

CHAPTER 419

APPROPRIATIONS

HOUSE BILL 04-1333

BY REPRESENTATIVE(S) Young, Witwer, and Plant;
also SENATOR(S) Owen, Teck, Reeves, Cairns, and Taylor.

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 XVIII of section 2 of chapter 449, Session Laws of Colorado 2003, is amended to read:

Section 2. **Appropriation.**

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

**PART XVIII
DEPARTMENT OF REGULATORY AGENCIES**

(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES

| | | | | | |
|--|--------------------|------------------|--------------------------------|----------------------------------|----------------------|
| Personal Services | 3,531,046 | | | 3,531,046(T) ^a | |
| | | | | (53.0 FTE) | |
| Health, Life, and Dental | 1,040,695 | 29,368 | 852,944 ^b | 158,383(T) ^a | |
| Short-term Disability | 44,266 | 1,492 | 35,775 ^b | 6,999(T) ^a | |
| Salary Survey and Senior Executive Service | 1,042,869 | 52,870 | 811,295 ^b | 178,704(T) ^a | |
| Workers' Compensation | 67,681 | 3,016 | 56,526 ^b | 7,194(T) ^a | 945 ^c |
| Operating Expenses | 225,571 | 3,883 | 105,064 ^b | 116,624(T) ^a | |
| Legal Services for 82,767 hours | 5,031,406 | 44,451 | 4,802,062 ^b | 70,306(T) ^a | 114,587 ^c |
| Administrative Law Judge Services | 279,631 | 2,758 | 250,636^b | 26,237(T)^a | |
| | 240,834 | 1,707 | 216,862 ^b | 22,265(T) ^a | |
| Purchase of Services from Computer Center | 65,900 | 723 | 54,923^b | 10,254(T)^a | |
| | 54,306 | 596 | 45,260 ^b | 8,450(T) ^a | |
| Pueblo Data Entry Center Payments | 23,972 | | 23,972^b | | |
| | 5,000 | | 5,000 ^b | | |
| Multiuse Network Payments | 47,570 | | 30,688^b | 16,882(T)^a | |
| | 7,050 | | 5,976 ^b | 1,074(T) ^a | |

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APPROPRIATION FROM

| | ITEM & SUBTOTAL | TOTAL | APPROPRIATION FROM | | | | |
|--|-----------------------------------|-------------------------------------|-------------------------------|---------------------------|--|--|--|
| | | | GENERAL FUND | GENERAL FUND EXEMPT | CASH FUNDS | CASH FUNDS EXEMPT | FEDERAL FUNDS |
| | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| Payment to Risk Management and Property Funds | 127,556 126,001 | | 5,468 5,401 | | 101,092^b 99,860 ^b | 18,444(T)^a 18,219(T) ^a | 2,552^c 2,521 ^c |
| Vehicle Lease Payments | 252,271 185,664 | | | | 252,271^b 185,664 ^b | | |
| Information Technology Asset Maintenance | 460,436 | | | | 303,243 ^b | 157,193(T) ^a | |
| Leased Space | 2,325,745 2,319,576 | | 113,052 106,883 | | 1,742,794 ^b | 441,156(T) ^a | 28,743 ^c |
| Capitol Complex Leased Space | 5,236 6,900 | | 4,384 5,281 | | 852^b 1,619 ^b | | |
| Hardware/Software Maintenance | 657,654 | | 800 | | 399,600 ^b | 257,254(T) ^a | |
| CoverColorado ¹⁷⁵ | 7,107,278 | | | | 230,605 ^d | 6,876,673 ^e | |
| Contractual Services to Convert Non-standard Systems | <u>200,000</u> | | | | 200,000 ^f | | |
| | | 22,536,783 22,354,233 | | | | | |

^a Of these amounts, it is estimated that ~~\$4,886,768~~ \$4,864,959 shall be from indirect cost recoveries, \$52,278 shall be from the Department of Public Health and Environment, \$50,430 shall be from the Department of Health Care Policy and Financing, and \$7,200 shall be from other departments for sunset reviews.

^b These amounts shall be from various cash sources within the Department.

^c These amounts shall be from the Equal Employment Opportunity Commission, the Department of Housing and Urban Development, and the Health Information Counseling and Assistance Grant Program, and are included for informational purposes only.

^d This amount shall be from interest earned on the CoverColorado Cash Fund created in Section 10-8-530, C.R.S.

^e Of this amount, it is estimated that \$6,692,910 shall be from reserves in the CoverColorado Cash Fund created in Section 10-8-530, C.R.S., and \$183,763 shall be from interest earned on the Unclaimed Property Trust Fund created in Section 38-13-116.5(1)(a), C.R.S.

^f Of this amount, it is estimated that \$100,000 shall be from the Division of Registrations Cash Fund created in Section 24-34-105(2)(b)(I), C.R.S., \$56,250 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S., and \$43,750 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5(6), C.R.S.

(2) DIVISION OF BANKING

| | | | |
|--------------------------|--------------------|----------------------|-----------------------------------|
| Personal Services | 2,568,839 | | |
| | (38.5 FTE) | | |
| Operating Expenses | 213,569 | | |
| | 254,807 | | |
| Board Meeting Costs | 11,500 | | |
| Indirect Cost Assessment | <u>418,711</u> | | |
| | | 3,212,619 | 3,212,619 ^a |
| | | 3,253,857 | 3,253,857 ^a |

^a This amount shall be from the Division of Banking Cash Fund created in Section 11-2-114.5, C.R.S.

(3) CIVIL RIGHTS DIVISION

| | | | | |
|-------------------|-----------|---------|-------------------------|----------------------|
| Personal Services | 1,389,974 | 799,810 | 164,711(T) ^a | 425,453 ^b |
|-------------------|-----------|---------|-------------------------|----------------------|

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| | ITEM & SUBTOTAL | TOTAL | APPROPRIATION FROM | | | | |
|-----------------------------------|--------------------|-----------|--------------------|---------------------------|---------------|-------------------------|---------------------|
| | | | GENERAL FUND | GENERAL FUND EXEMPT | CASH FUNDS | CASH FUNDS EXEMPT | FEDERAL FUNDS |
| | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| | | | (14.0 FTE) | | | (2.0 FTE) | (9.0 FTE) |
| Operating Expenses | 127,373 | | 38,426 | | | | 88,947 ^b |
| Hearings Pursuant to Complaint | 6,000 | | 5,000 | | | | 1,000 ^b |
| Commission Meeting Costs | 21,000 | | 5,174 | | | | 15,826 ^b |
| Indirect Cost Assessment | <u>51,503</u> | | | | | | 51,503 ^b |
| | | 1,595,850 | | | | | |

^a This amount shall be from indirect cost recoveries.

^b These amounts shall be from the Equal Employment Opportunity Commission and the Department of Housing and Urban Development, and are included for informational purposes only.

(4) OFFICE OF CONSUMER COUNSEL

| | | | | | | | |
|--------------------------|---------------|---------|--|--|----------------------|--|--|
| Personal Services | 710,410 | | | | | | |
| | (7.0 FTE) | | | | | | |
| Operating Expenses | 58,657 | | | | | | |
| Indirect Cost Assessment | <u>76,129</u> | | | | | | |
| | | 845,196 | | | 845,196 ^a | | |

^a This amount shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S.

(5) DIVISION OF FINANCIAL SERVICES

| | | | | |
|--------------------------|----------------|---------|--|----------------------|
| Personal Services | 782,917 | | | |
| | (11.0 FTE) | | | |
| Operating Expenses | 74,976 | | | |
| Indirect Cost Assessment | <u>119,632</u> | | | |
| | | 977,525 | | 977,525 ^a |

^a This amount shall be from the Division of Financial Services Cash Fund created in Section 11-40-106(2), C.R.S.

(6) DIVISION OF INSURANCE

| | | | | |
|-------------------------------------|----------------|-----------|------------------------|--|
| Personal Services | 4,995,856 | | | |
| | (76.0 FTE) | | | |
| Operating Expenses | 401,075 | | | |
| Senior Health Counseling Program | 344,000 | | | |
| | (2.0 FTE) | | | |
| Workers' Compensation Studies | 67,725 | | | |
| PIP Exam Program | 100,000 | | | |
| Insurance Fraud Prosecution | 277,875 | | | |
| Indirect Cost Assessment | <u>890,148</u> | | | |
| | | 7,076,679 | 6,635,618 ^a | 80,225 ^b 360,836 ^c |

^a Of this amount, \$6,535,618 shall be from the Division of Insurance Cash Fund created in Section 10-1-103(3), C.R.S., and \$100,000 shall be from reimbursements from insurance companies for travel expenses. Reimbursement moneys are shown for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution and are continuously appropriated under Section 10-1-204 (9), C.R.S.

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

^b Of this amount, \$67,725 shall be from reserves in the Workers' Compensation Cash Fund created in Section 8-44-112(7), C.R.S., and \$12,500 shall be from the Motorist Insurance Identification Account in the Highway Users Tax Fund created in Section 42-3-134, C.R.S.

^c This amount shall be from the Health Information Counseling and Assistance Grant Program and is included for informational purposes only.

(7) PUBLIC UTILITIES COMMISSION

| | |
|---|------------------|
| Personal Services | 6,917,960 |
| | (92.7 FTE) |
| Operating Expenses | 412,621 |
| Expert Testimony | 25,000 |
| Highway Crossing Payments | 163,524 |
| Disabled Telephone Users Fund Payments | 3,300,000 |
| Transfer to Reading Services for the Blind Cash Fund | 93,800 |
| Transfer to Commission for the Deaf and Hard of Hearing Cash Fund | 25,000 |
| Low Income Telephone Assistance | 270,635 |
| Indirect Cost Assessment | <u>1,008,170</u> |

12,216,710

11,888,219^a

328,491^b

^a Of this amount, it is estimated that \$6,470,821 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S., \$3,440,475 shall be from the Disabled Telephone Users Fund created in Section 40-17-104(1), C.R.S., \$1,683,276 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5(6), C.R.S., \$270,635 shall be from the Low-Income Telephone Assistance Fund created in Section 40-3.4-108(2), C.R.S., \$13,524 shall be from interest earned on the Highway Crossing Protection Fund created in Section 43-4-201(2), C.R.S., and \$9,488 shall be from the Colorado High Cost Administration Fund created in Section 40-15-208(3), C.R.S. Of this amount, \$3,440,475 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 Section 40-17-104, C.R.S.

^b Of this amount, it is estimated that \$150,000 shall be from reserves in the Highway Crossing Protection Fund created in Section 43-4-201(2), C.R.S., \$128,510 shall be from reserves in the Colorado High Cost Administration Fund created in Section 40-15-208(3), C.R.S., and \$49,981 shall be from reserves in the Disabled Telephone Users Fund created in Section 40-17-104(1), C.R.S.

(8) DIVISION OF REAL ESTATE

| | |
|--|--------------------|
| Personal Services | 2,371,493 |
| | (37.0 FTE) |
| Operating Expenses | 188,499 |
| Commission Meeting Costs | 21,925 |
| Hearings Pursuant to Complaint | 4,427 |
| CBI/FBI Record Checks | 144,000 |
| | 161,950 |
| Payments from the Real Estate Recovery Fund | 200,000 |
| Indirect Cost Assessment | <u>402,398</u> |

~~3,332,742~~

3,350,692

~~3,332,742^a~~

3,350,692^a

| ITEM & SUBTOTAL | TOTAL | APPROPRIATION FROM | | | | |
|--|-----------------------|--------------------|---------------------------|-------------------------|-------------------------|---------------------------|
| | | GENERAL FUND | GENERAL FUND EXEMPT | CASH FUNDS | CASH FUNDS EXEMPT | FEDERAL FUNDS |
| \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| Personal Services | 9,088,553 | | | | | |
| | (152.4 FTE) | | | | | |
| Operating Expenses | 1,316,368 | | | | | |
| | 1,266,368 | | | | | |
| Hearings Pursuant to Complaint | 304,075 | | | | | |
| Payments to Department of Health Care Policy and Financing | 12,844 | | | | | |
| Indirect Cost Assessment | <u>3,351,728</u> | | | | | |
| | 14,073,568 | | | 12,102,688* | | 1,970,880(T) ^b |
| | 14,023,568 | | | 12,052,688 ^a | | |

^a Of this amount, ~~\$3,132,742~~ \$3,150,692 shall be from the Division of Real Estate Cash Fund created in Section 12-61-111.5(2)(b), C.R.S., and \$200,000 shall be from the Real Estate Recovery Fund created in Section 12-61-301(1), C.R.S.

(9) DIVISION OF REGISTRATIONS

| | | | | | | |
|--|-----------------------|--|--|-------------------------|--|---------------------------|
| Personal Services | 9,088,553 | | | | | |
| | (152.4 FTE) | | | | | |
| Operating Expenses | 1,316,368 | | | | | |
| | 1,266,368 | | | | | |
| Hearings Pursuant to Complaint | 304,075 | | | | | |
| Payments to Department of Health Care Policy and Financing | 12,844 | | | | | |
| Indirect Cost Assessment | <u>3,351,728</u> | | | | | |
| | 14,073,568 | | | 12,102,688* | | 1,970,880(T) ^b |
| | 14,023,568 | | | 12,052,688 ^a | | |

^a This amount shall be from the Division of Registrations Cash Fund created in Section 24-34-105(2)(b)(I), C.R.S.

^b Of this amount, it is estimated that \$1,441,552 shall be from indirect cost recoveries, \$269,428 shall be from the Department of Public Health and Environment, and \$259,900 shall be from the Department of Health Care Policy and Financing.

(10) DIVISION OF SECURITIES

| | | | | | |
|-----------------------------------|----------------------|--|--|------------------------|--|
| Personal Services | 1,566,321 | | | | |
| | (20.0 FTE) | | | | |
| Operating Expenses | 45,439 | | | | |
| Hearings Pursuant to Complaint | 19,594 | | | | |
| | 27,102 | | | | |
| Board Meeting Costs | 5,746 | | | | |
| Securities Fraud Prosecution | 385,893 | | | | |
| Indirect Cost Assessment | <u>217,512</u> | | | | |
| | 2,240,505 | | | 2,240,505 | |
| | 2,248,013 | | | 2,248,013 ^a | |

^a This amount shall be from the Division of Securities Cash Fund created in Section 11-51-707(2).

TOTALS PART XVIII

**(REGULATORY
AGENCIES)^{2,3}**

| | | | | |
|-------------------------|------------------------|-------------------------|---------------------------------|------------------------|
| \$68,108,177 | \$1,110,675 | \$51,489,454 | \$14,417,656 | \$1,090,392 |
| <u>\$67,942,323</u> | <u>\$1,104,158</u> | <u>\$51,351,957</u> | <u>\$14,395,847^a</u> | <u>\$1,090,361</u> |

^a Of this amount, ~~\$7,132,267~~ \$7,110,458 contains a (T) notation.

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

2 (Governor lined through this provision. See L. 2003, p. 355 l.)

APPROPRIATION FROM

| | ITEM & SUBTOTAL | TOTAL | APPROPRIATION FROM | | | | FEDERAL FUNDS |
|-----|--|-------|--------------------|---------------------------|---------------|-------------------------|------------------|
| | | | GENERAL FUND | GENERAL FUND EXEMPT | CASH FUNDS | CASH FUNDS EXEMPT | |
| | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| 3 | 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. | | | | | | |
| 175 | Department of Regulatory Agencies, Executive Director's Office and Administrative Services, CoverColorado -- The Director's Office is requested by the General Assembly to provide a report to the Joint Budget Committee on July first and on January first that updates the enrollment, revenue, expenditure, and fund balance projections for the CoverColorado program. These projections should include anticipated assessments to insurers, enrollment numbers and fund balance for June 30 of the next three fiscal years. | | | | | | |

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: March 3, 2004