request FY14
Percentage of cases with a successful outcome on appeal	Target	90%	90%	90%	90%
	Actual	90%	91.2%	90%	90%

Strategy: The strategy of the Division is do whatever it can to resolve cases in a timely fashion while providing quality representation of the state’s interests. Toward that end, it is critical that the Division reduce the backlog to a manageable level. The Division has maximized what it can do with the resources currently available, and requires additional staff to meet its obligations.

For example, the Division has implemented the following strategies:

1. The Deputy Solicitor General has organized a working group consisting of representatives from the Appellate Division, the Court of Appeals, the Public Defender’s Office, and the Office of Alternate Defense Counsel to discuss matters of mutual concern and how we might streamline our interaction for maximum efficiency. The group meets every other month and has come up with a number of improvements.
2. The Division is working with the Court of Appeals on a procedure for an “experimental docket” in which Division attorneys screen cases and file abbreviated pleadings short of thorough briefs. This is designed to expedite those simple cases that can be dealt with easily and effectively without full briefing, thereby increasing Division and court efficiency and expediting case processing. That program is in its early stages, but early results are promising. However, only a small percentage of cases lend themselves to such summary treatment. The majority of cases require careful research and analysis, critical thinking, and careful writing.
3. Those cases are channeled within the Division as efficiently as possible so that the best people for the job are working on particular cases. Many Division attorneys have developed special expertise, and to the extent possible, cases dealing with their subject areas are channeled to them (few cases, however, ever consist of single issues). Resource materials (a brief bank, outlines, etc) are compiled and updated to provide starting points and shortcuts for research, and senior staff provide mentoring and oversight so that junior staff get on the right track quickly and efficiently.

Evaluation of Prior Year Performance: Over the past two years, the Division has met its goal of preserving at least 90% of the convictions challenged on appeal.

It has not done as well meeting its caseload. Although the Division has implemented a variety of strategies for increasing efficiency, circumstances beyond its control have hindered that effort. Large incoming numbers, increasingly complex cases, and high turnover resulting in a high percentage of junior attorneys have combined to cause the Division to fall further and further behind each year.

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Budget Request:

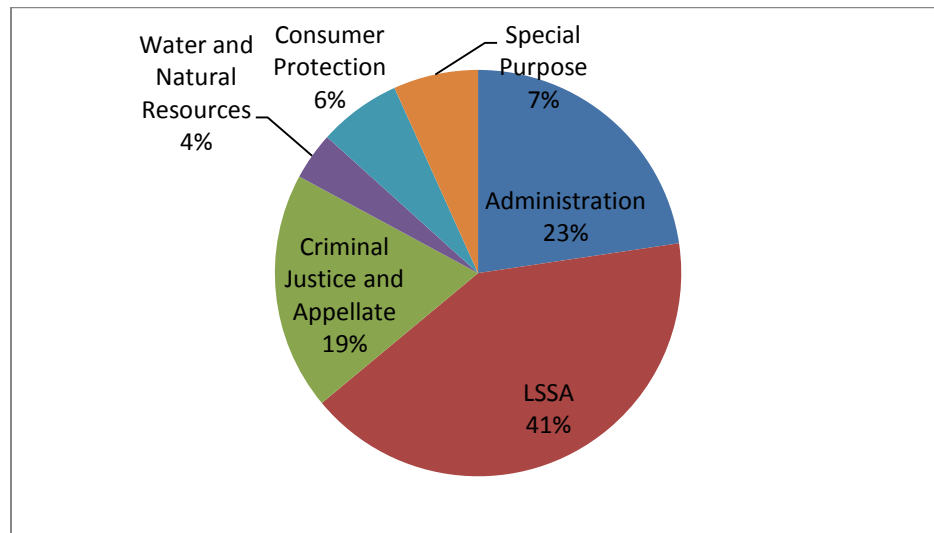
FY 2012-13 Appropriation		FY 2013-14 Request	
Total Appropriation	\$57,294,289	Total Appropriation	\$61,769,338
General Fund		General Fund	
Appropriation	\$10,416,092	Appropriation	\$11,915,957
Total Full Time		Total Full Time	
Equivalent	429.7	Equivalent	437.6
Employees (FTE):		Employees (FTE):	

FY 2013-14 Request by Long Bill Division

Long Bill Division Total Funds

Administration	\$13,991,491
LSSA	\$25,510,138
Criminal Justice and Appellate	\$11,693,898
Water and Natural Resources	\$2,342,409
Consumer Protection	\$4,062,921
Special Purpose	\$4,168,480
Total	\$61,769,338

FY 2013-14 Request by Long Bill Division



Department Budget Highlights in Summary

- SB 12-110 modified the fee structure for Insurance fraud and Workers' Compensation fraud investigation and prosecutorial efforts. The department's insurance fraud efforts, which include Workers' Compensation carriers other than Pinnacol, were traditionally funded through a statutorily set \$561 annual fee. Additionally, the department traditionally received roughly \$285K annually from Pinnacol to investigate fraud on their behalf. This bill provides for a tiered fee structure based on how much business the insurance carrier does in Colorado. The two-tiered structure is designed to allow companies with zero or little business in Colorado to pay a lesser fee. Additionally, this tiered structure will ensure Pinnacol is treated as other companies based on market share. This bill also appropriated an additional 2.0 FTE and associated expenses to the Special Prosecutions Line Item.
- HB 12-1248 authorizes the Department of Law to spend gifts, grants, and donations, and it created a new cash fund for purposes of accounting for moneys received from other state agencies for the provision of legal services.
- FY 2012-13 Decision Item: 5.0 FTE Consumer Protection Enhancements. This request allows the Department of Law, to better protect Colorado consumers across a whole range of deceptive trade practices. Additionally, these resources 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.
- FY 2012-13 Decision Item: 2.0 FTE Consumer Credit Unit Unlicensed Entities Compliance Effort. This request allows the Department of Law to better protect Colorado consumers involved in lending, debt management, credit repair, and debt collection activities. Additionally, these resources 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.
- FY 2012-13 Decision Item: 1.0 FTE Case Management System. This request enables 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.
- FY 2012-13 Decision Item: 1.0 FTE Deputy Assistant Attorney General. This request allows 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.

- FY 2012-13 Decision Item: Appellate Unit 1.5% base reduction reinstatement. This request reinstated the FY 2011-12 1.5% base reductions to the Appellate Unit for \$37,428.
- FY 2012-13 Budget Amendment: This request provides 2.0 additional FTE and associated litigation expenses to support the Natural Resources Section's support of the State Land Board litigation surrounding the Lowry Range property.

Leading Budget Change Requests for FY 2013-14:

The FY 2013-14 budget request highlights include the following:

- Decision Item #1 – Appellate FTE Increase to Manage Backlog. This request will allow the Department of Law, to reduce the growing appeals backlog. The Department witnessed an increase of 210 cases in the backlog, growing from 398 at the beginning of the fiscal year to 608 by the end of FY 2012.
- Decision Item #2 – Additional FTE for Special Prosecution. This request will allow the Department of Law to better protect Colorado citizens in the investigation and prosecution of complex criminal conspiracies, environmental crimes, and gang activities. Specifically, the new investigator will focus efforts on human trafficking and election fraud, as well as provide support to the ongoing efforts outlined above.
- Decision Item #3 - Tobacco Litigation Funding. The Department of Law is requesting a refinance of \$676,952 GF. This request will allow the Department to continue to advocate for the state's interests on Tobacco Litigation efforts. The department's Tobacco efforts have traditionally been funded by the Tobacco Settlement Defense Account within the Tobacco Litigation Settlement Cash Fund. The department is projecting that the balance within this fund will be exhausted by the end of FY 2012-13, thereby leaving no resources for these efforts moving forward. Because of this, the Department is making a GF request to continue the support of the Tobacco Litigation efforts on behalf of the state.
- Decision Item #4 – Refinance PIO in Administration. The Department of Law is requesting a refinance of the current Public Information Office Position (PIO) from the Consumer Protection/Antitrust line item to the Administration Personal Services Line Item.

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
December 1, 2012
SMART Act Performance Report

Description:

The Colorado Attorney General is one of four independently elected statewide offices in Colorado and was established by the state constitution upon statehood in 1876.

The Attorney General has primary authority for enforcement of consumer protection and antitrust laws, prosecution of criminal appeals and some complex white-collar crimes, the Statewide Grand Jury, training and certification of peace officers, and certain natural resource and environmental matters. Additionally, the Attorney General's Office works concurrently with Colorado's 22 district attorneys and other local, state and federal law enforcement authorities to carry out the criminal justice responsibilities and activities of the office. The Attorney General is also the chief legal counsel and advisor to the executive branch of state government including the governor, except as otherwise provided by statute, all of the departments of state government, and to the many state agencies, boards, and commissions.

The Department's services are delivered through seven operational sections:

- Criminal Justice and Appellate;
- Business and Licensing;
- Revenue and Utilities;
- Natural Resources;
- State Services;
- Civil Litigation and Employment Law;
- Consumer Protection.

The State Auditor's Office conducted a performance audit of each agency's first response to meeting the statutory requirements of the SMART Act. This audit was released in August, 2012. The audit made five primary recommendations to the Department of Law. The three substantive recommendations included:

- Outlining strategies to meet the performance-based goals in its strategic plan.
- Including in its strategic plan a performance evaluation.
- Ensuring that performance measures in its strategic plan are reasonably understandable to the public.

The Department of Law agreed with these recommendations and has included targets, strategies, and an evaluation of success for each performance measure. Additionally, the Department has attempted to provide definitions so that the general public can better understand the legal terminology.

Below is a list of each of the Department's performance measures and an evaluation of the previous year's performance.

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 December 1, 2012
 SMART Act Performance Report

Legal Services to State Agencies:

Performance Measures		Actual FY 11	Actual FY12	Estimate FY13	Request FY14
Provide quality legal counsel and representation to client agencies as measured by client annual survey as satisfied or very satisfied with legal counsel.	Target				
		95%	95%	95%	95%
	Actual	95.4%	96.61%		

Complex and/or multi-jurisdictional Securities fraud investigations and prosecutions

Performance Measures		Actual FY 11	Actual FY12	Estimate FY13	Request FY14
Measure 1.5. Restitution Ordered	Target	\$4,000,000	\$5,000,000	\$9,000,000	\$9,000,000
	Actual	\$20,680,887	\$11,023,182		

Complex and/or multi-jurisdictional Insurance fraud investigations and prosecutions

Performance Measures		Actual FY11	Actual FY12	Estimate FY13	Request FY1
Measure 1.4 Restitution Ordered	Target	\$450,000	\$450,000	\$450,000	\$450,000
	Actual	\$164,386	\$648,347		

Medicaid Fraud Unit

Performance Measures		Actual FY11	Actual FY12	Estimate FY13	Request FY14
Medicaid Fraud Total fines / Costs / Restitution Recovered	Target	\$450,000	\$450,000	\$2,000,000	\$2,000,000
	Actual	\$5,197,151.64	\$8,469,092.38		

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Consumer Protection:

Performance Measure	Outcome	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
Investigate and either sue or settle with individuals or entities that are engaged in deceptive trade practices					
	Target	70	60	70	70
	Actual	69	55		

Performance Measure	Outcome	FY 11 Actual	FY 12 Actual	FY 13 Estimate	FY 14 Request
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		<u>Incidents</u>	<u>Incidents</u>	<u>Incidents</u>	<u>Incidents</u>
	Target	7	8	10	10
	Actual	8	9		

Consumer Credit:

Performance Measures		Actual FY11	Actual FY12	Estimate FY13	Request FY14
Require Consumer Refunds	Target	\$2,000,000	\$2,200,000	\$3,000,000	\$3,000,000
	Actual	\$2,159,806	\$5,287,437		

Appellate

Performance Measures		Actual FY11	Actual FY12	Estimate FY13	Request FY14
Percentage of cases with a successful outcome on appeal	Target	90%	90%	90%	90%
	Actual	90%	91.2%	90%	90%

Evaluation of Performance Measures:

Overall, the Department did very well in meeting its target measures during FY 2011-12.

Specifically, the Department witnessed the highest overall satisfaction rating from client agencies since implementing this performance measure. The Department will continue to hire and do its best to retain quality

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attorneys through the valuable work attorneys are exposed to and within available resources be “an employer of choice” for the legal field.

Additionally, the Department was successful in the Securities Fraud, Insurance Fraud, and Medicaid Fraud programs with garnering significant ordered restitutions. These numbers reflect the size and complexity of cases prosecuted. The amount of restitution ordered in some cases has required the Department to reevaluate a few of the restitution measures, increasing the targets in out years.

In Consumer Protection, the section saw an overall decline in lawsuits filed from FY 2010-11. This decline can be attributed to the amount of time and resources devoted to two large cases handled over this past year; Westwood College and the Magazine case.

Consumer refund total amounts were substantially larger than anticipated. This was due to the new examination program of creditors and sales finance companies that had never before been examined and to the litigation under the Debt Management Services Act. That law prohibits debt management companies from retaining any enrollment fees for certain violations of the law. In addition, the total refund number reflects payday lender refunds due under erroneous interpretations of HB 10-1351. Refunds may not be this large again.

Lastly, the Appellate section has met its goal of preserving at least 90% of the convictions challenged on appeal. However, this unit has not done as well at meeting its caseload. Although the section has implemented a variety of strategies for increasing efficiency, circumstances beyond its control have hindered that effort. Large incoming numbers, increasingly complex cases, and high turnover resulting in a high percentage of junior attorneys have combined to cause the Division to fall further and further behind each year. Because of this, the Department has submitted an FY 2013-14 budget request decision item to remedy this particular issue.

Links to Additional Fact Sheets and Websites

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

Colorado No Call Website: <http://www.coloradonocall.com/>

[Colorado Department of Law SMART Act/Strategic Plan](#)