

		APPROPRIATION FROM				
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART X
DEPARTMENT OF LAW**

(1) ADMINISTRATION

Personal Services	2,204,957 (38.7 FTE)	104,899			2,100,058(T) ^a	
Health, Life, and Dental	735,548	266,810		5,619 ^b	448,370 ^c	14,749
Short-term Disability	27,702	8,971		222 ^b	17,740 ^c	769
Salary Survey for Classified Employees	341,907	161,846		3,587 ^b	151,516 ^c	24,958
Salary Survey for Exempt Employees	742,155	199,053		2,995 ^b	534,219 ^c	5,888
Performance-based Pay Awards for Classified Employees	80,155	38,086		922 ^b	35,109 ^c	6,038
Performance-based Pay Awards for Exempt Employees	256,750	68,571		1,075 ^b	184,991 ^c	2,113
Worker's Compensation	40,014	13,795		231 ^b	25,034 ^c	954
Operating Expenses	222,021	222,021				
Administrative Law Judge Services	5,135				5,135 ^c	
Purchase of Services from Computer Center	31,577	31,577				
Payment to Risk Management and Property Funds	71,863	71,863				
Vehicle Lease Payments	56,920	21,065			34,656 ^c	1,199
Information Technology Asset Maintenance	110,825	38,207		641 ^b	69,334 ^c	2,643

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Upgrade the Office Suite and Windows Operating System	23,400					23,400 ^c	
Leased Space	12,600		4,258			7,996 ^c	346
Capitol Complex Leased Space	768,418		264,914		4,443 ^b	480,734 ^c	18,327
Attorney General Discretionary Fund	<u>5,000</u>		5,000				
		5,736,947					

^a This amount shall be from indirect cost recoveries.

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

^c Of these amounts, \$2,009,865 shall be from various sources of cash funds exempt, of which \$1,882,470(T) shall have a (T) designation, and \$8,369 shall be from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund created pursuant to Section 24-22-115 (2) (a), C.R.S.

(2) LEGAL SERVICES TO STATE AGENCIES^{161, 162, 163}

Personal Services	13,453,142						
	(194.9 FTE)						
Operating Expenses	638,560						
Litigation Expenses	227,357						
Indirect Cost Assessment	<u>1,874,090</u>						
		16,193,149			450,000 ^a	15,743,149(T) ^b	

^a This amount shall include funds from the Division of Wildlife in the Department of Natural Resources, the Public Employees' Retirement Association, the State Lottery Division in the Department of Revenue, the Correctional Industries Subprogram in the Department of Corrections, the Colorado Student Loan Program in the Department of Higher Education, Veterans' Nursing Homes in the Department of Human Services, Auraria Higher Education Center Enterprises, and the Colorado Student Obligation Bonding Authority.

^b This amount shall be from various sources of funds appropriated for legal services to state agencies.

(3) CRIMINAL JUSTICE AND APPELLATE

Special Prosecutions Unit	1,389,885		710,921		167,264 ^a	511,700(T) ^b	
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Appellate Unit	1,986,422		(8.8 FTE) 1,986,422		(2.0 FTE)	(6.0 FTE)	
Medicaid Fraud Grant ¹⁶⁴	975,934		(31.0 FTE) 243,983(M)				731,951
	(11.0 FTE)						
Capital Crimes Prosecution Unit ^{165, 166, 167}	409,419		409,419				
			(5.0 FTE)				
Peace Officers Standards and Training Board Support	255,186		100,186		145,000 ^c	10,000 ^d	
	(4.0 FTE)						
Victims Assistance	62,760					47,010(T) ^e	15,750
						(1.0 FTE)	
Indirect Cost Assessment	<u>76,925</u>				19,231 ^a	57,694 (T) ^f	
		5,156,531					

^a These amounts shall be from the State Compensation Insurance Authority.

^b Of this amount, \$299,257 shall be from the Department of Regulatory Agencies, Division of Securities, and \$212,443 shall be from the Department of Regulatory Agencies, Division of Insurance Cash Fund.

^c This amount shall be from the Peace Officers Standards and Training Board Cash Fund created pursuant to Section 24-31-303 (2) (a) (II) (b), C.R.S.

^d This amount shall be from reserves in the Peace Officers Standards and Training Board Cash Fund created pursuant to Section 24-31-303 (2) (a) (II) (b), C.R.S.

^e This amount shall be from the Department of Public Safety, Division of Criminal Justice, Victims Assistance and Law Enforcement Fund.

^f Of this amount, \$33,655 shall be from the Department of Regulatory Agencies, Division of Securities, and \$24,039 shall be from the Department of Regulatory Agencies, Division of Insurance Cash Fund.

(4) WATER AND NATURAL RESOURCES

Federal and Interstate Water Unit ¹⁶⁸	530,030		530,030				
			(7.0 FTE)				

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Defense of Arkansas River Compact	348,741		348,741				
Defense of Republican River Compact	254,000		254,000				
Consultant Expenses	50,000		50,000				
Comprehensive Environmental Response, Compensation and Liability Act	737,396 (9.3 FTE)		578,926			158,470(T) ^a	
Comprehensive Environmental Response, Compensation and Liability Act Contracts ¹⁶⁹	642,074		642,074				
Indirect Cost Assessment	<u>14,423</u>					14,423(T) ^a	
		2,576,664					

^a These amounts shall be from the Department of Public Health and Environment.

(5) CONSUMER PROTECTION

Consumer Protection and Anti-Trust	1,235,683		925,808 (12.5 FTE)		20,761 ^a (0.5 FTE)	289,114 ^b (3.0 FTE)	
Collection Agency Board	161,349 (2.5 FTE)				68,181 ^c	93,168 ^d	
Uniform Consumer Credit Code	629,402 (8.5 FTE)				170,190 ^e	459,212 ^f	
Consumer Protection Recovery Fund	49,500					49,500 ^g	
Indirect Cost Assessment	<u>134,619</u>					134,619 ^h	

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	2,210,553					

^a This amount shall be from the Manufactured Home Fund created pursuant to Section 6-1-603(4), C.R.S.

^b Of this amount, \$153,187 shall be from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund created pursuant to Section 24-22-115 (2) (a), C.R.S., and \$135,927 shall be from court-awarded settlements.

^c This amount shall be from the Collection Agency Board Fund created pursuant to Section 12-14-136, C.R.S.

^d This amount shall be from reserves in the Collection Agency Board Fund created pursuant to Section 12-14-136, C.R.S.

^e This amount shall be from the Uniform Consumer Credit Code Fund created pursuant to Section 5-6-204, C.R.S.

^f This amount shall be from reserves in the Uniform Consumer Credit Code Fund created pursuant to Section 5-6-204, C.R.S.

^g This amount shall be from court-awarded settlements.

^h Of this amount, \$81,733 shall be from reserves in the Uniform Consumer Credit Code Fund created pursuant to Section 5-6-204, C.R.S., \$24,039 shall be from reserves in the Collection Agency Board Fund created pursuant to Section 12-14-136, C.R.S., \$19,231 shall be from court-awarded settlements, and \$9,616 shall be from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund created pursuant to Section 24-22-115 (2) (a), C.R.S.

(6) SPECIAL PURPOSE

District Attorneys' Salaries	1,297,567	1,297,567				
Trinidad Correctional Facility Construction Litigation	<u>466,200</u>				466,200(T) ^a	
	1,763,767					

^a This amount shall be from the Department of Corrections.

TOTALS PART X

(LAW)^{5,6}	<u>\$33,637,611</u>	<u>\$9,599,013</u>	<u></u>	<u>\$1,060,362</u>	<u>\$22,152,551^a</u>	<u>\$825,685</u>
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^a Of this amount, \$20,981,174 contains a (T) notation.

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

5 All Departments, Totals -- Every department is requested to submit to the Joint Budget Committee information on the number of additional federal

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<p>and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2002-03. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.</p>						
6	All Departments, Totals -- The General Assembly requests that copies of all reports requested in other footnotes contained in this act be delivered to the Joint Budget Committee and the majority and minority leadership in each house of the General Assembly. Each principal department of the state shall produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format shall be submitted to the Office of Legislative Legal Services for publishing on the Internet. It is the intent of the General Assembly that this be done within existing resources.					
161	Department of Law, Legal Services to State Agencies -- In making this appropriation, it is the intent of the General Assembly that hourly billing rates charged by the Department for legal services to state agencies not exceed \$61.95 per hour for attorneys and \$50.11 per hour for paralegals, for an average rate of \$59.80.					
162	Department of Law, Legal Services to State Agencies -- Funds received by the Department for the provision of legal services shall be expended only if appropriated by the General Assembly.					
<u>163</u>	Department of Law, Legal Services to State Agencies -- The General Assembly requests that the Department of Law submit a report by January 15, 2003, detailing legal hours spent assisting each department in complying with the federal Health Insurance Portability and Accountability Act (HIPAA). Based on year-to-date legal hours used and projected future use of legal hours by client agency, the report should include any recommended shifting of legal hours to better allocate funding to those agencies who most need legal assistance in complying with HIPAA.					
164	Department of Law, Criminal Justice and Appellate, Medicaid Fraud Grant -- It is requested that all efforts be made to eliminate fraud and abuse occurring within the Colorado Medicaid program. To this end, the General Assembly requests that the Department of Law's Medicaid Fraud Control Unit produce a progress report on the Department's efforts to reduce Medicaid fraud and abuse in Colorado. The report should include: (1) estimates on the total amount of Medicaid fraud and abuse in Colorado; (2) an itemized list of total fines, costs, and restitutions recovered, on a case-by-case basis, attributable to the Medicaid Fraud Control Unit's efforts; (3) an analysis of the time and cost associated with each Medicaid fraud or abuse case prosecuted by the Medicaid Fraud Control Unit; (4) a detailed explanation of the Medicaid Fraud Control Unit's participation in the Operation Restore Trust program; (5) a detailed explanation of the Medicaid Fraud Control Unit's participation in global or national Medicaid fraud settlements, including total awards received due to them; and (6) evidence of the effectiveness of the Medicaid Fraud Control Unit in reducing the amount of Medicaid fraud and abuse in Colorado. The Medicaid Fraud Control Unit is requested to submit the report to the Joint Budget Committee by November 1, 2002.					

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
165	Department of Law, Criminal Justice and Appellate, Capital Crimes Prosecution Unit -- The Department is requested to report to the General Assembly, no later than October 15, 2002, on both the dollars and the FTE utilized by the district attorneys in prosecuting death penalty cases in FY 2001-02. In addition, the Department is requested to report no later than October 15, 2002, on the dollars and FTE utilized within the Department in assisting district attorneys in such death penalty cases in FY 2001-02.						
166	Department of Law, Criminal Justice and Appellate, Capital Crimes Prosecution Unit -- The Department is requested to report to the Joint Budget Committee, no later than October 15, 2002, on the allocation of Department resources in FY 2001-02 for death penalty cases. The report should itemize the number of hours and dollars dedicated to all aspects of the Department's work on death penalty cases, including researching and drafting, case investigation, and appearances in court. The report should also include information about the number of motions filed by the Department, as well as the number of motions responded to by the Department, in death penalty cases. The information requested should be provided for all Department units involved in prosecuting death penalty cases, including the Capital Crimes Unit and the Appellate Section.						
<u>167</u>	Department of Law, Criminal Justice and Appellate, Capital Crimes Prosecution Unit -- The Department is requested to submit a report to the General Assembly, no later than November 1, 2002, on the Department's recommendations regarding the cash funding of the Capital Crimes Prosecution Unit. Specifically, the report should examine the potential to charge local district attorneys for hourly assistance provided in considering, investigating, and prosecuting death penalty cases. The report should also provide a historical review of the types of local jurisdictions benefitting from the services of the capital crimes prosecution unit as well as analyzing the ability of local jurisdictions to pay for the Unit's services.						
<u>168</u>	Department of Law, Water and Natural Resources, Federal and Interstate Water Unit -- The General Assembly requests that the Department of Law submit a report by January 15, 2003, which details the Department's expenditures in the first half of FY 2002-03 for the following cases: (1) the Arkansas River Litigation; (2) the Republican River Litigation; (3) the federal reserved water rights case on the Gunnison River; (4) the federal reserved water rights case on the Arkansas River, and; (5) the federal reserved water rights case on the San Juan River. The Department should also include expenses on any other major water lawsuits for which Department staff expends significant amounts of time. The expenditure reporting should break down expenses for each case by: (1) the cost of Department attorneys; (2) the cost of private attorneys; (3) the cost of expert witnesses and consultants, and; (4) other operating costs.						
169	Department of Law, Water and Natural Resources, Comprehensive Environmental Response, Compensation and Liability Act Contracts; Department of Natural Resources, Executive Director's Office, Comprehensive Environmental Response, Compensation and Liability Act; and Department of Public Health and Environment, Hazardous Materials and Waste Management Division, Contaminated Site Cleanups -- The Departments are requested to work toward the goal of removing contaminated sites from the federal list of Superfund sites as soon as possible. In this regard, the departments are requested to cooperate in the preparation of a report on the State's CERCLA Program. The report should be prepared annually and should be submitted on November 1 with each department's budget request. This report should include detailed expenditures, by department, for CERCLA contracts, including actual, estimated, and requested funding for personal services, contract services, operating expenses, and other costs. The report should also include an analysis of long-term funding needs of the State in responding to, litigating, and cleaning up CERCLA sites, including estimated long-term maintenance costs for these sites. Finally, the report should discuss the possible downsizing of the State's CERCLA programs.						