

**COLORADO GENERAL ASSEMBLY  
JOINT BUDGET COMMITTEE**



**SUPPLEMENTAL REQUESTS FOR FY 2012-13**

**DEPARTMENT OF REGULATORY AGENCIES**

**JBC Working Document - Subject to Change  
Staff Recommendation Does Not Represent Committee Decision**

**Prepared By:  
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**TABLE OF CONTENTS**

	<b>Narrative Page</b>	<b>Numbers Page</b>
<b>Non-prioritized Supplementals</b>		
JBC Staff-initiated Supplemental 1 – Technical Adjustment, Payment to the Department of Human Services	1	4
JBC Staff-initiated Supplemental 2 – Technical Adjustment, Payment to CAPCO in Governor's Office	1	5
Previously Approved Supplemental – 1331 Regulation of Appraisal Management Companies	2	6
Statewide Common Policy Supplemental Requests	3	N.A.
Totals for All Supplementals	N.A.	7

## Non-prioritized Supplemental Requests

### **JBC STAFF-INITIATED SUPPLEMENTAL #1 STAFF TECHNICAL ADJUSTMENT – PAYMENT TO THE DEPARTMENT OF HUMAN SERVICES**

	Request	Recommendation
<b>Total</b>	<b><u>\$0</u></b>	<b><u>\$6,023</u></b>
FTE	0.0	0.0
Cash Funds	\$0	\$6,023

<b>Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?</b> [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	<b>YES</b>
JBC staff and the Department agree that this request is the result of a technical error.	

**Department Request:** The Department did not request this adjustment.

**Staff Recommendation:** Staff recommends that the Committee approve a \$6,023 increase in cash funds spending authority for the *Commission for the Deaf and Hard of Hearing Cash Fund* line item in the Public Utilities Commission for FY 2012-13.

**Staff Analysis:** The supplemental budget request corrects the appropriation in the Department's budget for FY 2012-13 in order to match the appropriation set in the Department of Human Services budget. This appropriation is funded by the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S., and paid pursuant to Section 40-17-104 (4) (a), C.R.S.

### **JBC STAFF-INITIATED SUPPLEMENTAL #2 STAFF TECHNICAL ADJUSTMENT – PAYMENT TO CAPCO IN GOVERNOR'S OFFICE**

	Request	Recommendation
<b>Total</b>	<b><u>\$0</u></b>	<b><u>\$1,535</u></b>
FTE	0.0	0.0
Cash Funds	\$0	\$1,535

<b>Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?</b> [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	<b>YES</b>
JBC staff and the Department agree that this request is the result of a technical error.	

**Department Request:** The Department did not request this adjustment.

**Staff Recommendation:** Staff recommends that the Committee approve a \$1,535 increase in cash funds for the *Transfer to CAPCO Administration* line item in the Division of Insurance for FY 2012-13.

**Staff Analysis:** The supplemental budget request corrects the appropriation in the Department's budget for FY 2012-13 in order to match the appropriation set in the Office of the Governor's budget. This appropriation is funded by the Division of Insurance Cash Fund created in Section 10-1-103 (3), C.R.S., and paid pursuant to Section 24-48.5-106 (3), C.R.S.

### PREVIOUSLY APPROVED SUPPLEMENTAL 1331 – REGULATION OF APPRAISAL MANAGEMENT COMPANIES

	Request	Recommendation
<b>Total</b>	<b><u>\$265,104</u></b>	<b><u>\$265,104</u></b>
FTE	2.0	2.0
Cash Funds	265,104	265,104

<b>Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria?</b> [An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]	<b>YES</b>
JBC staff and the Department agree that this request is the result of a technical error due to an effective date clause in H.B. 12-1110 that prevents the appropriation intended for FY 2012-13 from taking effect.	

**Summary:** The Committee approved this supplemental in September 2012 when the Department requested \$265,104 cash fund spending authority and 2.0 FTE from the Division of Real Estate Cash Fund, \$62,839 reappropriated funds and 0.5 FTE for the Department of Law for the provision of legal services, and \$23,700 cash funds from the Colorado Bureau of Investigation Identification Unit Fund for fingerprint-based criminal history checks, for the implementation of H.B. 12-1110, for FY 2012-13. The Department's additional line item appropriations include \$62,839 cash funds for *Legal Services* and \$100,000 cash funds for *Purchase of Services from Computer Center* in the Executive Director's Office and \$90,959 cash funds and 2.0 FTE for Personal Services and \$11,306 cash funds for Operating Expenses in the Division of Real Estate.

House Bill 12-1110 was passed by the General Assembly and signed by the Governor on June 8, 2012. Section 18 of the bill is the appropriations clause that appropriates the equivalent of the Department's 1331 request for FY 2012-13 for the purpose of implementing the bill. Section 19 of the bill is the effective date clause stating the effective date of the bill as July 1, 2013. The effective date clause as included in the bill serves to nullify the General Assembly's intended appropriation for FY 2012-13.

During the legislative process, staff failed to identify the effective date clause as problematic for the intended appropriation that would provide the resources to the Departments of Regulatory Agencies, Law, and Public Safety to ready the program, including rulemaking and information system changes, and have it in place by the General Assembly's intended start date for the regulatory provisions that take effect on July 1, 2013.

The rules governing interim supplementals in Section 24-75-111 (5), C.R.S., require the Committee to introduce all interim supplementals that it approves. Staff will include this supplemental in the Department's supplemental bill.

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## Statewide Common Policy Supplemental Requests

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This request is not prioritized and is not analyzed in this packet.

Department's Portion of Statewide Supplemental Request	Total	General Fund	Cash Funds	Reapprop. Funds	Federal Funds
Liability Premiums Technical True-up	\$53,611	\$1,707	\$49,069	\$1,838	\$997
<b>Department's Total Statewide Supplemental Requests</b>	<b>\$53,611</b>	<b>\$1,707</b>	<b>\$49,069</b>	<b>\$1,838</b>	<b>\$997</b>

**Staff Recommendation:** This amount represents the Department's share of the *Liability Premiums Technical True-up* interim 1331 supplemental that was approved by the Committee on Friday, Jan. 4, 2013. **Staff recommends that this adjustment be included in the Department's supplemental bill.**

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*JBC Staff Supplemental Recommendations - FY 2012-13*  
*Staff Working Document - Does Not Represent Committee Decision*

**Appendix A: Number Pages**

	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
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**DEPARTMENT OF REGULATORY AGENCIES**  
**Barbara Kelley, Executive Director**

**Staff Technical Adjustment - Payment to the Department of Human Services**

**(7) PUBLIC UTILITIES COMMISSION**

Commission for the Deaf and Hard of Hearing Cash  
Fund  
Cash Funds

<u>900,534</u>	<u>980,328</u>	<u>6,023</u>	<u>986,351</u>
900,534	980,328	6,023	986,351

**Total for Staff Technical Adjustment - Payment  
to the Department of Human Services**

900,534	980,328	6,023	986,351
<i>FTE</i> 0.0	<i>FTE</i> 0.0	<i>FTE</i> 0.0	<i>FTE</i> 0.0
Cash Funds 900,534	Cash Funds 980,328	Cash Funds 6,023	Cash Funds 986,351

**JBC Staff Supplemental Recommendations - FY 2012-13**  
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	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
<b>Staff Technical Adjustment - Payment to CAPCO in the Governor's Office</b>					
<b>(6) DIVISION OF INSURANCE</b>					
Transfer to CAPCO Administration	<u>80,281</u>	<u>78,746</u>	<u>1,535</u>	<u>80,281</u>	
Cash Funds	80,281	78,746	1,535	80,281	
<b>Total for Staff Technical Adjustment - Payment to CAPCO in the Governor's Office</b>					
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	
Cash Funds	80,281	78,746	1,535	80,281	

**JBC Staff Supplemental Recommendations - FY 2012-13**  
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	FY 2011-12 Actual	FY 2012-13 Appropriation	FY 2012-13 Requested Change	FY 2012-13 Rec'd Change	FY 2012-13 Total W/ Rec'd Change
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**1331 - Regulation of Appraisal Management Companies**

**(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES**

Legal Services	<u>8,007,882</u>	<u>8,102,284</u>	<u>62,839</u>	<u>62,839</u>	<u>8,165,123</u>
General Fund	153,464	156,586	0	0	156,586
Cash Funds	7,679,034	7,711,438	62,839	62,839	7,774,277
Reappropriated Funds	30,433	89,339	0	0	89,339
Federal Funds	144,951	144,921	0	0	144,921
 Purchase of Services from Computer Center	 <u>1,695,122</u>	 <u>1,783,611</u>	 <u>100,000</u>	 <u>100,000</u>	 <u>1,883,611</u>
General Fund	60,624	70,270	0	0	70,270
Cash Funds	1,634,498	1,713,341	100,000	100,000	1,813,341
Reappropriated Funds	0	0	0	0	0

**(8) DIVISION OF REAL ESTATE**

Personal Services	<u>2,670,742</u>	<u>3,293,470</u>	<u>90,959</u>	<u>90,959</u>	<u>3,384,429</u>
FTE	45.3	46.9	2.0	2.0	48.9
Cash Funds	2,670,742	3,293,470	90,959	90,959	3,384,429
 Operating Expenses	 <u>138,920</u>	 <u>219,546</u>	 <u>11,306</u>	 <u>11,306</u>	 <u>230,852</u>
Cash Funds	138,920	219,546	11,306	11,306	230,852



**JBC Staff Supplemental Recommendations - FY 2012-13**  
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	<b>FY 2011-12 Actual</b>	<b>FY 2012-13 Appropriation</b>	<b>FY 2012-13 Requested Change</b>	<b>FY 2012-13 Rec'd Change</b>	<b>FY 2012-13 Total W/ Rec'd Change</b>
<b>Total for 1331 - Regulation of Appraisal</b>					
<b>Management Companies</b>	12,512,666	13,398,911	265,104	265,104	13,664,015
<i>FTE</i>	<u>45.3</u>	<u>46.9</u>	<u>2.0</u>	<u>2.0</u>	<u>48.9</u>
General Fund	214,088	226,856	0	0	226,856
Cash Funds	12,123,194	12,937,795	265,104	265,104	13,202,899
Reappropriated Funds	30,433	89,339	0	0	89,339
Federal Funds	144,951	144,921	0	0	144,921
<b>Totals Excluding Pending Items</b>					
<b>REGULATORY AGENCIES</b>					
<b>TOTALS for ALL Departmental line items</b>	71,420,054	78,558,839	265,104	272,662	78,831,501
<i>FTE</i>	<u>535.3</u>	<u>557.9</u>	<u>2.0</u>	<u>2.0</u>	<u>559.9</u>
General Fund	1,591,934	1,714,111	0	0	1,714,111
Cash Funds	64,502,649	71,265,174	265,104	272,662	71,537,836
Reappropriated Funds	4,150,271	4,265,351	0	0	4,265,351
Federal Funds	1,175,200	1,314,203	0	0	1,314,203