

Department of Law
Schedule 10
FY 2016-17 Budget Request

Priority	Number	Division	Request	FTE	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Decision Items									
	R-1	Administration	Software for S2Tell Program	0.0	\$60,000	\$60,000	\$0	\$0	\$0
	R-2	Administration	Ralph L. Carr Lease Space	0.0	\$113,406	\$31,535	\$12,730	\$66,062	\$3,079
	R-3	Criminal Justice	Senior AAG Special Prosecution	0.9	\$163,243	\$163,243	\$0	\$0	\$0
	R-4	Consumer Protection and Antitrust	Consumer Protection Compliance Investigator	1.0	\$92,891	\$0	\$92,891	\$0	\$0
	R-5	Administration	Accounting Technician III FTE	1.0	\$73,127	\$0	\$0	\$73,127	\$0
Total - Decision Items				2.9	\$502,667	\$254,778	\$105,621	\$139,189	\$3,079
Base Reduction Items									
	BR-1	Criminal Justice and Appellate	POST Marijuana Budget Reduction		(\$418,000)		(\$418,000)		
Total - Base Reduction Items				0.0	(\$418,000)	\$0	(\$418,000)	\$0	\$0
Non-Prioritized Items									
	NP-01	Administration	Annual Fleet Vehicle Request		(\$23,797)	(\$13,096)	(\$1,111)	(\$8,088)	(\$1,502)
	NP 02	Water and Natural Resources	0.5 AAG FTE Colorado River	0.5	\$64,314		\$64,314		
	NP-03	Administration	OIT Decision Item		\$15,706	\$4,367	\$1,763	\$9,149	\$427
Total Non Prioritized Items				0.5	\$56,223	(\$8,729)	\$64,966	\$1,061	(\$1,075)
Grand Total November 1, 2015				3.4	\$140,890	\$246,049	(\$247,413)	\$140,250	\$2,004

Schedule 13 Funding Request for the 2016-17 Budget Cycle

Department: Department of Law
 Request Title: Software of the Safe2Tell Program
 Priority Number: R-1

Dept. Approval by: *Jon Peter* 10/13/15
 Date

OSPB Approval by: _____
 Date

X Decision Item FY 2016-17
 Base Reduction Item FY 2016-17
 X Supplemental FY 2015-16
 Budget Amendment FY 2016-17

Line Item Information		FY 2015-16		FY 2016-17		FY 2017-18
		1	2	3	4	6
Fund	Fund	Appropriation FY 2015-16	Supplemental Request FY 2015-16	Base Request FY 2016-17	Funding Change Request FY 2016-17	Continuation Amount FY 2017-18
Total of All Line Items		Total	595,381	62,500	597,116	60,000
	FTE	5.8	0.0	6.0	0.0	0.0
	GF	580,381	62,500	582,116	60,000	60,000
	GFE	-	-	-	-	-
	CF	15,000	-	15,000	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-
(1) Administration: Office of Community Engagement		Total	595,381	62,500	597,116	60,000
	FTE	5.8	-	6.0	-	-
	GF	580,381	62,500	582,116	60,000	60,000
	GFE	-	-	-	-	-
	CF	15,000	-	15,000	-	-
	RF	-	-	-	-	-
	FF	-	-	-	-	-

Letternote Text Revision Required? Yes: No: If yes, describe the Letternote Text Revision:
 Cash or Federal Fund Name and COFRS Fund Number: NA
 Reappropriated Funds Source, by Department and Line Item Name: NA
 Approval by OIT? Yes: No: Not Required: x
 Schedule 13s from Affected Departments:
 Other Information: Supplemental Criteria: New data resulting in substantive changes in funding needs



DEPARTMENT OF LAW

*FY 2015-16 Funding Request
November 1, 2015*

*Cynthia H. Coffman
Attorney General*

*Melanie J. Snyder
Chief of Staff*

*David C. Blake
Chief Deputy Attorney General*

Department Priority: 1
Request Title: Software for the Safe2Tell Program

Summary of Incremental Funding Change for FY 2015-16	Total Funds	FTE	GF	RF
Total	\$62,500	0.0	\$62,500	
Office of Community Engagement	\$62,500	0.0	\$62,500	

Summary of Incremental Funding Change for FY 2016-17	Total Funds	FTE	GF	RF
Total	\$60,000	0.0	\$60,000	
Office of Community Engagement	\$60,000	0.0	\$60,000	

Request Summary:

The Department of Law (DOL) is requesting \$62,500 in General Fund spending authority, for FY 16, to replace the existing anonymous tip reporting software currently used by the Safe2Tell program. This request is in line with the contract that the DOL entered into with the new vendor, with an effective date of June 1, 2015. The estimated cost of a new tip reporting software system is \$72,500 in FY 16 of which \$10,000 is in the base appropriation. In out years, the additional need is \$60,000.

Background Information:

SB 14-002 repealed the existing Safe2Tell program and recreated as a state program within the DOL. Prior to FY 2014-15, the program operated as a

nonprofit organization. The state paid for the salary and benefits of the program director through a Long Bill line item, with the balance of staff and operating expenses housed within the nonprofit.

Safe2Tell's primary responsibility is to provide an anonymous reporting platform, for the community. The program uses anonymous web-based database software to intake information from students and the community. Public Safety dispatch and communication centers use the software to capture information from reporting parties through phone calls, web-based reports, text messages, and in new developing mobile applications. The software allows two way dialogue with the reporting party, in certain instances, the collection of standardized information

and the direct transfer of appropriate information to relevant, responsible local authorities, including police and sheriff agencies, school districts, and school resource officers.

Lastly, during FY 15, the Safe2Tell Program was a standalone line item in the Long Bill. This program is now coupled with the 2.0 FTE Office of Community Engagement (OCE). The DOL made a formal budget amendment request for FY 16, to increase staff by 2.0 FTE for the OCE efforts. The DOL has currently hired the program manager for this effort, but has left the Program Assistant position vacant, to help alleviate the budget constraints associated with the contract for the tip software. This has posed a short term hindrance to full effectiveness of the OCE efforts.

Problem:

With the creation of the State’s Safe2Tell program by SB14-002, the DOL assumed the responsibility for program expenses including the costs for an anonymous tip reporting solution. The previous software was developed 12 years ago by a vendor in cooperation with the Safe2Tell non-profit organization. The non-profit was able to obtain a favorable price in return for its assistance in developing this software. The nonprofit paid \$10,000 per year to use this software.

The DOL, in cooperation with fiscal purchasing rules, needed to secure its own contract with an anonymous reporting solution. Through a solicitation process, the department chose a vendor whose price and solution were determined to be most advantageous to the state, and engaged in a contract with an effective date of June 1, 2015.

The DOL was aware that the required solution would be more expensive than the \$10,000 that the Safe2Tell nonprofit was paying annually and made a formal budget request for FY 16, through a Budget Amendment. At that time, however, the DOL did not have final results from the procurement process. As such, the JBC denied the request and recommended the DOL comeback with complete information, once the solicitation was finalized.

Due to the timing of the solicitation and contract negotiations, the DOL did not have the information in a timely manner to make a formal budgetary request, while the legislature was in session during 2015. As

such, the DOL is now making this FY 16 supplemental and FY 17 budget request, to accommodate this programmatic need.

Anticipated Outcomes:

The approval of this budget request will allow the Safe2Tell program and the Office of Community Engagement to address the programmatic needs with tip reporting and awareness building throughout the state, by providing the appropriate resources to cover software expense and FTE and associated operating expenses.

Assumptions for Calculations:

That the Safe2Tell appropriation will increase by \$62,500 GF in FY16 and \$60,000 each year thereafter to pay for an anonymous tip reporting system. The cost for the system is \$72,500 in FY16 and \$70,000 in the out years. The DOL currently has \$10,000 of base budget for the reporting software, that was built into the fiscal note for SB 14-002.

Consequences if not funded:

If this request is not funded, the DOL will still be required to operate within budgetary limits. The DOL is currently holding vacant an FTE position, so that all department costs within the Office of Community Engagement can be accommodated including the software costs. However, this current solution is not appropriate long term, as the OCE and S2T program within the OCE will be compromised on program delivery.

Impacts to Other State Agencies:

None

Current Statutory Authority or Needed Statutory Change:

No statutory changes needed.

Supplemental and Decision Item Calculations:

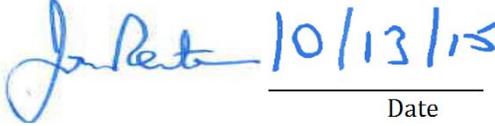
Calculations	FY 16	FY 17
Safe2Tell	\$62,500	\$60,000
Total Operating	\$62,500	\$60,000

Fiscal Year	Description	Date	Amount	Total
FY2015	1 Month P3 Subscription	1-Jun-15	\$6,000	\$7,000
	Recipient Data Migration	1-Jun-15	\$1,000	
FY2016	3 Month P3 Subscription	1-Jul-15	\$17,500	\$17,500
	3 Month P3 Subscription	1-Oct-15	\$17,500	\$17,500
	3 Month P3 Subscription	1-Jan-16	\$17,500	\$20,000
	Report Data Migration	1-Jan-16	\$2,500	
	3 Month P3 Subscription	1-Apr-16	\$17,500	\$17,500
FY2017	3 Month P3 Subscription	1-Jul-16	\$17,500	\$17,500
	3 Month P3 Subscription	1-Oct-16	\$17,500	\$17,500
	3 Month P3 Subscription	1-Jan-17	\$17,500	\$17,500
	3 Month P3 Subscription	1-Apr-17	\$17,500	\$17,500
FY2018	3 Month P3 Subscription	1-Jul-17	\$17,500	\$17,500
	3 Month P3 Subscription	1-Oct-17	\$17,500	\$17,500
	3 Month P3 Subscription	1-Jan-18	\$17,500	\$17,500
	3 Month P3 Subscription	1-Apr-18	\$17,500	\$17,500

	Total by Fiscal Year
FY 15	\$7,000
FY 16	\$72,500
FY 17	\$70,000
FY 18	\$70,000

Schedule 13 Funding Request for the 2016-17 Budget Cycle

Department: Department of Law
Request Title: Ralph L. Carr Lease Space Supplemental and Decision Item
Priority Number: R-2

Dept. Approval by: 
 Date

X Decision Item FY 2016-17
 Base Reduction Item FY 2016-17
 X Supplemental FY 2015-16
 Budget Amendment FY 2016-17

OSPB Approval by: _____
 Date

Line Item Information		FY 2015-16		FY 2016-17		FY 2017-18
		1	2	3	4	6
Fund		Appropriation FY 2015-16	Supplemental Request FY 2015-16	Base Request FY 2016-17	Funding Change Request FY 2016-17	Continuation Amount FY 2017-18
Total of All Line Items	Total	3,034,238	91,879	3,089,112	113,406	113,406
	FTE	-	-	-	-	-
	GF	840,388	25,446	858,965	31,535	31,535
	GFE	-	-	-	-	-
	CF	354,368	10,731	346,744	12,730	12,730
	RF	1,755,344	53,154	1,799,513	66,062	66,062
	FF	84,138	2,548	83,890	3,079	3,079
(1) Consumer Protection: Consumer Protection and Antitrust	Total	3,034,238	91,879	3,089,112	113,406	113,406
	FTE	-	-	-	-	-
	GF	840,388	25,446	858,965	31,535	31,535
	GFE	-	-	-	-	-
	CF	354,368	10,731	346,744	12,730	12,730
	RF	1,755,344	53,154	1,799,513	66,062	66,062
	FF	84,138	2,548	83,890	3,079	3,079

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: x

Schedule 13s from Affected Departments: NA

Other Information: Supplemental Criteria: An unforeseen contingency due to timing of availability of space and budget process



DEPARTMENT OF LAW

*FY 2016-17 Funding Request
November 1, 2015*

*Cynthia H. Coffman
Attorney General*

*Melanie J. Snyder
Chief of Staff*

*David C. Blake
Chief Deputy Attorney General*

Department Priority: 2
Request Title Ralph L. Carr Leased Space Decision Item and Supplemental

Summary of Incremental Funding Change for FY 2015-16	Total Funds	GF	CF	RF	FF
Administration: Ralph L. Carr Colorado Judicial Center Leased Space	\$91,878	\$25,446	\$10,731	\$53,153	\$2,548

Summary of Incremental Funding Change for FY 2016-17	Total Funds	GF	CF	RF	FF
Administration: Ralph L. Carr Colorado Judicial Center Leased Space	\$113,406	\$31,535	\$12,730	\$66,062	\$3,079

Request Summary:

The Department of Law is requesting \$91,878 for FY 16 and \$93,540 in FY 17 in Total Fund spending authority to accommodate additional lease space the DOL has secured in the Ralph L. Carr Judicial Center (Carr Center).

Background Information:

The DOL occupied floors 6-10 and roughly 5,529 square feet of storage space in the Carr Center basement. In January, 2013, when the DOL moved into the building the department was appropriated 430 FTE (see Chart 1 below) The DOL was not anticipating a need for additional space for many years to come. However, with the expansion of the office due to various legislative initiatives, the DOL's FTE count has grown by 11% over the last 3 years (FY 13 through FY 16 appropriation).

The Office of Attorney Regulation Counsel (ARC) has occupied part of the 2nd floor since the opening of the building. The ARC chose to leave this space, thereby providing an opportunity for a tenant to assume this finished space. The DOL, due to space issues, assumed this space for FY 16. The DOL moved 14 IT support employees to the 2nd floor, thereby freeing up needed office space for the growth in the Civil Litigation Unit, due to Workers' Compensation and Corrections legal support needs.

With the office changes and movement of staff, the DOL has a few vacant cubicle spaces on the 10th floor for future growth and five internal offices (no windows). This will provide the appropriate space for future growth within these units.

Problem Statement:

Due to the timing of the available space with the finalizing of the 2016 Long Bill, the DOL was not able to make a formal request for this issue. The DOL notified its JBC analyst in May 2015 regarding the availability of the space, the need to acquire more lease space due to program growth, and the interest in not missing out on an opportunity for acquiring finished space in the Carr Center..

This solution allowed the DOL to move into finished space, in the building, thereby addressing two purposes:: 1. This solution is more cost effective than assuming unfinished space due to the costs for improvements, and 2. This solution allows the DOL to maintain all staff in one building, thereby minimizing or eliminating any costs to support with shared services like IT support and other overhead needs.

Additionally, the DOL would like to expand the rented space on the 2nd floor by 1,307 square feet in the FY 17 Decision Item. This incremental increase would be an additional \$15.20/sq ft * 1,307 sq ft = \$19,866.

The 1,307 would provide the space to build out a computer training room. Currently, the DOL must set up and tear down computers, when conducting various trainings. Acquiring this space, will allow the DOL to dedicate space for various training needs that would include, Microsoft Office, Pro Law billings, Kronos time keeping and other business software training needs.

Anticipated Outcomes:

This request will align the DOL's "Ralph L. Carr Colorado Judicial Center Leased Space" line item with current year and future year obligations.

Assumptions for Calculations:

Current cost per rentable square footage for FY 16 and FY 17 proposed rates by Judicial.

Consequences if not Funded:

If this request is not funded, the department will not have the appropriate resources in the Ralph L. Carr judicial Center Lease Space line item to cover tenant lease obligations and would need to pay any increase within various operating appropriations.

Impacts to Other State Agencies:

This request, if approved, will increase slightly the legal hourly rate. Additionally, this request will provide the Judicial Department with the appropriate revenue to cover debt service and other landlord obligations.

Current Statutory Authority or Needed Statutory Change:

No statutory changes needed.

Authority provided through specific line item titled: "Ralph L. Carr Colorado Judicial Center Lease Space".

Chart 1: Growth in FTE since FY 13 (year the DOL moved into the Carr Center)

Division	Long Bill FTE	Special Bills FTE	Total FTE FY 16	Total FTE FY 13	Change
Administration	45.2		45.2	41.7	3.5
Office of Community Engagement	5.8		5.8		5.8
Legal Svs to State Agencies	260.2	0.7	260.9	238.7	22.2
Special Prosecution Unit	37.8		37.8	32.5	5.3
Auto Theft Prevention Grant	2.0		2.0	2.5	(0.5)
Appellate	39.0		39.0	32.0	7.0
Medicaid Fraud Control Unit	17.0		17.0	17.0	0.0
Peace Officers Standards and Training Board	9.0		9.0	7.0	2.0
Safe2Tell				1.0	(1.0)
Federal and Interstate Water Unit	5.5		5.5	5.5	0.0
Defense of the Colorado River Compact	3.0		3.0	3.0	0.0
CERCLA	3.5		3.5	3.5	0.0
Consumer Protection and Antitrust	27.2	0.8	28.0	26.0	2.0
Consumer Credit Unit	20.0		20.0	20.0	0.0
CORA and OML Attorney	0.9		0.9		0.9
Total	476.1	1.5	477.6	430.4	47.2

Highlights of Changes:

Administration: Moved PIO from CP to Admin, new contracts administrator, new Legislative Liaison, new accountant associated with POST grants workload;

Office of Community Engagement: Combines the 3 additional FTE associated with Safe2Tell bill (SB -14-2) and 2 FTE to staff the OCE;

LSSA: Increases to legal support of state agencies, significant impacts include marijuana laws and increases to Workers' Compensation efforts;

Special Prosecution: 2 FTE associated with marijuana expertise, and two FTE from decision item (Program Administrator and First AAG), and 1.4 FTE associated with HB 13-1230 (Wrongful Incarceration);

Appellate: 6 attorneys and 1 administrative assistant to better align resources with workload and backlog reduction.

POST: 2 FTE associated with marijuana training and other training needs and associated grants;

Consumer Protection: Tobacco Legal support and attorney to support HB 15-1063.

Chart 2: Calculations for Request:

FY 16 Supplemental Calculations:

A	FY 16 Office Lease Space Sq Ft	200,161
B	FY 16 Sq. Foot Cost	\$14.93
C= A*B	Total FY 16 Cost Office Space	\$2,988,404

D	FY 16 Storage Lease Space Sq Ft	5,529
E	FY 16 Sq. Foot Cost	\$8.29
F=D*E	Total FY 1 6 Cost Storage Space	\$45,835

G = F+C	FY 16 DOL Lease Obligation	\$3,034,239
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H	Additional 2nd Floor Lease Space	6,153.93
I	FY 16 Sq. Foot Cost	\$14.93
J=H*I	Additional Need FY 16	\$91,878

FY 17 Decision Item Calculations:

A	FY 17 Office Lease Space Sq Ft	200,161
B	FY 17 Sq. Foot Cost	\$15.20
C= A*B	Total FY 17 Cost Office Space	\$3,042,447

D	FY 17 Storage Lease Space Sq Ft	5,529
E	FY 17 Sq. Foot Cost	\$8.44
F=D*E	Total FY 17 Cost Storage Space	\$46,667

G = F+C	FY 17 DOL Base Lease Obligation	\$3,089,114
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H*	Additional 2nd Floor Lease Space	7,460.93
I	FY 17 Sq. Foot Cost	\$15.20
J=H*I	Additional Need FY 17 (DI Request)	\$113,406

*6,153.93 of assumed space + 1,307 of additional space for computer training room.

Schedule 13

Funding Request for the 2016-17 Budget Cycle

Department: Department of Law
 Request Title: Senior AAG FTE Special Prosecution
 Priority Number: R-3

Dept. Approval by: *Jan Peter* 10/13/15 _____
 Date

X Decision Item FY 2016-17
 Base Reduction Item FY 2016-17
 Supplemental FY 2015-16
 Budget Amendment FY 2016-17

OSPB Approval by: _____
 Date

Line Item Information		FY 2015-16		FY 2016-17		FY 2017-18
		1	2	3	4	6
Fund	Fund	Appropriation FY 2015-16	Supplemental Request FY 2015-16	Base Request FY 2016-17	Funding Change Request FY 2016-17	Continuation Amount FY 2017-18
Total of All Line Items		Total	-			
	FTE	4,115,956	0.0	4,324,549	163,243	163,295
	GF	37.8		37.8	0.9	1.0
	GFE	1,871,430		1,933,140	163,243	163,295
	CF	-		-		-
	RF	1,641,126		1,678,836		-
	FF	691,462		712,573		-
		-		-		-
(3) Criminal Justice and Appellate: Special Prosecutions Unit		Total	-			
	FTE	4,115,956		4,324,549	163,243	163,295
	GF	37.8		37.8	0.9	1.0
	GFE	1,871,430		1,933,140	163,243	163,295
	CF	-		-		-
	RF	1,641,126		1,678,836		-
	FF	691,462		712,573		-
		-		-		-

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

Cash or Federal Fund Name and COFRS Fund Number: NA
 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 2016-17 Funding Request
November 1, 2015*

*Cynthia Coffman
Attorney General*

*Melanie J. Snyder
Chief of Staff*

*David C. Blake
Chief Deputy Attorney General*

Department Priority: R-3
Request Title Senior Senior AAG Special Prosecution FTE

Summary of Incremental Funding Change for FY 2016-17	Total Funds	GF	CF	RF	FTE
Total	\$163,243	\$163,243	\$0	\$0	0.9
Special Prosecution Unit	\$163,243	\$163,243	\$0	\$0	0.9

Summary of Incremental Funding Change for FY 2017-18	Total Funds	GF	CF	RF	FTE
Total	\$163,295	\$163,295	\$0	\$0	1.0
Special Prosecution Unit	\$163,295	\$163,295	\$0	\$0	1.0

Request Summary:

The Department of Law is requesting 0.9 FTE and \$163,243 in FY 2016-17 annualized to \$163,295 and 1.0 FTE spending authority to support the efforts and workload needs of the Special Prosecution Unit. This request is for an experienced Senior Assistant Attorney General with prosecutorial experience to assist this agency in its support of the 22 District Attorney's, the various metro area task forces, and federal partners with complex drug trafficking and gang prosecutions.

Background:

The Attorney General engages in criminal enforcement and prosecution through the Criminal Justice Section. The Criminal Justice Section is comprised of three units: 1) Financial Fraud, 2) Medicaid Fraud and 3) Special Prosecutions. The Financial Fraud Unit litigates cases primarily involving securities fraud and insurance fraud. In addition to Medicaid fraud, the Medicaid Fraud Unit also litigates cases involving elder abuse at facilities which receive Medicaid funding. The Special Prosecutions Unit litigates in multiple areas including: 1) complex

crimes (such as complex, multi-jurisdictional drug investigations and human trafficking), 2) environmental crimes, 3) gang prosecution, 4) prosecution assistance, 5) auto theft and 6) violent crimes through the Violent Crimes Assistance Team (VCAT).

Complex criminal matters require the efforts of four attorneys and three investigators. Several areas of expertise include racketeering cases, domestic terrorism, burglary and robbery cases, identity fraud, large check fraud schemes, narcotics trafficking rings (including the illegal distribution of heroin, cocaine, methamphetamine and prescription drugs), mortgage/lending institution fraud, and tax fraud.

The Special Prosecutions Unit is designed as statewide prosecution resource for law enforcement and district attorneys, because of the need to investigate and prosecute crimes without regard to county or judicial district. 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.

The Attorney General may petition the chief judge of any district court for an order to convene a State Grand Jury, per 13-73-101 C.R.S. The State Grand Jury is a law enforcement tool with statewide jurisdiction and exists generally for those cases involving organized crime or criminal activity occurring across judicial district. Due to the collaborative efforts of the Special Prosecution Unit, the Attorney General will request the convening of a State Grand Jury in certain instances.

Problem:

The DOL works in conjunction with Federal Prosecutors, various taskforces, and local police and prosecutorial agencies to investigate and prosecute international and national drug rings with a foothold within this state. These

collaborations allow each agency to utilize its particular expertise and authorities to better ensure successful and robust prosecution and justice, and allows the Attorney General to utilize the State Grand Jury in warranted instances.

For example, the DOL participated in a criminal investigation that resulted in the largest heroin bust (Chump Change) in the Rocky Mountain Region. The result of this bust has resulted in the DOL and Jefferson County sharing in the prosecution of the various crime members in the 1st Judicial District (Jefferson).

The drug trafficking cases are complex in that they involve the coordination of efforts between various law enforcement agencies (both state and federal), task forces and district attorneys' offices. Currently the Department of Law has one attorney which is assigned to these cases on a full time basis. The attorney involved spends many hours outside of the office providing advice and analysis to insure a thorough investigation. The investigations are time intensive, frequently involving the use of complex investigative techniques, including the use of wiretaps. The evidentiary documentation is voluminous. Once charges are filed, the complexity continues as there are frequently many individuals charged as a result of a single investigation. As an example, the Chump Change investigation resulted in 34 persons charged.

The attorneys involved must review and analyze every wiretap that is part of one of these investigations. In 2000, there were a total of 4 wiretaps approved statewide. In 2014 there were 163 wiretaps approved statewide. In 2012 the Department of Law was involved in 11 wiretap applications. In 2014 that number increased to 85, which comprises over half of the total number of wiretaps in the state.

Because of the increased workload the Department of Law has had to decline participation in at least 7 cases. The 1.0 Senior Assistant Attorney General, supporting these efforts, is dedicating 100% of her time to the

Chump Change prosecutions, a methamphetamine prosecution, and Chump Change II. ~~As such, other, equally compelling cases are languishing.~~ The DOL is in a position to better support local and federal prosecution efforts with an additional resource dedicated to complex drug trafficking and gang investigations and prosecutions.

Anticipated Outcomes:

With the additional resources the unit will be better equipped to utilize the State Grand Jury when appropriate and assist local and federal collaborative prosecution efforts.

Assumptions for Calculations:

The department is assuming that the Senior Assistant Attorney General Position will be fill at midpoint of the range. See Chart #1 and Chart #2 below.

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 collaborative investigation and prosecutorial efforts.

Impact to Other State Government Agency:

This request will have no direct impact on other state 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.”

Chart 1: Calculations for Request

Calculations for 1.0 Senior AAG	FY 17	FY 18
Supplies @ \$500/\$500	\$1,000	\$1,000
Computer @ \$900/\$0	\$1,800	\$0
Office Suite Software @ \$330/\$0	\$660	\$0
Office Equipment @ \$8,767/\$0 (includes office furniture, chair, bookcase)	\$8,767	\$0
Telephone Base @ \$450/\$450	\$900	\$900
Mileage use on state vehicle (assume 6,000miles at \$.212/mile)	\$1,272	\$1,272
Assume 4 overnight stays in hotel per month at \$75/night	\$3,600	\$3,600
Assume avg per diem at \$66 per day for 4 nights each month	\$3,168	\$3,168
Est Litigation Expenses at \$5,000	\$5,000	\$5,000
Cell phone at \$80/month	\$1,920	\$1,920
Total Operating	\$28,087	\$16,860

Monthly Salary for Senior AAG at Midpoint of Range	\$9,293	\$9,293
Annual Salary (11 months in FY 17 due to pay date Shift)	102,223	111,516
PERA at 10.15%	\$10,376	\$11,319
Medicare at 1.45%	\$1,482	\$1,617
AED @ 4.8%	\$4,907	\$5,353
SAED @ 4.75%	\$4,856	\$5,297
STD @ .022%	\$225	\$245
Est HLD at Employee + Spouse	\$11,088	\$11,088
Total PS	\$135,156	\$146,435

Total Senior AAG	\$163,243	\$163,295
GF	\$163,243	\$163,295

Chart #2: DOL FY 16 pay ranges for Attorney positions

	Beginning	Midpoint	Cap
Attorney I	\$5,263	\$5,795	\$6,327
Assistant AG	\$5,836	\$7,179	\$8,521
Senior Assistant AG	\$7,555	\$9,293	\$11,031
1st Assist AG	\$8,722	\$10,728	\$12,733
Deputies	\$9,871	\$12,142	\$14,412

Schedule 13 Funding Request for the 2015-16 Budget Cycle

Department: Department of Law
Request Title: Consumer Protection Compliance Investigator
Priority Number: R-4

Dept. Approval by: 

Date

OSPB Approval by: _____
 Date

x Decision Item FY 2015-16
 Base Reduction Item FY 2015-16
 Supplemental FY 2014-15
 Budget Amendment FY 2015-16

Line Item Information		FY 2015-16		FY 2016-17		FY 2017-18
		1	2	3	4	6
	Fund	Appropriation FY 2015-16	Supplemental Request FY 2015-16	Base Request FY 2016-17	Funding Change Request FY 2016-17	Continuation Amount FY 2017-18
Total of All Line Items		2,741,172	-	2,842,508	92,891	82,894
	FTE	28.0	-	28.2	1.0	1.0
	GF	1,302,530	-	1,368,420	-	-
	GFE	-	-	-	-	-
	CF	1,152,316	-	1,176,816	92,891	82,894
	RF	286,326	-	297,272	-	-
	FF	-	-	-	-	-
(5) Consumer Protection: Consumer Protection and Antitrust		2,741,172	-	2,842,508	92,891	82,894
	FTE	28.0	-	28.2	1.0	1.0
	GF	1,302,530	-	1,368,420	-	-
	GFE	-	-	-	-	-
	CF	1,152,316	-	1,176,816	92,891	82,894
	RF	286,326	-	297,272	-	-
	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 2016-17 Funding Request
November 1, 2015*

*Cynthia H. Coffman
Attorney General*

*David C. Blake
Chief Deputy Attorney General*

*Melanie J. Snyder
Chief of Staff*

Department Priority: 4
Request Title: Consumer Protection Compliance Investigator DI

Summary of Incremental Funding Change for FY 2016-17	Total Funds	FTE	CF	RF
Total	\$92,891	1.0	\$92,891	
Consumer Protection and Antitrust	\$92,891	1.0	\$92,891	

Summary of Incremental Funding Change for FY 2017-18	Total Funds	FTE	CF	RF
Total	\$82,894	1.0	\$82,894	
Consumer Protection and Antitrust	\$82,894	1.0	\$82,894	

Request Summary:

The Department of Law is requesting 1.0 FTE and \$ 92,891 in Custodial Fund spending authority for FY 16 - 17 to support and bolster the efforts and workload expansion for the Consumer Fraud Unit and the Antitrust Tobacco and Consumer Protection Unit. This request is for 1.0 Compliance Investigator I to support both Units. This request will allow the Department of Law to better protect Colorado consumers across a wide range of deceptive trade practices. Additionally these resources will enable the agency to manage the large volume of consumer complaints and inquiries received each year, better manage a growing number of lawsuits, more efficiently investigate and resolve complaints while providing timely restitution payments to victims.

Background Information:

The **Consumer Fraud Unit** handles general enforcement obligations under the Colorado Consumer Protection Act, including the Motor Vehicle Repair Act and the Charitable Solicitations Act. The attorney FTE are generally funded while the classified staff are funded out of custodial funds. The Unit is witnessing increasing workload and litigation need due to the continued elevated level of consumer complaints and the increase in deceptive business either operating in Colorado or victimizing Colorado consumers.

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

Foreclosure Protection Act, Colorado's mortgage loan originator and mortgage fraud statutes, the No-Call List Act, and the state and federal antitrust acts. It is also responsible for enforcing the Tobacco Master Settlement Agreement and related statutes.

Problem:

In CY 2013 Complaint Intake evaluated its business practices and identified the need for enhanced consumer complaint examination and analysis of the large volume of consumer complaints received. The identified need was to more thoroughly screen, investigate, and identify the most egregious investigative targets in violation of the Colorado Consumer Protection Act along with a secondary need to provide direct investigative support to two Criminal Investigators, averaging around 15 active cases per investigator.

Complaint Intake consists of four FTE – a General Professional IV, General Professional III, a Program Assistant I, and an Administrative Assistant II. Complaint Intake handled more than 14,400 direct incoming phone calls in CY 2014, received, scanned, reviewed, and responded to over 7,640 mail and electronic consumer complaints, developed public fraud advisories and distributed just over 21,000 units of consumer educational materials, such as the Identity Theft Repair Kit, the Consumer Guide for Military Members, Protecting Personal Information – A Guide for Business, along with numerous other state and federal publications, while continuing the development and publication of a quarterly electronic fraud newsletter that reaches tens-of-thousands of consumers throughout Colorado. The Unit also is largely responsible for the development of consumer outreach programs, including the development and marketing of the new consumer fraud outreach website, StopFraudColorado.gov, launched in December 2014. The Unit is responsible for maintaining and updating StopFraudColorado.gov and the consumer protection sections of the Attorney General's web site along with managing three social media

accounts (Facebook, Twitter, and Google +) and the revamping of existing digital and print publications. Complaint Intake is also largely responsible for the processing and distribution of funds recovered from lawsuits and settlements to disseminate to consumer victims, having distributed restitution payments totaling \$2,320,673.48 to 1,393 consumers from CY 2013 – CY 2014 with an additional estimated distribution of \$895,000 to over 1,000 consumers in CY 2015.

While staffing levels appear to remain adequate for the general processing of the large volume of complaints and telephone calls received, the need for permanent personnel to conduct detailed complaint reviews and provide investigative support persists. With the direct assistance of 1 full-time temporary FTE from November 2013 – August 2015, Complaint Intake gained the capacity to conduct in-depth fraud analysis of 6,768 consumer complaints along with initial business reviews related to 108 businesses. Related work includes investigative support in; conducting public records search, identifying current/former employees, business owners and affiliated companies, verifying registered agents and company addresses, reviewing social media and associated websites, thorough complaint reviews and run database reports to gather statistical data such as industry comparisons, complaint history, case mapping, conduct initial interviews of some complainants and former employees, draft business reviews and compile comprehensive reports of all findings while making investigation recommendations.

With the continued increase in caseload, the recent implementation of the new Colorado Department of Law Office of Community Engagement (OCE) dedicated to bringing together stakeholders, communities, business associations, non-profits, and government agencies together, along with active investigations into large, multinational corporations, we estimate consumer complaints for CY 2015 will again remain elevated if-not exceed historical complaint levels.

Enforcement actions typically begin with consumer complaints, although some actions are based on multi-state investigations coordinated through the National Association of Attorneys General. Most investigations are fairly complex, involving numerous consumer complainants, review of thousands (and sometimes tens or even hundreds of thousands) of pages of documents, and interviews and/or depositions of dozens of witnesses. Lack of adequate staffing can lead to bottlenecks at numerous places throughout this process.

Without time or resources to thoroughly review and analyze all consumer complaints in a timely and efficient manner, potentially new investigations are delayed in being referred to investigators and/or civil prosecutors for formal action. In addition critical customer service and consumer outreach efforts are hindered. That delay means that deceptive trade practices continue, more consumers and honest businesses are harmed, and much needed financial reimbursement to victims is delayed. The addition of a Compliance Investigator I would help alleviate this bottleneck by freeing up more time for the critical complaint review, analysis, and provide investigative support to bring investigations and civil prosecution actions against violation of Colorado Law.

Anticipated Outcomes:

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

Assumptions for Calculations:

The department is assuming this position will be filled at the mid-range for the classification. As mentioned above, the cases within this area of law and regulation are complex and significantly litigious. As such the Units require the requested Compliance Investigator I have more experience in order to best serve Colorado consumers.

Calculations are based on 1.0 Compliance Investigator I at the August 3, 2015, average salary for DOL Compliance Investigator I and associated benefits and operating dollars. (See Chart 2 and Chart 3 below.)

Consequences if not funded:

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

Impacts to Other State Agencies:

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

Current Statutory Authority or Needed Statutory Change:

No statutory changes are needed.

Chart #1: Decision Item Calculations

Calculations for 1.0 Compliance Investigator I	FY 17	FY 18
Supplies @ \$500/\$500	\$500	\$500
Computer @ \$900/\$0	\$900	\$0
Office Suite Software @ \$330/\$0	\$330	\$0
Office Equipment @ \$8,767/\$0 (includes office furniture, chair, bookcase)	\$8,767	\$0
Telephone Base @ \$450/\$450	\$450	\$450
Total Operating	\$10,947	\$950

Monthly Salary Comp Investigator I Midpoint of Range	\$4,865	\$4,865
Annual Salary 2 AAG, 11 months FY 16 and 12 months FY 17	58,380	58,380
PERA at 10.15%	\$5,926	\$5,926
Medicare at 1.45%	\$847	\$847
AED @ 4.8%	\$2,802	\$2,802
SAED @ 4.75%	\$2,773	\$2,773
STD @ .022%	\$128	\$128
Est HLD at Employee + Spouse	\$11,088	\$11,088
Total PS	\$81,944	\$81,944

Total Compliance Investigator I	\$92,891	\$82,894
CF	\$92,891	\$82,894

Chart #2: Compliance Investigator I Pay Range:

Class Title	Class 6 Code	Range Minimum Q1	Minimum Q2	Range Midpoint Minimum Q3	Minimum Q4	Range Maximum
COMPL INVEST I	H6K2TX	\$3,949	\$4,406	\$4,865	\$5,322	\$5,780

Schedule 13 Funding Request for the 2016-17 Budget Cycle

Department: Department of Law
Request Title: Accounting Technician III 1.0 FTE
Priority Number: R-5

Dept. Approval by:  10/13/15
Date

X Decision Item FY 2016-17
 Base Reduction Item FY 2016-17
 Supplemental FY 2015-16
 Budget Amendment FY 2016-17

OSPB Approval by: _____
Date

Line Item Information		FY 2015-16		FY 2016-17		FY 2017-18
		1	2	3	4	6
Fund	Fund	Appropriation FY 2015-16	Supplemental Request FY 2015-16	Base Request FY 2016-17	Funding Change Request FY 2016-17	Continuation Amount FY 2017-18
Total of All Line Items		Total	-	3,956,125	73,127	63,130
		3,660,902	-	45.2	1.0	1.0
		-	-	-	-	-
		-	-	-	-	-
		-	-	-	-	-
		3,893,902	-	3,956,125	73,127	63,130
		-	-	-	-	-
(1) Administration : Personal Services		Total	-	3,758,928	62,180	62,180
		3,454,299	-	45.2	1.0	1.0
		-	-	-	-	-
		-	-	-	-	-
		-	-	-	-	-
		3,687,299	-	3,758,928	62,180	62,180
		-	-	-	-	-
(1) Administration: Operating Expenses		Total	-	197,197	10,947	950
		206,603	-	-	-	-
		-	-	-	-	-
		-	-	-	-	-
		-	-	-	-	-
		206,603	-	197,197	10,947	950
		-	-	-	-	-

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: x
 Schedule 13s from Affected Departments:
 Other Information:



DEPARTMENT OF LAW

*FY 2016-17 Funding Request
November 1, 2015*

*Cynthia H. Coffman
Attorney General*

*Melanie J. Snyder
Chief of Staff*

*David C. Blake
Chief Deputy Attorney General*

Department Priority: 5
Request Title: Accounting Technician III 1.0 FTE Decision Item

Summary of Incremental Funding Change for FY 2016-17	Total Funds	FTE	CF	RF
Total	\$73,127	1.0	\$0	\$73,127
Administration Personal Services	\$62,180	1.0	\$0	\$62,180
Administration Operating	\$10,947		\$0	\$10,947

Summary of Incremental Funding Change for FY 2017-18	Total Funds	FTE	CF	RF
Total	\$63,130	1.0	\$0	\$63,130
Administration Personal Services	\$62,180	1.0	\$0	\$62,180
Administration Operating	\$950		\$0	\$950

Request Summary:

The Department of Law (DOL) is requesting \$73,127 and 1.0 FTE in reappropriated spending authority, for FY 17, and \$63,130 in out years to meet increasing accounting workload due to programmatic increases in Workers' Compensation, Peace Officer Standards and Training Board (POST) marijuana grant distributions, and the general expansion in programmatic responsibilities and DOL staffing to support.

Background Information:

The financial section generally provides departmental accounting and financial services which include, in part: high level accounting and

reporting including preparing financial statements, exhibits and other management reports, accounts receivable, accounts payable, payroll, legal services billings, procurement services; and general compliance with Governmental Accounting Standards Board principles and state statutes.

Currently the DOL has 6.5 FTE dedicated to the accounting processes and fiscal rule and purchasing oversight. These 6.5 FTE include:

- The Department Controller;
- 2.0 Accountant III's;
- 1.0 Accountant II;

- 1.0 Accountant I;
- 1.0 Accountant Technician III, and;
- 0.5 Contract Administrator.

The Administration Section is funded with departmental indirect cost assessments that are collected from 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.

Problem:

The DOL accounting workload is growing beyond current staffing abilities due to three primary reasons: growth in Workers' Compensation within the DOL, the additional marijuana grant management through SB 15-215, and general programmatic expansion across the DOL enterprise.

The DOL Workers' Compensation Unit was established in coordination with the Department of Personnel and Administration (DPA) in August, 2013. The DOL worked with the DPA to transfer this representation from an outside provider to the DOL. This business decision has been beneficial to all state agencies that pay into the Workers' Compensation Account, as DOL counsel is provided at a lower hourly rate than outside counsel.

When the Workers' Compensation Unit was created, cases that were being defended by outside counsel remained with outside counsel, some of which are currently active, with new cases shifting to the DOL. The DOL has witnessed significant growth in workload (60% increase in matters) due to this business decision. (See Chart 1 below)

Workers' Compensation cases are workload intensive on accounting staff. Anytime a Worker's Compensation case is in litigation, the DOL orders medical records from any provider who has seen the claimant during the past 5 years. It would not be unusual to order from 15

or more providers per claimant. Some provider offices utilize a 3rd party vendor to process the requests and copy the records. In general, many of these vendors accept the state P-Card (credit card). For any provider who does not accept the state credit card, those invoices must be paid through the DOL financial team. Additionally, the Workers' Compensation Unit has added to the Financial Services' workload through contracting of services such as court reporters for depositions and travel costs for attorneys to attend depositions and hearings all over the state.

Secondly, the DOL increased the overall portfolio of grant dollars administered by the department by an estimated \$600,000 for FY 17, due to the implementation of SB 14-125. Originally, the DOL was appropriated \$1,168,000 to fund 1.0 FTE in POST to administer roughly \$1M in grant dollars. The DOL, in conjunction with the Governor's Office of Marijuana Coordination has determined a total need for these efforts for FY 17 and out years to be \$750,000. Even with the reduced dollar amount, roughly \$600,000 is still available for grant awards. All grant awards are reimbursable, meaning that grantees need to demonstrate that they have incurred the costs within the scope of the award. The review of these reimbursement requests is timely and significant. The DOL financial team did not receive any resources to accommodate this increased workload.

Lastly, the DOL FTE number has grown by 10% over the last three fiscal years. Each new FTE has similar accounting needs associated with their payroll and the payment of expenses incurred on behalf of the particular program each employee supports.

Anticipated Outcomes:

The approval of this budget request will allow the Financial Services Team to better and more efficiently meet the business needs of the DOL, while ensuring appropriate internal controls, review and oversight of accounting transactions, and generally better maintaining the financial integrity of the DOL.

Assumptions for Calculations:

1.0 Accounting Technician III at minimum of the pay range and associated benefits and operating dollars. (See Chart 3 below)

Consequences if not funded:

If this request is not funded, the DOL will be compromised in meeting the growing demands on the financial unit, thereby potentially impacting the appropriate due diligence on review of grant and general DOL expenses to ensure appropriate documentation and accounting integrity.

Impacts to Other State Agencies:

Based on FY 17 budget submission, roughly 77% of indirect recoveries are recovered from the Legal Services to State Agencies Line Item. $77\% * \$73,127 = \$56,308$. $\$56,308 / 411,023$ hours (FY 16 Long Bill hours plus special bills) = \$0.14 impact on legal rate.

Current Statutory Authority or Needed Statutory Change:

No statutory changes needed.

Chart 1: Workers' Compensation Comparison FY 14 and FY 15:

Workers' Comp	FY 14	FY 15	% Change
Matters	203	325	60%
Billable Hours	7,122.40	10,949.40	54%

Chart 2: Growth in FTE since FY 13 (year the DOL moved into the Carr Center)

Division	Long Bill FTE	Special Bills FTE	Total FTE FY 16	Total FTE FY 13	Change
Administration	45.2		45.2	41.7	3.5
Office of Community Engagement	5.8		5.8		5.8
Legal Svs to State Agencies	260.2	0.7	260.9	238.7	22.2
Special Prosecution Unit	37.8		37.8	32.5	5.3
Auto Theft Prevention Grant	2.0		2.0	2.5	(0.5)
Appellate	39.0		39.0	32.0	7.0
Medicaid Fraud Control Unit	17.0		17.0	17.0	0.0
Peace Officers Standards and Training Board	9.0		9.0	7.0	2.0
Safe2Tell				1.0	(1.0)
Federal and Interstate Water Unit	5.5		5.5	5.5	0.0
Defense of the Colorado River Compact	3.0		3.0	3.0	0.0
CERCLA	3.5		3.5	3.5	0.0
Consumer Protection and Antitrust	27.2	0.8	28.0	26.0	2.0
Consumer Credit Unit	20.0		20.0	20.0	0.0
CORA and OML Attorney	0.9		0.9		0.9
Total	476.1	1.5	477.6	430.4	47.2

Highlights of Changes:

Administration: Moved PIO from CP to Admin, new contracts administrator, new Legislative Liaison, new accountant associated with POST grants workload – not marijuana POST grants;

Office of Community Engagement: Combines the 3 additional FTE associated with Safe2Tell bill (SB -14-2) and 2 FTE to staff the OCE;

LSSA: Increases to legal support of state agencies, significant impacts include marijuana laws and increases to Workers' Compensation efforts;

Special Prosecution: 2 FTE associated with marijuana expertise, and two FTE from decision item (Program Administrator and First AAG), and 1.4 FTE associated with HB 13-1230 (Wrongful Incarceration);

Appellate: 6 attorneys and 1 administrative assistant to better align resources with workload and backlog reduction.

POST: 2 FTE associated with marijuana training and other training needs and associated grants;

Consumer Protection: Tobacco Legal support and attorney to support HB 15-1063.

Chart #3: Decision Item Calculations

Calculations for 1.0 Accountant Technician III	FY 17	FY 18
Supplies @ \$500/\$500	\$500	\$500
Computer @ \$900/\$0	\$900	\$0
Office Suite Software @ \$330/\$0	\$330	\$0
Office Equipment @ \$8,767/\$0 (includes office furniture, chair, bookcase)	\$8,767	\$0
Telephone Base @ \$450/\$450	\$450	\$450
Total Operating	\$10,947	\$950

Monthly Salary Accountant Technician III	\$3,508	\$3,508
Annual Salary	42,096	42,096
PERA at 10.15%	\$4,273	\$4,273
Medicare at 1.45%	\$610	\$610
AED @ 4.8%	\$2,021	\$2,021
SAED @ 4.75%	\$2,000	\$2,000
STD @ .022%	\$93	\$93
Est HLD at Employee + Spouse	\$11,088	\$11,088
Total PS	\$62,180	\$62,180

Total 1.0 Accounting Technician III	\$73,127	\$63,130
RF	\$73,127	\$63,130

Schedule 13
Funding Request for the 2016-17 Budget Cycle

Department: Department of Law
 Request Title: POST Marijuana Budget Reduction
 Priority Number: BR-1

Dept. Approval by: *John Pate* 10/13/15
 Date

Decision Item FY 2016-17
X Base Reduction Item FY 2016-17
Supplemental FY 2015-16
Budget Amendment FY 2016-17

OSPB Approval by: _____
 Date

Line Item Information		FY 2015-16		FY 2016-17		FY 2017-18
		1	2	3	4	6
	Fund	Appropriation FY 2015-16	Supplemental Request FY 2015-16	Base Request FY 2016-17	Funding Change Request FY 2016-17	Continuation Amount FY 2017-18
Total of All Line Items	Total	5,946,971	-	5,946,971	(418,000)	(418,000)
	FTE	9.0	-	9.0	-	-
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	5,946,971	-	5,954,725	(418,000)	(418,000)
	RF	-	-	-	-	-
	FF	-	-	-	-	-
(3) Criminal Justice and Appellate: Peace Officers Standards and Training Board Support	Total	5,946,971	-	5,946,971	(418,000)	(418,000)
	FTE	9.0	-	9.0	-	-
	GF	-	-	-	-	-
	GFE	0	-	-	-	-
	CF	5,946,971	-	5,954,725	(418,000)	(418,000)
	RF	-	-	-	-	-
	FF	-	-	-	-	-

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

Cash or Federal Fund Name and COFRS Fund Number: #15RS: Marijuana Cash Fund

Reappropriated Funds Source, by Department and Line Item Name:

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

Schedule 13s from Affected Departments:

Other Information:



DEPARTMENT OF LAW

*FY 2016-17 Funding Request
November 1, 2015*

*Cynthia H. Coffman
Attorney General*

*Melanie J. Snyder
Chief of Staff*

*David C. Blake
Chief Deputy Attorney General*

**Department Priority: BR-1
Request Title: POST Marijuana Budget Reduction**

Summary of Incremental Funding Change for FY 2016-17	Total Funds	FTE	CF
Total	(\$418,000)	0.0	(\$418,000)
Peace Officers Standards and Training Board Support	(\$418,000)	0.0	(\$418,000)

Summary of Incremental Funding Change for FY 2017-18	Total Funds	FTE	CF
Total	(\$418,000)	0.0	(\$418,000)
Peace Officers Standards and Training Board Support	(\$418,000)	0.0	(\$418,000)

Request Summary:

The Department of Law (DOL) is requesting a reduction of \$418,000 of Marijuana Cash fund dollars within the Peace Officers Standards and Training Board Support (POST), related to marijuana training efforts.

Background Information:

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.

SB 14-215 appropriated \$1,168,000 and 1.0 FTE to the DOL for POST marijuana training development and grant administration.

Problem:

The DOL has assessed workload and need over the past fiscal year and has developed a revised budget effort to continue to meet training needs within the law enforcement community.

The POST marijuana goal is to construct training program(s) to meet the needs of Colorado law enforcement in understanding and applying laws as it relates to marijuana. POST Board and staff meet with key stake holders in the law enforcement community to devise a best practices plan for developing curriculum that is critical to the understanding and application of the state's marijuana laws.

During FY 15, the DOL utilized \$712,991 of the \$1,168,000 on personnel costs, associated operating and grant programs. Over the course of the year, POST staff assessed the budget needs going forward to best meet the goals of the program and law enforcement, and globally to ensure marijuana resources are available across the state enterprise for the best purposes. As such, the DOL is proposing marijuana resources moving forward at \$750,000 annually for POST efforts.

DOL staff has consulted with Andrew Freedman, the Director of Marijuana Coordination on this budget proposal.

Anticipated Outcomes:

This request will better align POST marijuana training efforts with resources to support, without compromising the mission and goals of the POST marijuana efforts, while freeing up marijuana resources for other statewide purposes.

Assumptions for Calculations:

Please see Charts 1 and 2 below.

Consequences if not funded:

If this budget reduction is not acted on, the DOL will be appropriated dollars greater than proposed need, thereby minimizing other statewide efforts, these dollars could address.

Impacts to Other State Agencies:

This request reduces the annual transfer from the Department of Revenue to the DOL, for marijuana training efforts.

Current Statutory Authority or Needed Statutory Change:

No statutory changes needed.

Chart 1: Proposed Budget for FY 17 POST Marijuana Efforts

COST CATEGORY	Proposed Budget
Total est Cost GP III and operating for 12 months	\$ 90,421.00*
MJ Operating	\$ 30,000.00
Region ARIDE Courses (20 classes, 2 per region)	\$ 58,905.00
Denver ARIDE Courses (2 classes)	\$ 5,000.00
Printing	\$ 7,500.00
ARIDE and SFST student travel and lodging costs	\$ 50,000.00
SFST Instructor, SFST Refresher and Course Operator Classes (20 classes)	\$ 75,123.00
SFST 2 (8 hour annual updates)	\$ 20,000.00
Court Room Testimony (Consultant Trainer)	\$ 80,000.00
DUI Chekpoint Training (Consultant Trainer)	\$ 80,000.00
Marijuana 101 class instructor cost, and travel (20 classes) Train the Trainer	\$ 12,000.00
Refreshments and room rentals for DUI, Checkpoint & MJ 101	\$ 5,000.00
Marijuana 101 class printing	\$ 6,000.00
ACADIS LMS Hosting	\$ 40,000.00
Continued contract for intro to MJ training	\$ 78,000.00
School Outreach Campaign	\$ 60,000.00
Misc Expenses	\$ 52,051.00
Total Expenses	\$ 750,000.00
Total FY 16-17 Appropriation from SB 14-215 for POST	\$ 750,000.00

*\$78,503 estimated salary and all state paid benefits, FY 16

Chart 2: Budget Reduction Calculations:

POST Marijuana Budget from SB 14-215	\$1,168,000
Proposed Budget for FY 17	\$750,000
Budget Reduction Request	(\$418,000)

Schedule 13
Funding Request for the 2016-17 Budget Cycle

Department: Department of Law
 Request Title: Annual Fleet Vehicle Request
 Priority Number: Non Priority -1

Dept. Approval by: 
 Date

X Decision Item FY 2016-17
Base Reduction Item FY 2016-17
Supplemental FY 2015-16
Budget Amendment FY 2016-17

OSPB Approval by: _____
 Date

Line Item Information		FY 2015-16		FY 2016-17		FY 2017-18
		1	2	3	4	6
	Fund	Appropriation FY 2015-16	Supplemental Request FY 2015-16	Base Request FY 2016-17	Funding Change Request FY 2016-17	Continuation Amount FY 2017-18
Total of All Line Items	Total	70,416	-	70,416	(23,797)	-
	FTE	-	-	-	-	-
	GF	34,669	-	34,669	(13,096)	-
	GFE	-	-	-	-	-
	CF	7,255	-	7,255	(1,111)	-
	RF	26,290	-	26,290	(8,088)	-
	FF	2,202	-	2,202	(1,502)	-

(1) Administration:	Total	70,416	-	70,416	(23,797)	-
Vehicle Lease Payments	FTE	-	-	-	-	-
	GF	34,669	-	34,669	(13,096)	-
	GFE	0	-	-	-	-
	CF	7,255	-	7,255	(1,111)	-
	RF	26,290	-	26,290	(8,088)	-
	FF	2,202	-	2,202	(1,502)	-

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

Cash or Federal Fund Name and COFRS Fund Number: #1510 UCCC, #2960 POST, #16Z0 Insurance Fraud

Reappropriated Funds Source, by Department and Line Item Name: #26Q0 LSSA

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

Schedule 13s from Affected Departments:

Other Information:

Schedule 13
Funding Request for the 2016-17 Budget Cycle

Department: Department of Law
 Request Title: 0.5 Assistant Attorney General Colorado River
 Priority Number: Non Priority 2

Dept. Approval by: *J. Pata* 10/13/15
 Date -

Decision Item FY 2016-17
 Base Reduction Item FY 2016-17
 Supplemental FY 2015-16
 Budget Amendment FY 2016-17

OSPB Approval by: _____
 Date

Line Item Information		FY 2015-16		FY 2016-17		FY 2017-18
		1	2	3	4	6
	Fund	Appropriation FY 2015-16	Supplemental Request FY 2015-16	Base Request FY 2016-17	Funding Change Request FY 2016-17	Continuation Amount FY 2017-18
Total of All Line Items	Total	351,685	-	351,685	64,314	64,314
	FTE	3.0	-	3.0	0.5	0.5
	GF	-	-	-	-	-
	GFE	-	-	-	-	-
	CF	351,685	-	364,325	64,314	64,314
	RF	-	-	-	-	-
	FF	-	-	-	-	-

(1) Administration:	Total	351,685	-	351,685	64,314	64,314
Vehicle Lease Payments	FTE	3.0	-	3.0	0.5	0.5
	GF	-	-	-	-	-
	GFE	0	-	-	-	-
	CF	351,685	-	364,325	64,314	64,314
	RF	-	-	-	-	-
	FF	-	-	-	-	-

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

Cash or Federal Fund Name and COFRS Fund Number: #1000 Transfer from CWCB

Reappropriated Funds Source, by Department and Line Item Name:

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

Schedule 13s from Affected Departments:

Other Information:



DEPARTMENT OF LAW

*FY 2016-17 Funding Request
November 1, 2015*

*Cynthia H. Coffman
Attorney General*

*Melanie J. Snyder
Chief of Staff*

*David C. Blake
Chief Deputy Attorney General*

Department Priority:

Request Title: Assistant Attorney General 0.5 FTE CO River Non Prioritized Decision Item

Summary of Incremental Funding Change for FY 2016-17	Total Funds	FTE	CF
Total	\$64,314	0.5	\$64,314
Defense of the Colorado River Basin Impact	\$64,314	0.5	\$64,314

Summary of Incremental Funding Change for FY 2017-18	Total Funds	FTE	CF
Total	\$64,314	0.5	\$64,314
Defense of the Colorado River Basin Impact	\$64,314	0.5	\$64,314

Request Summary:

The Department of Law (DOL) is requesting \$64,314 0.5 FTE in cash spending authority, for FY 17, and out years to address increasing workload with Colorado River counsel, representation, and litigation efforts.

Background Information:

The Colorado River is commonly called the lifeblood of the west. Less than 20 percent of the entire Colorado River Basin lies inside Colorado; however, approximately 75 percent of the water in the entire river basin originates in the State. The river serves as a source of irrigation water for approximately 5.5 million acres of agriculture land and as a source of drinking water for more than 40 million people within the United States and Mexico. In Colorado alone, the river supports a \$300-billion-a-year economy

consisting of agriculture, municipal/industrial, energy and recreation sectors. The demands on the Colorado River have been exacerbated in recent years by an historic 15 year drought. During the 2000-2015 period, the Basin has experienced its driest period on record, with inflow to Lake Powell (the Upper Colorado River Basin's primary reservoir) registering above average in only 3 years, and Lake Mead (the Lower Colorado River Basin's primary reservoir) at its lowest storage level since it began filling in the 1930s.

In 2006, the Colorado Water Conservation Board (CWCB) agreed to fund "The Defense of the Colorado River Subunit" within the Federal & Interstate Water Unit of the Colorado Attorney General's Office to prepare for potential litigation and to provide legal counsel and representation to the

Department of Natural Resources (DNR), CWCB, the Colorado State Engineer and the Upper Colorado River Commission (UCRC) regarding the Colorado River Compacts and administration and management of the Colorado River system. Since then, the Unit's major tasks have included representing the State's Colorado River interests in interstate and environmental litigations involving the Colorado River, counseling and representing the CWCB and Compact Commissioner regarding legal and policy strategies relevant to the Colorado River, preparing a litigation database of the voluminous documents relevant to the Colorado River, and assisting the State Engineer in preparing for enforcing the State's obligations under the Colorado River compacts. The Unit has also represented the State's water agencies in Colorado River negotiations with the Colorado River basin states that are signatories to the Colorado River Compact, various Federal agencies and the Republic of Mexico.

Currently, the Unit is comprised of 2 FTE Attorneys and 1 FTE Legal Assistant. As a result of the Colorado River Basin's extended drought and increasing competition for Colorado River water, the demands on the Unit to assist its client agencies in protecting the State's entitlements to and authorities over the Colorado River have increased significantly.

Workload Needs:

The Unit's current and anticipated workload involves projects and cases such as:

- (1) Developing and implementing the System Conservation Pilot Program in the Upper Colorado River Basin. This entails drafting, negotiating and facilitating agreements between five separate funding entities and the UCRC, and between the UCRC and the contractors selected to participate in the program. This program is the first of its kind in the Upper Basin and has required evaluation, investigation and creativity in suitable mechanisms for employing the pilot program in the four separate Upper Division States in a manner that will promote and not undermine the UCRC's and Upper Division States' respective reputations with interested water users going forward. Currently, 11 separate agreements are in the process of being finalized and executed. Additional agreements are expected to be needed for the upcoming water year to further implement the

program. The Unit has provided and will continue to provide all of the legal counsel, drafting and coordination for this program.

- - (2) At the request of the UCRC, coordinating the development of an Upper Basin Contingency Plan in the event the current 15 year drought persists. The types of management decisions that the UCRC is analyzing for drought contingency include: (1) augmentation through expanded cloud seeding efforts; (2) releases of water in storage at upstream reservoirs (Navajo Reservoir, the Aspinall Unit, and Flaming Gorge Reservoir) triggered given conditions of concern; and (3) demand management. The second and third items are new concepts that involve significant technical and legal consideration to protect the state's interests. The Unit has been providing and will continue to provide the legal review associated with these efforts.
 - - (3) Providing legal review and representation for the CWCB and UCRC in their involvement with the 7-Basin States and United States' negotiations with Mexico concerning binational cooperation on the Colorado River. The Unit served as the lead representative for the Upper Colorado River Basin in the negotiation of Minute 319 to the 1944 Water Treaty, which was finalized in 2012. That Minute is set to expire in 2017 and the Department of the Interior is working to negotiate a new Minute by summer of 2016. The Unit, therefore, will participate in U.S. and Basin State discussions on negotiation strategies and positions to take with Mexico and provide legal advice for Colorado and the UCRC concerning the appropriateness of terms that will encompass shortage sharing, enhanced storage opportunities, project development, salinity control, etc.
 - - (4) Preparing the state and the UCRC for negotiations among the 7-Basin States and Department of the Interior regarding the extension and/or update to the 2007 Interim Operating Guidelines. Per these Guidelines, negotiations on new guidelines must begin in 2020 at the latest. The Unit is working to prepare a document that identifies intended objectives of the Guidelines, lessons learned from implementation of the Guidelines, gaps

within the Guidelines, and considerations for upcoming negotiations.

- (5) Representing DNR, the CWCB and the UCRC in consultations with the Department of the Interior regarding development of the Environmental Impact Statement for the Long-Term Experimental Management of Glen Canyon Dam. This EIS contemplates changing operations for the next 20 years to protect or improve resources downstream of the facility. The Unit has provided and will continue to provide legal review and advice on the EIS documentation for Colorado and the Upper Basin to consider when asserting positions and concerns with the Department and establishing the administrative record for this process.
- (6) Representing the CWCB's interests in the Animas La Plata Project. The CWCB holds a contract for water from the ALP Project, as do the Southern Ute and Ute Mountain Tribes and a few entities in New Mexico. The Unit represents the CWCB's legal interests in negotiations with these ALP Association Members and serves as counsel for CWCB in the ongoing Diligence Proceeding for the ALP Water right.
- (7) Representing DNR and CWCB in negotiations and establishing the administrative record for Endangered Species Act, Land and Resource Management Plan, and related matters. The Unit has been actively involved in analyzing draft designations and plans and preparing comment letters on behalf of DNR to protect the state's interests in waters related to these matters.
- (8) Counseling the CWCB in negotiations on the Forest Service's claims to reserved water rights in Water Division 7. The Forest Service has renewed interest in asserting reserved water rights in the southwestern part of the state. The Unit is representing the CWCB in discussion of these matters with the Forest Service and interested stakeholders.
- (9) Representing the CWCB in the Navajo Nation's lawsuit against the Department of

the Interior concerning, among other things, Records of Decision that inform operation of Lake Powell and Lake Mead. The Navajo has challenged operation of Lake Mead as a breach of fiduciary duty and violation of, among other things, NEPA. CWCB intervened in the matter, along with a number of other water users, to protect an interest in preserving operation of the Lake Powell and Lake Mead through the 2007 Interim Operating Guidelines. The case is currently pending before the 9th Circuit Court of Appeals.

- (10) Participating in discussions within DNR and with water users regarding plans for developing Colorado's apportionment under the Compacts, opportunities for implementing statewide and/or region wide water banking, and proposed ideas for adopting a statewide water plan.
- (11) 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. The Unit works with and monitors outside vendors for the collection, scanning and organization of millions of documents. This work is in anticipation of litigation that could arise 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.

The workload outlined above is not expected to diminish. The claims to and interests in the Colorado River have only increased since the Unit was established. Increasing water demands and decreasing water supplies will only emphasize the need for Colorado to protect its rights and benefits to its namesake River.

Anticipated Outcomes:

The approval of this budget request will allow the DOL to continue to best defend the state’s interests on the Colorado River.

Assumptions for Calculations:

Mid-range salary for Assistant Attorney General and associated state paid benefits.
(See Chart 1 below)

Impacts to Other State Agencies:

This request will increase the annual transfer of grant dollars from the CWCB to the DOL. The DOL receives these resources annually from the CWCB

through a grant award. The DOL, through 24-31-108(1)(b)(1) C.R.S., is authorized to solicit, receive, and spend grant dollars. As such, the DOL is allowed to spend the resources received from the CWCB above the dollar amount appropriated by the Legislature through the Long Bill. The DOL is making this request to maintain transparency with the Legislature and to better line up FTE and dollar resources in the Long Bill with expected resources from the CWCB for transparency purposes.

Current Statutory Authority or Needed Statutory Change:

No statutory changes needed.

Chart 1: Decision Item Calculations

0.5 Assistant Attorney General	FY 17	FY 18
Supplies @ \$500/\$500	\$500	\$500
Telephone at \$450/year	\$450	\$450
Total Operating	\$950	\$950

Monthly Salary AAG Midpoint of Range	\$7,179	\$7,179
Annual Salary 6 months annually	43,071	43,071
PERA at 10.15%	\$4,372	\$4,372
Medicare at 1.45%	\$625	\$625
AED @ 4.8%	\$2,067	\$2,067
SAED @ 4.75%	\$2,046	\$2,046
STD @ .022%	\$95	\$95
Est HLD at Employee + Spouse	\$11,088	\$11,088
Total PS	\$63,364	\$63,364

Total 0.5 Assistant Attorney General	\$64,314	\$64,314
CF	\$64,314	\$64,314

Schedule 13 Funding Request for the 2016-17 Budget Cycle

Department: Department of Law

Request Title: OIT Decision Item

Priority Number: NP-03

Dept. Approval by:

John Pata 10/13/15
Date

OSPB Approval by:

Date

XDecision Item FY 2016-17
Base Reduction Item FY 2016-17
Supplemental FY 2015-16
Budget Amendment FY 2016-17

Line Item Information		FY 2015-16		FY 2016-17		FY 2017-18
		1	2	3	4	6
Fund	Fund	Appropriation FY 2015-16	Supplemental Request FY 2015-16	Base Request FY 2016-17	Funding Change Request FY 2016-17	Continuation Amount FY 2017-18
Total of All Line Items		Total	-	224,065	15,706	15,706
		FTE	0.0	0.0	0.0	0.0
		GF	123,241	62,302	4,367	4,367
		GFE	-	-	-	-
		CF	51,968	25,151	1,763	1,763
		RF	257,417	130,527	9,149	9,149
		FF	12,339	6,085	427	427
(1) Administration: Payments to OIT		Total	-	224,065	15,706	15,706
		FTE	-	-	-	-
		GF	123,241	62,302	4,367	4,367
		GFE	-	-	-	-
		CF	51,968	25,151	1,763	1,763
		RF	257,417	130,527	9,149	9,149
		FF	12,339	6,085	427	427

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

Cash or Federal Fund Name and COFRS Fund Number: Various department cash funds

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: