



Stateline

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Colorado State Employees
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KEEPING COLORADO TEENS AND ROADS SAFE

BY GOVERNOR BILL OWENS

Each year, we lose far too many teenagers killed in senseless auto accidents. Nationwide, motor vehicle crashes are the leading cause of death for 15 to 20 year olds. In fact, teens – more than any other age group – have the highest fatality rate in motor vehicle crashes.

Here in Colorado, the latest statistics from the Colorado State Patrol tell us that 106 teens between the ages of 16 and 20 were killed in 2002. That means that one in every seven traffic deaths in the State was a teen driver or passenger.

Therefore, a priority this legislative session is to help curb the number of teenage fatalities from auto accidents. Fortunately, lawmakers have already been working to reform Colorado's laws addressing driving permits. I commend them for their efforts and urge their suggestions to be considered.

One piece of legislation toughens the requirements for a driver's permit and bumps up the age a teen is eligible for a permit by six months.

Because many of our fatal accidents occur when poor decisions are made, we should insist that our teens have adequate training before getting behind the wheel. Under this proposal, a teen who takes a driver's education course is allowed to get their permit before their peers who chose not to – one more incentive to encourage teens to enroll in a driver's education course.

Putting restrictions on our young people is nothing new. While I was in the Legislature, I sponsored a bill to raise the drinking age to 21, which has successfully reduced the number of alcohol related fatalities among teens.

Still, nothing can replace a parent's concern and involvement. Although laws are useful, parents are responsible for helping their children make the right decisions.

As a parent of teenage drivers myself, I understand the urgency of this issue. This year, I look forward to signing legislation that will help decrease the number of teenage fatalities on Colorado's roads.



Senator
Norma Anderson,
(R-Lakewood)

CIVIL SERVICE REFORM LEGISLATION INTRODUCED

BY SENATOR NORMA ANDERSON AND
REPRESENTATIVE ROSEMARY MARSHALL

On February 18, comprehensive civil service reform legislation was introduced in the Colorado House of Representatives.

This legislation is the product of extensive study, review, comment, and negotiation by the Department of Personnel & Administration (DPA), employees, and employee organizations. The Colorado Association of Public Employees (CAPE), the American Federation of State, County, and Municipal Employees Local 821 (the AFSCME group with one of the largest number of state employees), and the Association of Colorado State Patrol Professionals (ACSPP) actively participated in the discussions and negotiations, and have endorsed the reform package. The endorsement was unanimously approved by the CAPE board.

The legislation is contained in two bills: one is a measure to make constitutional changes (HCR 04-1005), and the other makes implementing statutory changes should the constitutional measure be adopted, as well as additional statutory improvements that can be made without a constitutional amendment (HB 04-1373). Both bills have been assigned to the House Business Affairs & Labor Committee. The bills are available for viewing and download at www.colorado.gov/dpa/csrf/index.htm. The constitutional measure must be passed by a 2/3 vote in each house of the General Assembly, and then be voted on at the November 2004 general election. The statutory bill requires the usual majority of each house and signature of the Governor.

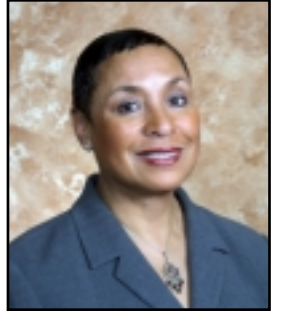
While the legislation has its origins in the Commission on Civil Service Reform which studied the system and held hearings last summer, most of the bills' final provisions are narrower than or entirely different from the Commission's

recommendations. DPA Executive Director Jeff Wells noted that, "while the Commission did an excellent job of identifying the problems with the current system, it did not arrive at the best solutions. The discussions with employees and employee organizations have enabled us to craft the best balance between employee protections and management flexibility."

For example, while the Commission recommended that appointing authorities be able to hire any qualified applicant, the legislation calls for expanding the "rule of 3" to a "rule of 6"; grounds for discipline would *not* be removed from the Constitution, as the Commission recommended, but instead are only being revised and clarified; and rather than exempting the Senior Executive Service from the civil service and allowing the General Assembly to determine the number, the legislation provides for a constitutional limit on the number of these exemptions. Employees currently occupying positions that would be exempted would have the right to be grandfathered with the full civil service protections they enjoy now.

Perhaps the biggest changes are in the areas of retention rights ("bumping") and contracting. While the Commission recommended only allowing bumping to vacant positions, the compromise legislation rejects this in favor of having bumping rights "vest" after five years of state service – much like PERA rights currently do. This eliminates the domino effect in positions held by newer employees, but still protects and recognizes seniority and the importance of employees who have made a career of state service.

The Commission also had recommended creating a new constitutional provision regarding contracting, *Please see REFORM, p. 4*



Representative
Rosemary Marshall,
(D-Denver)

THE GOVERNOR'S STAR AWARDS



MAY 12, 2004

AWARDS LUNCHEON FROM 11 AM – 2 PM
AT THE ADAM'S MARK HOTEL
1550 COURT PLACE, DENVER

Please take the time to nominate your fellow employees. Award descriptions and the nomination form may be accessed at www.colorado.gov/dpa/dhr/STARinstruct.pdf

**NOMINATIONS MUST BE
RECEIVED BY 5 P.M.
WEDNESDAY, MARCH 10**

Nominations received after the deadline or without the necessary approval will not be accepted.

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ASSIGNMENT: VIETNAM

By ED FELTER
SENIOR ADMINISTRATIVE LAW JUDGE, DPA

No previous trip has been as life-changing as my trip to Vietnam from November 28 to December 21, 2003. I was honored to be selected for the task of persuading the government of Vietnam that an independent central panel of administrative law judges is the best model for the resolution of regulatory law disputes. This was a dream assignment for me; it seems that I have been working up to it for most of my professional life, having spent eighteen years developing Colorado's central panel from a loose confederation of hearing officers into an administrative court system. I am grateful to all of my colleagues at the Division of Administrative Hearings for giving me slack and handling my dockets while I was away.

I was selected by the U.S. State Department's Office of Assistance and International Development as the international expert on administrative law for its Star Vietnam Project. The project was established to implement the Bilateral Trade Agreement between the U.S. and Vietnam, assisting the Vietnamese government in implementing mechanisms for resolving international trade disputes. Gilpin County Judge Fred Rodgers was their civil procedure expert the past two years, so apparently, Star and the Vietnamese like Colorado judges. Since Vietnam is still primarily an agrarian country, I infer that they like country boys better than big city boys.

I left Denver on Thanksgiving morning, and made a connection in Tokyo, where Japan Airlines misplaced my bag with most of my clothes. As a result, I was the last one to leave the customs area in Hanoi, after filling out "lost bag" forms. On the other side of the secured area a smiling Vietnamese man was waving at me. It was Lieu (pronounced "Leo"), who was my ride. On the long drive into town, Lieu asked me how much a Harley Davidson cost in the U.S. — an interesting question from an individual who spent seven years in Moscow and speaks better Russian than English. Using my

"survival" knowledge of Russian, Lieu and I became instant friends.

Saturday and Sunday were not a big problem without a change of clothes. On Saturday, I had a typical Vietnamese lunch with Steve Parker (head of the Star mission), Quang (deputy head), and John Bentley (chief legal advisor) driver. On Sunday, I



Judge Felter at Hoan Kiem Lake in Hanoi, Vietnam.

relaxed and walked around serene Hoan Kiem Lake, right in the center of Hanoi. It was 800 years ago when Emperor Le Loi was sailing on the lake as Vietnam was about to suffer one of many invasions by the Chinese. The story has it that a giant tortoise emerged from the lake, and gave the emperor a large sword with which to fight the Chinese. Le Loi repelled the Chinese, and as he was sailing again on the lake, the tortoise emerged and took the sword back. Ever since, Vietnam has consistently repelled Chinese invasions.

As of Monday morning, my other bag had not yet arrived and my only outer garment was the safari coat I flew in, so I bought a white shirt (size: XXXL). John and Lieu picked me up and we were off to a

forum regarding business and legal problems in Vietnam's emerging business market economy. The first person I met there was the Canadian Ambassador. He was a graceful French Canadian chap, who acted as if it were perfectly normal for me to be wearing a safari coat while Bentley was wearing a dark pinstripe suit.

The rest of the week was filled with general workshops and business forums, where John Bentley and I were the presenters. During our workshop for the Central Committee of the Communist Party of Vietnam, the chairman kept insisting that I drink more and more green tea at our breaks (maybe he wanted to get me out of the room more often). My other colleagues from the Star office, Quang and Hung (a young Vietnamese lawyer) ran the Vietnamese PowerPoint slides on one side while I ran the English slides on the other side. I had five separate slide shows to switch back and forth from, and Quang was going crazy switching back and forth with the Vietnamese slides. Later in the week, Bentley and I did our first technical workshop for the drafting team of the State Inspectorate (similar to the State Auditor). The director of the drafting team, Thanh (pronounced "Tang"), received his Ph.D in East Germany in 1989 — his friends kid him about being C.I.A. because the government fell when he was there.

On the following Sunday, Bentley, Quang, Hung and I left for Saigon, where we presented workshops over the next week. Although all the official documents, including airline tickets, say HCMC ("Ho Chi Minh City"), in conversation, everyone says "Saigon." On the way in, as we were passing the old Presidential Palace, Bentley reminded me of the story of Big Minh's (the last President of South Vietnam) surrender to the

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THE HOUSE THAT GENESIS BUILT

By BILL THOENNES
PUBLIC INFORMATION OFFICER, CDLE

Here's the assignment: design a beautiful office space for the Colorado Unemployment Insurance program. *Fine.* A high-quality building that enables people to work together. *No problem.* A modern office building that is an extension of an existing office building, one built almost a half century ago. *Now, hang on a minute ...*

No one would have blamed David Owen Tryba Architects for choosing to pass on that assignment from the Department of Labor and Employment. To start with a three story building at 251 East 12th Avenue in Denver — a state office building



Pictured from left to right: Ron Arthur, Director of Executive Operations CDLE; Mike Cullen, Director of Unemployment Operations CDLE; Jeffrey M. Wells, Executive Director of CDLE; and Don Peitersen, Director of the Employment and Training Division CDLE.

constructed in 1956 — and add onto it, creating one modern, spacious workplace, wasn't an easy task but the Denver architectural firm rose to the occasion and has created an ingenious design that will support and facilitate a new approach for providing services.

The concept of Unemployment Insurance (UI) compensation was simple when it was conceived over 70 years ago. But over the decades, layer upon layer of additional processes have been added, turning a once simple operation into a very complicated one. Several years ago, the Unemployment Insurance program initiated an ambitious reengineering process that would replace the old Ford conveyor belt model with a service delivery model for the Twenty-First Century. The Genesis Project, as it came to be called, strips out all the labor intensive processes and redundancies of the past so that services can be delivered quickly, efficiently and cost-effectively.



Model depicting original building (right side of picture) and the new addition.

At the heart of Genesis is a new way of getting the job done, one that emphasizes units working together as never before. "Bringing the UI Tax and UI Benefits operations together into an integrated system is what genesis is all about," says Don Peitersen, Director of the Division of Employment and Training. "You can't get the maximum efficiencies from Genesis until you get Tax and Benefits into one place." The building, just like the work processes and the computer software behind Genesis, is designed to support the call for people to work closer together.

A prime consideration in fusing the original building with new office space was that the old and the new flow together seamlessly. "We held

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DIVISION OF WILDLIFE BEGINS LYNX SNOW TRACKING

PREPARES FOR RELEASE FOR LYNX IN 2004

BY TODD MALMSBURY
CHIEF INFORMATION OFFICER, DIVISION OF WILDLIFE, DNR

The Colorado Division of Wildlife (DOW) has resumed winter tracking of the State's growing Canadian lynx population and is preparing to release up to 50 more lynx this spring as part of the agency's ongoing effort to restore the wild feline to its native Colorado habitat.



Adult lynx may be distinguished from bobcats by their prominent ear tufts and oversized paws.

Thirty-six lynx trapped in British Columbia and Quebec have already arrived in Colorado and more may be captured and sent to Colorado from other Canadian provinces this winter.

DOW tracking crews are already slogging through snowdrifts and climbing over downed timber at elevations above 10,000 feet in the San Juan Mountains to record movements, habitat preferences, and what prey the lynx hunt.

Detailed planning is underway for the April release of the 2004 contingent of lynx into some of Colorado's most rugged, isolated and roadless terrain, just the kind of habitat the animals prefer.

The 2004 efforts follow last year's first confirmed births of wild lynx in Colorado. Last summer, DOW trackers located six female lynx with a total of 16 kittens snugly tucked in dens at high-elevation sites in the core recovery area of southwest Colorado.

"Documenting the births was an important milestone in our ongoing efforts to recover this native species," said Rick Kahn, the DOW's senior biologist and leader of the agency's lynx recovery effort. "But we have much work to do, including releasing up to 50 more lynx this year and possibly up to 15 more each in 2005 and 2006. We still have a

long way to go before we reach our goal of having a self-sustaining lynx population back in Colorado."

The tracking crews, lead by DOW researcher Tanya Shenk, have confirmed more important milestones in the five-year-old reintroduction effort. Of the 33 lynx released in April 2003, only four mortalities have been confirmed.

"The mortality rate has dropped with each year's reintroduction effort," Kahn said. "The higher survival rate is probably due to the improved release protocol we have implemented and the fact that we already had lynx from our previous releases in established territories when we released animals last April."

Two weeks ago, lynx trackers found more good news. The tracks of a pair of Colorado-born lynx kittens were found with those of their mother, the first confirmation that lynx born last spring have survived so far.

"Based on the tracks we've found, we could have up to six lynx kittens, and there could be even more," Kahn said. "Given the high mortality rate typically associated with young lynx, this exceeds our expectations."

Scott Wait, the DOW's area biologist in Durango, said Quebec has provided 17 lynx and British Columbia another 20. All of the lynx are being held at a facility in southern Colorado where they'll be fed and cared for so they are in peak condition when released early this spring.

"We hope to receive more lynx from British Columbia and Manitoba before their trapping seasons end," Wait said. "Both provinces have had severe cold weather, making live-trapping of lynx difficult."

All of the lynx will be released into the core recovery area in southwestern Colorado where the previous releases have occurred. "We plan to begin releasing them the first week of April," Kahn said.

Lynx once inhabited much of Colorado's high country, but human activity and habitat changes led to the extirpation of the species around the State in the late 19th and early 20th centuries. The last confirmed lynx was illegally trapped near Vail in 1972.

Colorado began its reintroduction effort in 1999 when 41 lynx were released into the San Juan Mountains of southwestern Colorado. When starvation claimed four of the first five lynx released that year, the DOW's lynx recovery team developed new release protocols, including holding the lynx longer and releasing them in early spring when their prey species are more abundant.

The new release protocol has worked, resulting in a significantly lower mortality rate among the 55 lynx released in 2000 and the 33 released in 2003. Since then, lynx have established territories and delivered healthy young, two major milestones in the recovery effort.



A recent litter of lynx kittens.

"While much has been accomplished, there are still two key goals that must be met before the reintroduction can be called a success," Shenk explained. "The next step is for the lynx born in the state to reach sexual maturity and have young of their own. The final step is for lynx births to exceed the mortality rate," she said. "Only when that occurs will be able to call this effort a complete success."

If you would like to make a tax-deductible contribution to the Lynx Restoration Project, please visit www.cwhf.info to donate by credit card or mail your check or money order to the Colorado Wildlife Heritage Foundation at P.O. Box 211512, Denver, CO 80221. Help ensure a future for Colorado's wildlife.



Easier filing...Faster refund.

E-filing, or electronic filing, has revolutionized filing state and federal income tax returns. Preparing and submitting returns can be easier and less time-consuming than ever. Various Internet, telephone, and tax preparation services provide individuals with choices to fit their life styles. Last year more than 720,000 Colorado taxpayers submitted their taxes electronically and received their refunds faster.

The Colorado Department of Revenue offers two free electronic filing services for Colorado state income tax returns: Colorado NetFile and Colorado TeleFile. Taxpayers have the convenience of filing their state return either online, using NetFile or by touch-tone telephone with TeleFile. NetFile and TeleFile are available 24-hours a day, every day throughout the income tax season. Like all filers, NetFile and TeleFile users must gather the appropriate documents such as W-2s, 1099s, etc., but unlike paper filers are not required to mail those documents to the Department of Revenue. These free, convenient, and secure electronic filing systems not only save tax filers time but help speed the process of getting income tax refunds. Most Colorado filers are eligible to use either of these options.

IRS E-file, otherwise known as the Federal/State Electronic Filing (FSEF) program, now in its eleventh year, is a federal electronic filing system that enables taxpayers to file both federal and state returns together in one computer transmission. The computer transmission is sent directly to the IRS.

Once received and accepted by the IRS, the state income tax information is made available to and retrieved by the Colorado Department of Revenue. FSEF is a service provided by many tax professionals and is also available to taxpayers online via tax software providers. Qualified taxpayers may be eligible to receive this service at no-cost or low-cost.

STREAMLINING YOUR TAX FILING

BY MELISSA CHAVEZ
PUBLIC INFORMATION OFFICER, DOR

The Colorado Department of Revenue encourages Coloradans to take advantage of the convenience and security of filing electronically. For more information on electronic filing, visit www.coloradoefile.state.co.us.

WHICH OPTION IS BEST FOR YOU?				
	NetFile (*)	TeleFile (*)	IRS E-file with a tax preparer (~)	IRS E-file online with approved vendor (~)
Colorado resident for entire 2003 tax year	yes	yes	yes	yes
Part-year resident or non-resident	yes	no	yes	yes
First Time Filer	yes	no	yes	yes
Simple return	yes	yes	yes	yes
Complex return	yes	no	yes	yes
Child Care credit	yes	yes	yes	yes
Other credits	yes	no	yes	yes

All electronic filers may receive their Colorado refunds in 7-14 days.

(*) Free services offered by the Colorado Department of Revenue. File state returns only.
(~) IRS E-file using Federal/State Electronic Filing (FSEF) program.

VIETNAM, from p. 2

northern general. Big Minh told the general that he had been waiting for him in order to surrender. The general replied "you have nothing to surrender."

The next night, at John Bentley's insistence, we went up to the roof garden of the Rex Hotel (the grand old European hotel of Saigon) for a Saigon beer. From the roof garden, I saw a restaurant sign across the street that read "Louisiana-Vietnamese." The next night, Bentley, Quang and I tried it – the only Louisiana dish on the menu was gumbo but it was very good (the waitress said the owner had spent some time in New Orleans). Walking back from dinner, someone gave us cards advertising a foot massage and a cup of coffee for 100,000 Dong (about \$6.50). All three of us took the hour-long foot massage with the Vietnamese coffee -- it was a collegial, management exercise.

On Thursday, December 11, all of us flew to Danang in central Vietnam for a one day workshop. That afternoon, the Inspectorate picked us up in a van and we all went to the old port city of Hoi An, about 30 kilometers south, which was the main port of central Vietnam 100 years ago, until the river silted over. We hired twelve cyclos (bicycle-driven rickshaws) and proceeded in convoy through the narrow streets, stopping at different pagodas, craft shops and other landmarks, including a famous Japanese bridge. In some ways, Hoi An reminded me of the French Quarter in New Orleans.

The last Friday I was in Hanoi, Bentley and I did a morning technical workshop for the State Inspectorate drafting team. Afterwards, Thanh and the leaders of the drafting team hosted a surprise going-away lunch for me. The team presented me with a gift, and Thanh said that they had experienced a change of mind-set as a result of the workshops. This was a second gift; I realized my trip had been a success.

The next morning, Saturday, Lieu took me to the Ho Chi Minh Mausoleum. Behind the mausoleum is the humble but elegant House on Stilts, where Ho lived and worked until his death in 1969. Lieu took me to the airport around 9:00 p.m., and stuck around until I got within the secured international area – so he was the first and last person I saw in Vietnam.

I arrived in Tokyo around 6:00 Sunday morning, and had an eleven-hour layover, so I had a "chisai" latte at the local Starbuck's, a great Japanese lunch, and a \$42 haircut. I left Tokyo at 5:30 p.m. on Sunday and, crossing the International Date Line, arrived back in Denver at 2:30 p.m. on Sunday. I'm sure that I left part of my soul in Vietnam – so I'll have to go back.

GENESIS, from p. 2

brainstorming sessions and brought together leaders from throughout the program to determine the best layouts by floor and by section," explains Ron Arthur, Director of Executive Operations. "Those sessions resulted in some great ideas, things that even the architectural firm hadn't considered."

"We could simply join the two parts of the building with simple walkways," he says, "but in doing that, you would always have a feeling of two separate buildings. Instead, we're joining the two parts with expansive shared spaces so the feeling will be that you're in one building."

Work is moving ahead quickly on the building project and staff from UI Tax, currently at 1515 Arapahoe Street in Denver should be moving to the new address before Thanksgiving of this year.

ATTEND WILDLIFE WATCH FREE



Wildlife Watch is a wildlife viewing skills workshop. **State employees and family members** (adults and children over 12) are invited to attend any workshop **free of charge!** Participants need to register for Wildlife Watch online or by phone. The workshop dates, times and places are detailed on both the Web site and phone line. When you sign-up, be sure to let us know that you are a state employee and tell us how many are coming.

Register online at www.wildlifewatch.net
or by phone: 303- 291-7258

REFORM, from p. 1

and then following up with statutory changes to improve the process. The compromise legislation *does not* make any constitutional changes, but instead focuses on improving the contracting process we currently have. Before any contract can be signed, it will have to meet requirements relating to both cost-effectiveness and quality, and include protections against improper delegations of critical governmental functions, as well as sanctions for poor, late, or incomplete performance by contractors. Any contracting adversely affecting any employee's pay, status, or tenure is *flatly prohibited*, and if a vacant position is eliminated in order to outsource a service, the contracting department must document and justify the decision and provide advance notice to employees. Employees disagreeing with the decision would then be able to seek administrative, and ultimately, judicial review, to ensure the contract is consistent with the law. DPA will maintain a public contract database so that it will be possible, for the first time, to effectively monitor the impact that contracting has on the civil service system. The changes are very detailed and interested employees are encouraged to review the specific provisions for themselves.

In a joint statement, CAPE, AFSCME Local 821, and ACSPP said that the legislation "is vastly different from the recommendations in the Civil Service Reform Commission report," and will "preserve the fundamental principles of a merit-based civil service while streamlining obsolete provisions and strengthening employee protections."

The Colorado Federation of Public Employees did not fully participate in the negotiations but instead spammed several thousand state employees with an unsolicited e-mail claiming that the legislation "repeals" civil service protections. CAPE, AFSCME Local 821, and ACSPP noted that "it is unfortunate one of the employee organizations chose not to participate in the give and take required to actually craft an acceptable compromise. While we respect their right to differ on this issue, we do not believe their position serves the best interests of state employees."

STATELINE

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DO YOU KNOW OR WORK WITH AN OUTSTANDING MANAGER? NOMINATE THEM FOR THE CSMA MANAGER OF THE YEAR AWARD!

To be nominated, the manager must have:

- * at least five years' experience in middle or senior management
- * at least one year (of the five years, above) in their current job
- * a reputation for high ethical and professional standards
- * at least one major contribution in state government

The Award will be presented at the CSFA/CIMA/CSMA Spring Conference Awards Luncheon in Breckenridge on May 20, 2004. The recipient will receive a commemorative plaque and up to \$1000 toward educational purposes.

The deadline for nominations is March 31, 2004.

Send packets to: Jane Crisman, Department of Public Safety
700 Kipling Street #1000, Lakewood, CO 80215-5865.

PACKETS MUST BE RECEIVED BY MARCH 31ST

Stateside Matt Holman

