

CHAPTER 300

APPROPRIATIONS

HOUSE BILL 12-1196

BY REPRESENTATIVE(S) Gerou, Becker, Levy, Fischer, Labuda;
also SENATOR(S) Hodge, Steadman, Lambert.

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. Appropriation to the department of regulatory agencies for the fiscal year beginning July 1, 2011. In Session Laws of Colorado 2011, section 2 of chapter 335, (SB 11-209), **amend** Part XVIII as follows:

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.

APPROPRIATION FROM

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

**PART XVIII
DEPARTMENT OF REGULATORY AGENCIES**

(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES

Personal Services	2,254,768	3,500		29,000 ^a	2,222,268 ^b (27.5 FTE)	
Health, Life, and Dental	2,873,888	92,463		2,596,890 ^c	157,668 ^b	26,867 ^d
Short-term Disability	56,574	1,956		49,889 ^c	4,325 ^b	404 ^d
S.B. 04-257 Amortization Equalization Disbursement	880,361	30,573		789,205 ^c	54,187 ^b	6,396 ^d
S.B. 06-235 Supplemental Amortization Equalization Disbursement	707,267	24,403		634,182 ^c	43,543 ^b	5,139 ^d
Workers' Compensation	70,066	2,328		64,296 ^c	2,337 ^b	1,105 ^d
Operating Expenses	210,344	3,689		95,427 ^c	111,228 ^b	
Legal Services for 103,203 hours	7,813,499	153,464		7,487,586 ^c	30,433 ^b	142,016 ^d

Ch. 300		Appropriations				1937
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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Administrative Law Judge Services	405,007 430,196		18,658 19,819		386,349 410,377 ^c		
Purchase of Services from Computer Center	1,695,122		60,624		1,634,498 ^c		
Multiuse Network Payments	149,825		5,385		144,440 ^c		
Management and Administration of OIT	278,679		9,957		268,722 ^c		
Payment to Risk Management and Property Funds	106,459		3,537		97,694 ^c	3,550 ^b	1,678 ^d
Vehicle Lease Payments	151,802 184,182				151,802 184,182 ^c		
Information Technology Asset Maintenance	671,403				480,646 ^c	190,757 ^b	
Leased Space	3,038,518		106,866		2,536,022 ^c	356,190 ^b	39,440 ^d
Capitol Complex Leased Space	6,098				6,098 ^c		

Hardware/Software				
Maintenance	686,330	800	426,928 ^c	258,602 ^b
Consumer Outreach / Education Program	<u>200,000</u>		200,000 ^c	
			22,256,010	
			22,313,579	

^a Of this amount, it is estimated that \$6,000 shall be from the Limited Gaming Fund created in Section 12-47.1-701 (1), C.R.S., \$5,000 shall be from the Stationary Sources Control Fund created in Section 25-7-114.7 (2) (b) (I), C.R.S., \$5,000 shall be from the Coordination Council Cash Fund created in Section 24-33-303 (2), C.R.S., \$4,000 shall be from the Health Facilities General Licensure Cash Fund created in Section 25-3-103.1 (1), C.R.S., \$3,500 shall be from the Licensing Services Cash Fund created in Section 42-2-114.5 (1), C.R.S., \$2,750 shall be from the Water Quality Control Fund created in Section 25-8-502 (1) (c), C.R.S., and \$2,750 shall be from the Drinking Water Cash Fund created in Section 25-1.5-209 (2), C.R.S.

^b Of these amounts, it is estimated that \$3,430,088 shall be from indirect cost recoveries and \$5,000 shall be from other departments for sunset reviews.

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

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

^e This amount shall be from the Consumer Outreach and Education Cash Fund created in Section 24-34-108 (2), C.R.S.

(2) DIVISION OF BANKING

Personal Services	3,612,383		3,612,383 ^a	
			(47.5 FTE)	
Operating Expenses	506,387		506,387 ^a	
Board Meeting Costs	23,500		23,500 ^a	
Indirect Cost Assessment	<u>315,930</u>		315,930 ^a	
		4,458,200		

^a These amounts shall be from the Division of Banking Cash Fund created in Section 11-102-403, C.R.S.

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(3) CIVIL RIGHTS DIVISION							
Personal Services	1,609,144		1,023,546			232,343 ^a	353,255 ^b
			(18.4 FTE)			(2.0 FTE)	(11.0 FTE)
Operating Expenses	100,438		59,318				41,120 ^b
Hearings Pursuant to Complaint	18,000		17,000				1,000 ^b
Commission Meeting Costs	12,374		5,174				7,200 ^b
Indirect Cost Assessment	<u>51,798</u>						51,798 ^b
		1,791,754					

^a This amount shall be from statewide indirect cost recoveries.

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

(4) OFFICE OF CONSUMER COUNSEL

Personal Services	792,953				792,953 ^a		
					(7.0 FTE)		

Operating Expenses	55,787		55,787 ^a
Indirect Cost Assessment	<u>46,558</u>		46,558 ^a
		895,298	

^a These amounts 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	1,134,247		1,134,247 ^a
			(15.0 FTE)
Operating Expenses	161,788		161,788 ^a
Indirect Cost Assessment	<u>99,767</u>		99,767 ^a
		1,395,802	

^a These 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	5,787,409		5,787,409 ^a
			(84.7 FTE)
Operating Expenses	297,049		297,049 ^a
Out-of-State Travel Expenses	100,000		100,000 ^b
Senior Health Counseling Program	509,000		
			509,000
			(2.0 FTE)
Transfer to CAPCO Administration	80,281		80,281 ^a
Indirect Cost Assessment	<u>571,561</u>		563,353 ^a
			8,208

Ch. 300 Appropriations 1941

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	7,345,300					

^a Of these amounts, it is estimated that \$6,716,092 shall be from the Division of Insurance Cash Fund created in Section 10-1-103 (3), C.R.S. and \$12,000 shall be from the Viatical Settlements Cash Fund created in Section 10-7-619, C.R.S.

^b This amount shall be from reimbursements from insurance companies for travel expenses and are shown for purposes of complying with the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution and are continuously appropriated pursuant to Section 10-1-108 (9), C.R.S.

(7) PUBLIC UTILITIES COMMISSION

Personal Services	8,753,625	8,753,625 ^a (101.1 FTE)
Operating Expenses	445,689	445,689 ^a
Expert Testimony	25,000	25,000 ^a
Disabled Telephone Users Fund Payments	2,439,591	2,439,591 ^b
Transfer to Reading Services for the Blind Cash Fund	250,000	250,000 ^b
Commission for the Deaf and Hard of Hearing Cash Fund	878,964	878,964 ^b

Colorado Commission for Individuals who are Blind or Visually Impaired	112,067	112,067 ^b
Low Income Telephone Assistance	2,143,752	2,143,752 ^c
Colorado Bureau of Investigation Background Checks Pass-through	67,128	67,128 ^a
Indirect Cost Assessment	<u>672,432</u>	672,432 ^a
	15,788,248	

^a Of these amounts, it is estimated that \$7,773,102 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S., \$2,004,154 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., \$109,949 shall be from the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S., and \$76,669 shall be from the Colorado High Cost Administration Fund created in Section 40-15-208 (3), C.R.S.

^b These amounts shall be from the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S. These amounts are shown for purposes of complying with Section 20 of Article X of the State Constitution, and are shown for informational purposes only.

^c This amount shall be from the Low-Income Telephone Assistance Fund created in Section 40-3.4-108 (2) (a), C.R.S.

(8) DIVISION OF REAL ESTATE

Personal Services	3,323,782	3,323,782 ^a (52.3 FTE)
Operating Expenses	219,546	219,546 ^a
Commission Meeting Costs	38,836	38,836 ^a
Hearings Pursuant to Complaint	4,000	4,000 ^a
Mortgage Broker Consumer Protection	308,544	308,544 ^a

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Indirect Cost Assessment	<u>347,856</u>				347,856 ^a		
		4,242,564					

^a Of these amounts, it is estimated that \$3,023,283 shall be from the Division of Real Estate Cash Fund created in Section 12-61-111.5 (2) (b), C.R.S., \$811,500 shall be from the Mortgage Company and Loan Originator Licensing Cash Fund created in Section 12-61-908 (2), C.R.S., \$114,509 shall be from the Conservation Easement Holder Certification Fund created in Section 12-61-720 (3), C.R.S., \$190,149 shall be from the HOA Information and Resource Center Cash Fund created in Section 12-61-406.5 (4), C.R.S., and \$103,123 shall be from the Conservation Easement Appraisal Review Fund created in Section 12-61-719 (8), C.R.S.

(9) DIVISION OF REGISTRATIONS

Personal Services	11,965,015
	(187.1 FTE)
Operating Expenses	1,354,753
Office of Expedited Settlement Program Costs	361,397
	(5.0 FTE)
Hearings Pursuant to Complaint	307,075
Payments to Department of Health Care Policy and Financing	14,652

Indirect Cost Assessment	<u>1,277,687</u>			
		15,280,579	14,661,165 ^a	619,414 ^b

^a Of this amount, it is estimated that \$14,593,220 shall be from the Division of Registrations Cash Fund created in Section 24-34-105 (2) (b) (I), C.R.S. and \$67,945 shall be from the Prescription Drug Monitoring Fund created in Section 12-22-706 (1), C.R.S.

^b Of this amount, it is estimated that \$325,343 shall be from the Department of Health Care Policy and Financing and \$294,071 shall be from the Department of Public Health and Environment.

(10) DIVISION OF SECURITIES

Personal Services	2,157,670		2,157,670 ^a	
			(26.0 FTE)	
Operating Expenses	73,009		73,009 ^a	
Hearings Pursuant to Complaint	19,594		19,594 ^a	
Board Meeting Costs	4,500		4,500 ^a	
Securities Fraud Prosecution	727,381		727,381 ^a	
Indirect Cost Assessment	<u>172,930</u>		172,930 ^a	
		3,155,084		

^a These amounts shall be from the Division of Securities Cash Fund created in Section 11-51-707 (2), C.R.S.

TOTALS PART XVIII

(REGULATORY AGENCIES)

\$76,608,839	\$1,623,241		\$69,504,127	\$4,286,845	\$1,194,626
<u>\$76,666,408</u>	<u>\$1,624,402</u>		<u>\$69,560,535</u>		

Ch. 300 Appropriations 1945

SECTION 2. Appropriation to the department of regulatory agencies for the fiscal year beginning July 1, 2011. In Session Laws of Colorado 2011, section 77 of chapter 285, (SB 11-187), **amend** (2) as follows:

Section 77. **Appropriation.** (2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of registrations cash fund created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of registrations, for personal services and operating expenses, for the fiscal year beginning July 1, 2011, the sum of two hundred sixty-one thousand five hundred forty dollars (\$261,540) cash funds and ~~3.4~~ 2.1 FTE, or so much thereof as may be necessary, for the implementation of this act.

SECTION 3. 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: February 23, 2012