

CHAPTER 281

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**APPROPRIATIONS**

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**SENATE BILL 95-191**

BY SENATORS Lacy, Blickensderfer, and Rizzuto;  
also REPRESENTATIVES Grampas, Owen, and Romero.

**AN ACT**

**CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF REGULATORY AGENCIES.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** Part XIX of section 2 of chapter 354, Session Laws of Colorado 1994, is amended to read:

**SECTION 2. Appropriation.**

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

## Appropriations

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

**PART XIX  
DEPARTMENT OF REGULATORY AGENCIES**

**(1) EXECUTIVE DIRECTOR****(A) Director's Office**

Personal Services	440,654	7,050		25,000 <sup>e</sup>	<del>433,604 (T)<sup>a</sup></del> 408,604 (T) <sup>a</sup> (8.7 FTE)	
Group Health and Life	874,645	48,753		755,851 <sup>b</sup>	70,041 (T) <sup>a</sup>	
Short-term Disability	37,867	2,066		32,221 <sup>b</sup>	3,580 (T) <sup>a</sup>	
Salary Survey and Anniversary Increases	667,843	37,226		574,317 <sup>b</sup>	56,300 (T) <sup>a</sup>	
Workers' Compensation	161,740	9,015		135,602 <sup>b</sup>	14,909 (T) <sup>a</sup>	2,214
Operating Expenses	47,514	7,238		12,137 <sup>b</sup>	28,139 (T) <sup>a</sup>	
Legal Services	<del>3,043,136</del> 3,055,136	<del>57,400</del> 69,400		2,839,931 <sup>b</sup>	63,405 (T) <sup>a</sup>	82,400
Administrative Law						
Judge Services	<del>251,013</del> 332,575		36,284	<del>242,472<sup>b</sup></del> 285,034 <sup>b</sup>	8,541 (T) <sup>a</sup>	2,716

Purchase of Services					
from Computer Center	199,317	3,000	186,006 <sup>b</sup>	10,311 (T) <sup>a</sup>	
Payment to Risk Management					
and Property Funds	259,450	14,462	221,293 <sup>b</sup>	20,143 (T) <sup>a</sup>	3,552
Vehicle Lease Payments	114,803	4,260	108,455 <sup>b</sup>	2,088 (T) <sup>a</sup>	
ADP Capital Outlay	12,512	6,008	6,504 <sup>b</sup>		
Leased Space	1,703,466	119,081	1,335,671 <sup>b</sup>	230,601 (T) <sup>a</sup>	18,113
Capitol Complex Leased					
Space	5,186	4,342	844 <sup>b</sup>		
Centralized Data					
Processing <sup>124</sup>	42,550	2,738	36,718 <sup>b</sup>	3,094 (T) <sup>a</sup>	
Colorado Uninsurable UNINSURABLE					
Health Insurance Plan	4,385,060		2,500,000 <sup>c</sup>	1,885,060 <sup>d</sup>	
	<u>12,246,756</u>				
	12,340,318				

<sup>a</sup> Of these amounts, ~~\$842,627~~ \$817,627 shall be from indirect cost recoveries, and \$102,129 shall be from the Department of Public Health and Environment and the Department of Health Care Policy and Financing. ~~The departmental indirect cost recoveries will be reduced by the amount of revenue received from other departments for sunset reviews.~~

<sup>b</sup> These amounts shall be from various cash sources within the Department.

<sup>c</sup> This amount shall be from the Business Associates ASSOCIATIONS Unclaimed Moneys Fund.

<sup>d</sup> This amount shall be from reserves in the Colorado Uninsurable Health Insurance Cash Fund.

<sup>e</sup> THIS AMOUNT SHALL BE FROM OTHER DEPARTMENTS FOR SUNSET REVIEWS.

**(B) Office of Regulatory Reform**

Personal Services            225,402  
(5.5 FTE)

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	17,539						
Small Business Start-up Kit	25,000						
Indirect Cost Assessment	11,645						
	<u>279,586</u>				25,000 <sup>b</sup>	279,586 (T) <sup>a</sup>	254,586 (T) <sup>a</sup>

<sup>a</sup> This amount represents a transfer from the Department of Local Affairs, Economic Development Programs. Any amounts in state fiscal year spending are accounted for in the Department of Local Affairs appropriation. ~~Of this amount, \$15,000 is shown for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. These moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.~~

<sup>b</sup> THIS AMOUNT SHALL BE FROM NON-STATE GOVERNMENT SOURCES. FOR THE PURPOSES OF COMPLYING WITH THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY ARTICLE X, SECTION 20 OF THE STATE CONSTITUTION, THESE MONEYS ARE INCLUDED FOR INFORMATIONAL PURPOSES AS THEY ARE CONTINUOUSLY APPROPRIATED BY PERMANENT STATUTE.

**(C) Office of Certification**

Program Costs	259,960		42,075 <sup>a</sup>	217,885 (T) <sup>b</sup>
	(5.5 FTE)			

<sup>a</sup> This amount shall be from grants from governmental entities.

<sup>b</sup> This amount shall be from federal funds appropriated in the Department of Transportation.

~~12,786,302~~

12,879,864

**(2) ADMINISTRATIVE SERVICES**

**DIVISION**

Personal Services 1,523,697

(29.0 FTE)

Operating Expenses 56,532

1,580,229

67,200 <sup>a</sup>

1,513,029 (T)<sup>b</sup>

<sup>a</sup> This amount shall be from the Insurance Cash Fund.

<sup>b</sup> This amount shall be from indirect cost recoveries.

**(3) DIVISION OF BANKING**

Personal Services 2,074,969

(41.0 FTE)

Operating Expenses 281,834

Board Meeting Costs 15,082

Indirect Cost Assessment 318,291

2,690,176

2,690,176 <sup>a</sup>

<sup>a</sup> This amount shall be from assessments made to banking institutions.

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Appropriations

## Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>(4) CIVIL RIGHTS DIVISION</b>							
Personal Services	1,469,147		128,203 (4.0 FTE)		50,000 <sup>a</sup>	1,067,316 (T) <sup>b</sup> (22.5 FTE)	223,628 (7.0 FTE)
Operating Expenses	117,332		56,960				60,372
Hearings Pursuant to Complaint <sup>125</sup>	<del>52,604</del>		<del>49,284</del>				<del>3,320</del>
	1,604		1,000				604
Commission Meeting Costs	12,259		5,087				7,172
Indirect Cost Assessment	<u>64,620</u>						64,620
		<del>1,715,962</del>					
		1,664,962					

<sup>a</sup> This amount shall be from fees collected for training services.

<sup>b</sup> This amount shall be from indirect costs recoveries.

**(5) DIVISION OF FINANCIAL  
SERVICES**

Personal Services	525,909 (9.0 FTE)
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Operating Expenses	51,619			
Indirect Cost Assessment	<u>69,869</u>	647,397	641,836 <sup>a</sup>	5,561 <sup>b</sup>

<sup>a</sup> This amount shall be from assessments made to savings and loan institutions and to credit unions.

<sup>b</sup> This amount shall be from reserves in the Financial Services Cash Fund.

**(6) DIVISION OF INSURANCE** <sup>126</sup>

Personal Services	3,745,791			
	(84.5 FTE)			
Operating Expenses	<del>405,550</del>			
	411,331			
Workers' Compensation				
Studies	99,701			
Indirect Cost Assessment	<u>655,989</u>			
		<del>4,907,031</del>	<del>4,797,484</del> <sup>π</sup>	109,547 <sup>b</sup>
		4,912,812	4,803,265 <sup>a</sup>	

<sup>a</sup> Of this amount, ~~\$4,697,484~~ \$4,703,265 shall be from the Insurance Cash Fund pursuant to Section 10-1-103, C.R.S., and \$100,000 shall be from reimbursements from

insurance companies for travel expenses. Of this amount, \$100,000 is shown for purposes of complying with the limitation on state fiscal year spending imposed by Article X,

Section 20 of the State Constitution. Such moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>b</sup> Of this amount, \$9,846 shall be from reserves in the Insurance Cash Fund, and \$99,701 shall be from reserves in the Workers' Compensation Cash Fund.

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>(7) PUBLIC UTILITIES COMMISSION</b>							
Personal Services	4,804,959						
	(98.5 FTE)						
Operating Expenses	315,606						
	318,464						
Expert Testimony	30,000						
Indirect Cost Assessment	764,674						
Highway Crossing	240,000						
Payments							
Disabled Telephone Users							
Fund Payments	3,952,500						
Low Income Telephone							
Assistance	51,167						
High Cost Fund	1,451,732						
Payments							
		11,610,638		9,496,487 <sup>a</sup>		2,114,151 <sup>b</sup>	
		11,613,496		9,499,345 <sup>a</sup>			

<sup>a</sup> Of this amount, it is estimated that ~~\$3,521,123~~ \$3,523,123 shall be from the Fixed Utilities Fund, ~~\$1,454,465~~ \$1,455,323 shall be from the Public Utilities Motor Carrier Fund,



\$1,457,732 shall be from the Colorado High Cost Fund, \$3,012,000 shall be from the Disabled Telephone Users Cash Fund, and \$51,167 shall be from the Low Income

Telephone Assistance Fund. Of this amount, ~~95,399~~ \$4,459,048 is shown for the purposes of complying with the limitation on state fiscal year spending imposed by Article X,

Section 20 of the State Constitution. Such moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>b</sup> Of this amount, \$459,181 shall be from reserves in the Fixed Utilities Fund, \$418,619 shall be from reserves in the Motor Carrier Fund, \$996,351 shall BE from reserves

in the Disabled Telephone Users Fund, and \$240,000 shall be from the Highway Users Tax Fund pursuant to Section 43-4-205(2), C.R.S. OF THIS AMOUNT, \$996,351 IS

SHOWN FOR THE PURPOSES OF COMPLYING WITH THE LIMITATION ON STATE FISCAL YEAR SPENDING IMPOSED BY ARTICLE X, SECTION 20 OF THE STATE

CONSTITUTION. SUCH MONEYS ARE INCLUDED FOR INFORMATIONAL PURPOSES AS THEY ARE CONTINUOUSLY APPROPRIATED BY A PERMANENT STATUTE

OR CONSTITUTIONAL PROVISION.

**(8) DIVISION OF REAL ESTATE**

Personal Services	1,617,289
	(39.0 FTE)
Operating Expenses	<del>496,918</del>
	198,607
Commission Meeting	25,951
Costs	
Hearings Pursuant to	
Complaint	4,450
Name Check	12,000
Indirect Cost Assessment	302,764

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND \$ EXEMPT	CASH FUNDS	CASH FUNDS \$ EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Payment to Federal Financial Institutions							
Exam Council	48,125						
Payments from the Real Estate Recovery Fund	<u>250,000</u>						
		2,457,497			2,169,395 <sup>a</sup>	288,102 <sup>b</sup>	
		2,459,186			2,171,084 <sup>a</sup>		

<sup>a</sup> Of this amount, ~~\$1,919,395~~ \$1,921,084 shall be from licensing fees, and \$250,000 shall be from the Real Estate Recovery Fund. Payments from the Real Estate Recovery fund are shown for the purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. These moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>b</sup> Of this amount, \$239,977 shall be from reserves in the Real Estate Cash Fund, and \$48,125 shall be from pass through moneys paid to the Federal Financial Exam Council.

**(9) DIVISION OF REGISTRATIONS**

Personal Services <sup>127, 128</sup>	<del>5,262,402</del>
	5,360,345
	(129.1 FTE)
Operating Expenses	<del>776,794</del>

	789,773			
Board Meeting Costs	187,305			
Examination Costs	363,539			
Centralized Licensing				
System - Annual License	<del>77,875</del>			
	30,000			
Hearings Pursuant to				
Complaint	271,900			
Nurses' Peer Health				
Assistance Fund	212,600			
	(1.0 FTE)			
Indirect Cost Assessment	1,002,227			
Payments from the				
Manufactured Housing	30,000			
Fund	<u>          </u>			
		8,184,642	6,803,149 <sup>a</sup>	1,381,493 <sup>b</sup>
		8,247,689	6,866,196 <sup>a</sup>	

<sup>a</sup> Of this amount, ~~\$6,560,549~~ \$6,623,596 shall be from fees of the boards, \$212,600 shall be from the Nurses Peer Health Assistance Fund, and \$30,000 shall be from the the Manufactured Housing Recovery Fund. Payments from the Manufactured Housing Fund are shown for the purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. These moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>b</sup> Of this amount, \$226,570(T) shall be from the Department of Public Health and Environment and the Department of Health Care Policy and Financing, and \$1,154,923 shall

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

be from reserves in the Division of Registrations Cash Fund.

**(10) DIVISION OF SECURITIES**

Personal Services	<del>1,009,330</del>					
	1,036,018					
	(22.0 FTE)					
Operating Expenses	39,010					
Hearings Pursuant to						
Complaint	19,660					
Board Meeting Costs	7,995					
Indirect Cost Assessment	<u>170,790</u>					
	<del>1,246,785</del>			<del>1,170,927</del> <sup>a</sup>		75,858 <sup>b</sup>
	1,273,473			1,197,615 <sup>a</sup>		

<sup>a</sup> This amount shall be from licensing fees.

<sup>b</sup> This amount shall be from reserves in the Securities Cash Fund.

**(11) OFFICE OF CONSUMER COUNSEL**

Program Costs <sup>129</sup>	641,903
	(8.0 FTE)
Indirect Cost Assessment	<u>62,105</u>

704,008

704,008 <sup>a</sup>

<sup>a</sup> This amount shall be from the Public Utilities Commission Fixed Utilities Fund.

**TOTALS PART XIX**

<b>(REGULATORY AGENCIES) <sup>8</sup></b>	\$48,530,667	\$562,173	\$37,620,759	\$9,882,344 <sup>a</sup>	\$465,391
	<u>\$48,673,292</u>	<u>                    </u>	<u>\$37,813,384</u>	<u>\$9,832,344 <sup>a</sup></u>	<u>                    </u>

<sup>a</sup> Of this amount, ~~\$4,249,142~~ \$4,199,142 contains a (T) notation, and \$240,000 shall be from the Highway Users Tax Fund pursuant to Section 43-4-205(2), C.R.S.

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

8 (Governor lined through this provision. See L. 94, p. 3176.)

124 Department of Regulatory Agencies, Executive Director, Director's Office, Centralized Data Processing -- It is the intent of the General Assembly to fund this line item for FY 1994-95 only, and any continuation of this funding would be requested in a decision item in the FY 1995-96 budget submission. In the Department's FY 1995-96 budget submission, it should identify to which line items it would like ongoing costs to be transferred, as it is the intent of the General Assembly to eliminate this line item in FY 1995-96.

125 Department of Regulatory Agencies, Civil Rights Division, Hearings Pursuant to Complaint -- It is the intent of the General Assembly that the Division submit to the Joint Budget Committee by January 1, 1995, a report summarizing how many additional cases have been heard due to the increase in this appropriation.

126 Department of Regulatory Agencies, Division of Insurance -- The Division is requested to report to the Joint Budget Committee by January 1, 1995, the results produced by the four examiners added to the financial affairs section for solvency examinations, to justify the continuation of the increased level of support.

127 (Governor line through this provision. See L. 94, p. 3177.)

128 Department of Regulatory Agencies, Division of Registrations, Personal Services -- It is the intent of the General Assembly that an additional \$35,000 be appropriated to the Division of Registrations, Electrical Inspections Board, to perform electrical inspections throughout the State. It is further the intent that this appropriation be for FY 1994-95 only, and any continuation of this funding will be requested in a decision item in the FY 1995-96 budget submission.

129 Department of Regulatory Agencies, Office of Consumer Counsel, Program Costs -- It is the intent of the General Assembly that the

Appropriations

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

Division report to the Joint Budget Committee, by January 1, 1995, on the effectiveness of the additional FTE, how many additional cases the Division entered due to the additional FTE, and the additional rate savings generated by this FTE.

**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 12, 1995