

JOINT BUDGET COMMITTEE



SUPPLEMENTAL BUDGET REQUESTS FY 2021-22

DEPARTMENT OF REGULATORY AGENCIES

JBC WORKING DOCUMENT - SUBJECT TO CHANGE
STAFF RECOMMENDATION DOES NOT REPRESENT COMMITTEE DECISION

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DEPARTMENT OF REGULATORY AGENCIES

DEPARTMENT OVERVIEW

The Department of Regulatory Agencies (DORA) includes the following eleven units:

- The **Executive Director’s Office** provides administrative and technical support for the Department’s divisions and programs, including functions associated with accounting, purchasing, budgeting, communications, legislative services, and human resources. The office also includes the Colorado Office of Policy, Research, and Regulatory Reform.
- The **Division of Banking** regulates state-chartered commercial banks, trust companies, money transmitters, and national banks and interstate banks that maintain public deposit accounts in Colorado.
- The **Division of Civil Rights** enforces Colorado’s anti-discrimination laws in the areas of employment, housing, and public accommodations.
- The **Office of the Utility Consumer Advocate** represents the public interest and the specific interests of residential, small business, and agricultural consumers in rate and rulemaking cases before the Public Utilities Commission, federal agencies, and the courts.
- The **Division of Financial Services** examines and supervises state-chartered credit unions and state-chartered savings and loan associations, enforces the Savings and Loan Public Deposit Protection Act, and regulates certain financial activities of life care institutions.
- The **Division of Insurance** regulates companies and agents providing health insurance, property and liability insurance (homeowners and automobile), life insurance, and title insurance.
- The **Public Utilities Commission** regulates investor-owned electric, natural gas, telecommunications, private water utilities, and motor vehicle carriers for hire.
- The **Division of Real Estate** licenses real estate agents, appraisers, and mortgage loan originators and registers mortgage companies and homeowners associations.
- The **Division of Professions and Occupations** regulates over 500,000 licensees in over 50 professions, occupations, and businesses to ensure a basic level of competence to protect the public welfare.
- The **Division of Securities** monitors the conduct of broker-dealers and sales representatives, investigates citizen complaints, and investigates indicators of investment fraud.

- The **Division of Conservation**, in conjunction with the Conservation Easement Oversight Commission, certifies conservation easement holders and conservation easement tax credit certificates.

SUMMARY: FY 2021-22 APPROPRIATION AND RECOMMENDATION

DEPARTMENT OF REGULATORY AGENCIES: RECOMMENDED CHANGES FOR FY 2021-22						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2021-22 APPROPRIATION						
SB 21-205 (Long Bill)	\$121,515,244	\$2,867,019	\$111,118,498	\$5,639,571	\$1,890,156	607.7
Other legislation	5,133,288	(10)	5,133,298	0	0	27.8
CURRENT FY 2021-22 APPROPRIATION:	\$126,648,532	\$2,867,009	\$116,251,796	\$5,639,571	\$1,890,156	635.5
RECOMMENDED CHANGES						
Current FY 2021-22 Appropriation	\$126,648,532	\$2,867,009	\$116,251,796	\$5,639,571	\$1,890,156	635.5
DPA Annual fleet supplemental	(72,350)	0	(72,350)	0	0	0.0
PUC general fund adjustment	10	10	0	0	0	0.0
RECOMMENDED FY 2021-22 APPROPRIATION:	\$126,576,192	\$2,867,019	\$116,179,446	\$5,639,571	\$1,890,156	635.5
RECOMMENDED INCREASE/(DECREASE)	(\$72,340)	\$10	(\$72,350)	\$0	\$0	0.0
Percentage Change	(0.1%)	0.0%	(0.1%)	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	(\$10)	(\$10)	\$0	\$0	\$0	0.0

REQUEST/RECOMMENDATION DESCRIPTIONS

S1 STAFF INITIATED PUC GENERAL FUND TECHNICAL ADJUSTMENT: The request is for a technical adjustment to fix an error in the appropriation clause for S.B. 21-272 which resulted in an appropriation of (\$10) General Fund in the Public Utilities Commission, Personal Services line item. The appropriation of General Fund should be \$0. The recommendation is that the Committee approve the request.

STAFF-INITIATED SUPPLEMENTAL REQUESTS

STAFF-INITIATED – PUC GENERAL FUND TECHNICAL ADJUSTMENT

	REQUEST	RECOMMENDATION
TOTAL	\$10	\$10
FTE	0.0	0.0
General Fund	10	10
Cash Funds	0	0
Federal Funds	0	0

Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? YES

[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.]

Explanation: JBC staff made a technical error in calculating the original appropriation.

DEPARTMENT REQUEST: The Department did not request this correction but is aware of staff's recommendation and agrees with staff that the error should be corrected.

STAFF RECOMMENDATION: **Staff recommends that the Committee approve the request.**

STAFF ANALYSIS: The supplemental budget request is a technical correction to fix an error in the appropriation clause for S.B. 21-272 from last session. The clause was one meant to refinance three appropriations that had been written for General Fund when it was unclear if the Public Utilities Commission Fixed Utility Fund would be solvent in FY 2021-22. When the General Assembly took action to ensure the fund's solvency, staff changed the appropriation for three previously passed bills to appropriate funds from the Fixed Utility Fund as opposed to the General Fund.

In the process of adjusting the appropriation for H.B. 21-1269, staff accidentally decreased the General Fund appropriation by an extra \$10. This request would add \$10 General Fund back to the appropriation for H.B. 21-1269, correcting the error.

This change would not require its own supplemental bill, but could be included with the Long Bill as an add-on with the same result. Staff recommends approving this method to avoid passing a supplemental bill unnecessarily.

STATEWIDE COMMON POLICY SUPPLEMENTAL REQUEST

This request is not prioritized and is not analyzed in this packet. The JBC will act on this item later when it makes decisions regarding common policies.

DEPARTMENT'S PORTION OF STATEWIDE SUPPLEMENTAL REQUEST	TOTAL	GENERAL FUND	CASH FUNDS	REAPPROP. FUNDS	FEDERAL FUNDS	FTE
DPA Annual fleet supplemental	(\$72,350)	\$0	(\$72,350)	\$0	\$0	0.0
DEPARTMENT'S TOTAL STATEWIDE SUPPLEMENTAL REQUESTS	(\$72,350)	\$0	(\$72,350)	\$0	\$0	0.0

STAFF RECOMMENDATION: The staff recommendation for this request is pending Committee action on common policy supplementals. Staff will include the corresponding appropriation in the Department's supplemental bill based on Committee action on common policy supplementals. If staff believes there is reason to deviate from the common policy, staff will appear before the Committee at a later date to present the relevant analysis.

APPENDIX A: NUMBERS PAGES

JBC Staff Supplemental Recommendations - FY 2021-22
Staff Working Document - Does Not Represent Committee Decision

Appendix A: Numbers Pages

	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2021-22 Requested Change	FY 2021-22 Rec'd Change	FY 2021-22 Total w/Rec'd Change
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DEPARTMENT OF REGULATORY AGENCIES

Patty Salazar, Executive Director

SI PUC general fund adjustment

(7) PUBLIC UTILITIES COMMISSION

Personal Services	<u>9,059,438</u>	<u>12,076,761</u>	<u>10</u>	<u>12,076,771</u>
FTE	79.5	114.9	0.0	114.9
General Fund	0	(10)	10	0
Cash Funds	9,059,438	12,076,771	0	12,076,771

Total for SI PUC general fund adj	9,059,438	12,076,761	10	12,076,771
<i>FTE</i>	<u>79.5</u>	<u>114.9</u>	<u>0.0</u>	<u>114.9</u>
General Fund	0	(10)	10	0
Cash Funds	9,059,438	12,076,771	0	12,076,771

Totals Excluding Pending Items				
REGULATORY AGENCIES				
TOTALS for ALL Departmental line items	91,543,689	126,648,532	10	126,648,542
<i>FTE</i>	<u>557.6</u>	<u>635.5</u>	<u>0.0</u>	<u>635.5</u>
General Fund	1,890,775	2,867,009	10	2,867,019
Cash Funds	83,591,283	116,251,796	0	116,251,796
Reappropriated Funds	4,902,035	5,639,571	0	5,639,571
Federal Funds	1,159,596	1,890,156	0	1,890,156