

**JBC STAFF FISCAL ANALYSIS
HOUSE APPROPRIATIONS COMMITTEE**

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 AND 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.

Prime Sponsors: Representative Vaad
Senator King S.

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Summary of Amendments Made to the Bill After the 01/24/12 Legislative Council Staff Fiscal Note Was Prepared (Amended by the House Transportation Committee 01/25/12)

The House Transportation Committee Report dated January 25, 2012 inserted clarifying language that funding [*to administer "Multistate Highway Transportation Agreement"*] shall be provided from the funding available to the Colorado State Patrol for operating expenses (Highway Users Tax Fund) and Motor Carrier Safety Assistance Program Grants (federal funds) and budgeted or expensed to the Colorado State Patrol. JBC Staff and Legislative Council Staff agree that this amendment does not have a fiscal impact.

JBC Staff Concurrence with Legislative Council Staff Fiscal Note

Concurs Does Not Concur Updated Analysis

Reason for the Update

The update is to account for changes to indirect cost recoveries in both Departments, and to correct a minor technical error in the original Legislative Council Staff Fiscal Note that identified a General Fund Impact that should have been identified as a cash funds impact from the Highway Users Tax Fund (HUTF).

The General Fund impact is the result of the different indirect cost recovery plans for each department. The Department of Revenue General Fund impact is an increase of \$379,400 which is partially offset by Department of Public Safety General Fund impact of a decrease of \$283,704, leaving a net General Fund impact of an increase of \$95,696.

Amendments/Appropriation Status

The bill requires but does not contain an appropriation clause. Staff has prepared amendment **J.001** (attached) to add provisions appropriating \$156,214 cash funds from HUTF off-the-top moneys in FY 2011-12 to the Department of Revenue to reprogram the Department's information technology (IT) systems and to prepare them to connect to the Department of Public Safety's IT systems on the effective date of the bill and, for FY 2012-13, the appropriations are detailed in the following tables. Please note that neither the Department of Public Safety nor the Department of Revenue have had figure setting before the Joint Budget Committee, so these numbers are subject to change.

Summary Table Appropriations and Adjustments to the 2012 Long Bill						
Department	Total	FTE	General Fund	Cash Funds	HUTF	Reapprop. Funds
Department of Revenue	(\$11,566,868)	(122.3)	\$379,400	(\$42,467)	(\$11,939,874)	\$36,073
Department of Public Safety	<u>13,054,631</u>	<u>122.3</u>	<u>(283,704)</u>	<u>248,906</u>	<u>12,488,035</u>	<u>601,394</u>
Difference	\$1,487,763	0.0	\$95,696	\$206,439	\$548,161	\$637,467

Department of Public Safety Appropriations and Adjustments to the 2012 Long Bill						
Division/Line Item/Purpose	Total	FTE	General Fund	Cash Funds	HUTF	Reapprop. Funds
<u>Executive Director's Office</u> Various Personal Services and Centrally-appropriated line items for direct and indirect costs related to the Ports of Entry Program and adjustments for indirect cost recoveries	\$2,294,746	4.5	(\$283,704)	\$38,696	\$1,938,360	\$601,394
<u>Ports of Entry (Transferred from the Department of Revenue)</u> Ports of Entry	8,496,667	117.8	0	210,210	8,286,457	0
<u>Capital Construction</u> For 4 Capital Construction projects	<u>2,263,218</u>	<u>0.0</u>	<u>0</u>	<u>0</u>	<u>2,263,218</u>	<u>0</u>
Total	\$13,054,631	122.3	(\$283,704)	\$248,906	\$12,488,035	\$601,394

Department of Revenue Appropriations and Adjustments to the 2012 Long Bill						
Division/Line Item/Purpose	Total	FTE	General Fund	Cash Funds	HUTF	Reapprop. Funds
<u>Executive Director's Office</u>						
Various Line Items -For transfer of direct and indirect program costs related to Ports of Entry Program and adjustments for indirect cost recoveries)	(1,881,152)	(2.0)	\$283,349	\$61,287	(\$2,250,488)	\$24,700
<u>Central Department Operations Division</u>						
Postage and adjustments for indirect cost recoveries	107,784	0.0	75,927	34,921	(14,437)	11,373
<u>Division of Motor Vehicles - Administration</u>						
Personal Services and Operating Expenses (For transfer of direct program costs and adjustments for indirect cost recoveries)	(95,916)	(2.5)	20,124	35,461	(151,501)	0
<u>Division of Motor Vehicles - Driver and Vehicle Services</u>						
Transfer of Commercial Driver's License and International Registry Programs from Motor Carrier Services	597,101	10.0	597,101	0	0	0
<u>Motor Carrier Services Division</u>						
Transfer to DPS (For Direct Program Costs)	(7,470,440)	(117.8)	0	(210,210)	(7,260,230)	0
Transfer International Registry Program to Division of Motor Vehicles	(597,101)	(10.0)	(597,101)	0	0	0
<u>Enforcement Business Group - Limited Gaming Division</u>						
Indirect Cost Assessment	19,510	0.0	0	19,510	0	0
<u>State Lottery Division</u>						
Indirect Cost Assessment	16,563	0.0	0	16,563	0	0
<u>Capital Construction</u>						
For 4 Capital Construction projects	(2,263,218)	0.0	0	0	(2,263,218)	0
Total	(\$11,566,869)	(122.3)	\$379,400	(\$42,468)	(\$11,939,874)	\$36,073

Bill Sponsor Amendments

Staff is not aware of any sponsor amendments to be offered.

Points to Consider

The General Appropriation Act for 2012-13 has not been introduced. The appropriation adjustments in this bill are based on the requests of the Departments of Public Safety and Revenue. Thus, adjustments to the FY 2012-13 General Appropriation Act may be required through the budget true-up process.