

CHAPTER 255

APPROPRIATIONS

HOUSE BILL 94-1330

BY REPRESENTATIVES Grampas, Owen, Romero, Hernandez, and June;
also SENATORS Traylor, Lacy, and Rizzuto.

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 353, Session Laws of Colorado 1993, 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.

Appropriations

APPROPRIATION FROM

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

PART XVIII
DEPARTMENT OF REGULATORY AGENCIES

(1) EXECUTIVE DIRECTOR

(A) Director's Office

Personal Services	419,504			419,504 ^a	419,504 ^b (8.7 FTE)	
Group Health and Life	767,786 782,702			767,786 ^a 675,389 ^a	107,313 ^b	
Short-term Disability	37,181 37,867			37,181 ^a 32,298 ^a	5,569 ^b	
Anniversary Increases and Shift Differential	166,511 167,343			166,511 ^a 133,517 ^a	33,826 ^b	
Workers' Compensation	230,525 234,194	3,669		228,235 ^a 201,306 ^a	26,929 ^b	2,290
Operating Expenses	24,078			24,078 ^a	24,078 ^b	
Travel Expenses	4,061			4,061 ^a	4,061 ^b	

Legal Services	2,658,734		2,559,673^a		99,061
	2,632,790		2,417,475 ^a	116,254 ^b	
Purchase of Services from Computer Center	199,317		199,317^a		
			178,996 ^a	20,321 ^b	
Payment to Risk Management and Property Funds	130,737		128,924^a		1,813
	156,546	4,759	133,295 ^a	18,162 ^b	330
Vehicle Lease Payments	149,940		149,940^a		
			138,650 ^a	11,290 ^b	
ADP Capital Outlay	36,623		36,623 ^a		
Leased Space	1,532,165		1,517,726^a		14,439
	1,546,825		1,259,563 ^a	272,823 ^b	
Grand Junction Office Building Leased Space	5,220		5,220^a		
			835 ^a	4,385 ^b	
Centralized Data Processing	203,895		203,895^a		
			71,055 ^a	132,840 ^b	
	<u>6,566,277</u>				
	6,600,905				

^a Of these amounts, ~~\$498,351(T)~~ shall be from statewide indirect cost recoveries, ~~\$609,095(T)~~ shall be from departmental indirect cost recoveries, and ~~\$5,341,228~~ ~~\$5,256,469~~

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

THESE AMOUNTS shall be from various cash sources within the Department. The departmental indirect cost recoveries will be reduced by the amount of revenue received from other departments for sunset reviews.

^b OF THESE AMOUNTS, \$498,351(T) SHALL BE FROM STATEWIDE INDIRECT COST RECOVERIES, \$609,095(T) SHALL BE FROM DEPARTMENTAL INDIRECT COST RECOVERIES, \$39,560 SHALL BE FROM THE DEPARTMENT OF HEALTH, AND \$50,349(T) SHALL BE FROM THE DEPARTMENT OF SOCIAL SERVICES.

(B) Office of Regulatory Reform

Personal Services	211,984
	(5.5 FTE)
Operating Expenses	14,831
Small Business Start-up Kit	25,000
Travel Expenses	2,708
Indirect Cost Assessment	12,186
	<u>266,709</u>

266,709 (T)^a

^a 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.

(C) Office of Certification

Program Costs	286,542		
	(8.5 FTE)		
Travel Expenses	<u>3,420</u>		
	289,962	41,771 ^a	248,191 (T) ^b

^a This amount shall be from grants from governmental entities.

^b This amount shall be from federal funds appropriated in the Department of Transportation.

~~7,122,948~~
7,157,576

(2) ADMINISTRATIVE SERVICES DIVISION

Personal Services	1,419,337		
	(29.0 FTE)		
Operating Expenses	54,893		
Travel Expenses	<u>1,639</u>		
	1,475,869	1,475,869 ^a	
		67,200 ^a	1,408,669 ^b

^a THIS AMOUNT SHALL BE FROM THE INSURANCE CASH FUND.

^a ^b Of this amount, \$633,901(T) shall be from statewide indirect cost recoveries, \$774,768(T) shall be from departmental indirect cost ~~recoveries~~; RECOVERIES. ~~and \$67,200~~

Appropriations

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
shall be from the Insurance Cash Fund:						
(3) DIVISION OF BANKING						
Personal Services	1,972,838					
	(41.0 FTE)					
Operating Expenses	104,184					
Travel Expenses	177,650					
Board Meeting Costs	12,707					
Board Meeting Travel Expenses	2,375					
Indirect Cost Assessment	<u>363,073</u>					
	2,632,827			2,632,827 ^a		
				2,408,711 ^a	224,116 ^b	

^a This amount shall be from assessments made to banking institutions.

^b THIS AMOUNT SHALL BE FROM RESERVES IN THE DIVISION OF BANKING CASH FUND.

(4) CIVIL RIGHTS DIVISION

Personal Services	1,333,590	38,296		1,034,309^a		260,985
	1,362,926	29,336		50,000 ^a	1,022,605 (T) ^b	
		(1.0 FTE)		(23.5 FTE)		(7.0 FTE)

			(23.5 FTE)	
Operating Expenses	106,089	47,024		59,065
		32,167	14,857 (T) ^b	
Travel Expenses	20,989	5,524		15,465
Hearings Pursuant to Complaint	34,642	24,642		10,000
Commission Meeting Costs	5,661	2,961		2,700
Commission Travel Expenses	6,486	2,126		4,360
Indirect Cost Assessment	<u>34,089</u>			34,089
		1,541,546		
		1,570,882		

~~Of this amount, \$50,000 shall be from fees collected for training services provided, \$442,939(T) shall be from excess statewide indirect costs recoveries, and \$541,370(T) shall be from departmental indirect cost recoveries.~~

^a THIS AMOUNT SHALL BE FROM FEES COLLECTED FOR TRAINING SERVICES PROVIDED.

^b THESE AMOUNTS SHALL BE FROM INDIRECT COST RECOVERIES.

(5) DIVISION OF FINANCIAL SERVICES

Personal Services	489,805		
	(9.0 FTE)		
Operating Expenses	17,134		
Travel Expenses	34,485		
Indirect Cost Assessment	<u>73,114</u>		
		614,538	614,538 ^a

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
				554,090 ^a	60,448 ^b	

^a This amount shall be from assessments made to savings and loan institutions and to credit unions.

^b THIS AMOUNT SHALL BE FROM RESERVES IN THE FINANCIAL SERVICES CASH FUND.

(6) DIVISION OF INSURANCE ⁸⁹

Personal Services	3,458,789
	(84.5 FTE)
Operating Expenses	270,994
Travel Expenses	134,556
Administrative Law Judge	
Services for 444 Hours	33,744
Workers' Compensation	
Studies	99,701
Indirect Cost Assessment	686,455

4,684,239

4,684,239 ^a

^a Of this amount, \$4,484,538 shall be from the Insurance Cash Fund pursuant to Section 10-1-103, C.R.S., \$100,000 shall be from reimbursements from insurance companies for travel expenses, and \$99,701 shall be from the Workers' Compensation Cash Fund. 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.

(7) PUBLIC UTILITIES COMMISSION ⁹⁰

Personal Services	4,513,204		
	(98.5 FTE)		
Operating Expenses	268,278		
Travel Expenses	47,328		
Expert Testimony	40,000		
Indirect Cost Assessment	792,063		
Highway Crossing	240,000		
Payments			
Disabled Telephone Users			
Fund Payments	3,203,975		
Low Income Telephone			
Assistance	44,000		
High Cost Fund	1,374,528		
Payments	<u> </u>		
	10,523,376	10,406,402 ^a	116,974 ^b
		9,273,350 ^a	1,250,026 ^b

^a Of this amount, it is estimated that \$3,740,281 shall be from the Fixed Utilities Fund, ~~\$1,741,767~~ \$1,641,681 shall be from the Public Utilities Motor Carrier Fund, \$1,380,528

shall be from the Colorado High Cost Fund, ~~\$3,259,826~~ \$2,466,860 shall be from the Disabled Telephone Users Cash Fund, AND \$44,000 shall be from the Low Income Telephone Assistance Fund, and \$240,000 shall be from the Highway Crossing Fund. The source of the Highway Crossing Fund is from the Highway Users Tax Fund Pursuant to Section 43-4-205(2), C.R.S. FUND. Of this amount, \$4,862,503 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.

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

^b ~~This amount~~ OF THIS AMOUNT, \$217,060 shall be from reserves in the Motor Carrier Fund: FUND, \$240,000 SHALL BE FROM RESERVES IN THE HIGHWAY CROSSING FUND, AND \$792,966 SHALL BE FROM RESERVES IN THE DISABLED TELEPHONE USERS CASH FUND.

(8) DIVISION OF REAL ESTATE

Personal Services	1,547,564
	(39.0 FTE)
Operating Expenses	151,318
Travel Expenses	45,600
Commission Meeting	
Costs	11,701
Commission Travel	
Expenses	14,250
Hearings Pursuant to	
Complaint	9,947
Administrative Law Judge	
Services for 323 Hours	21,467
Name Check	12,000
Indirect Cost Assessment	316,825
Payment to Federal	
Financial Institutions	
Exam Council	48,125

Payments from the Real
Estate Recovery Fund 200,000

2,378,797

2,378,797 ^a

^a Of this amount, \$2,178,797 shall be from licensing fees, and \$200,000 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.

(9) DIVISION OF REGISTRATIONS

Personal Services ⁹¹	5,026,196
	5,004,785
	(128.5 FTE)
	(128.0 FTE)
Operating Expenses	720,698
	716,221
Travel Expenses	49,803
	49,775
Board Meeting Costs	108,966
	105,140
Board Travel Expenses	89,214
	85,552
Examination Costs ⁹²	878,862
	382,586

CENTRALIZED
LICENSING

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
SYSTEM CONVERSION	495,000						
Examination Travel Expenses	33,250						
Hearings Pursuant to Complaint	271,750						
	271,100						
Administrative Law Judge Services for 3,333 Hours	253,308						
Investigation Costs	674,047						
Payments to the Department of Social Services	145,898						
Physicians' Peer Health Assistance Fund	200,000						
Dental Peer Health Assistance Fund	48,178						
Nurses' Peer Health Assistance Fund	212,600						
	(1.0 FTE)						
Pharmacy Peer Health							

Assistance Fund	55,400			
Indirect Cost Assessment	1,043,898			
Payments from the Manufactured Housing Fund	<u>30,000</u>			
		9,842,068	9,701,180^a	140,888^b
		9,806,738	8,032,392 ^a	1,774,346 ^b

^a Of this amount, ~~\$9,049,458~~ \$8,002,392 shall be from fees of the boards, AND \$30,000 shall be from the Manufactured Housing Recovery Fund, and ~~\$621,722(T)~~ shall be from

~~the Department of Social Services~~ 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.

~~^b This amount shall be from reserves in the Peer Assistance Fund.~~

^b OF THIS AMOUNT, \$1,081,828 SHALL BE FROM RESERVES IN THE DIVISION OF REGISTRATIONS CASH FUND, \$242,350 SHALL BE FROM RESERVES IN THE PEER HEALTH ASSISTANCE CASH FUND, \$252,094(T) SHALL BE FROM THE DEPARTMENT OF SOCIAL SERVICES, AND \$198,074 SHALL BE FROM THE DEPARTMENT OF HEALTH.

(10) DIVISION OF SECURITIES

Personal Services	1,000,143
	(22.0 FTE)
Operating Expenses	36,017
Travel Expenses	2,993
Hearings Pursuant to	

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Complaint	19,660					
Board Meeting Costs	7,995					
Indirect Cost Assessment	<u>178,722</u>					
	1,245,530			1,245,530 ^a		

^a This amount shall be from licensing fees.

**(11) DIVISION OF
CONSUMER
COUNSEL**

OFFICE OF CONSUMER COUNSEL	554,030					
	(7.0 FTE)					
OFFICE OF CONSUMER COUNSEL TRAVEL EXPENSES	3,887					
INDIRECT COST ASSESSMENT	<u>53,153</u>					
	611,070			611,070 ^a		

TOTALS PART XVIII

(REGULATORY AGENCIES)

\$42,061,738	\$120,573	\$40,664,136^a	\$772,762^a	\$504,267
<u>\$42,701,442</u>	<u>\$105,184</u>	<u>\$34,626,152^a</u>	<u>\$7,467,322^a</u>	<u>\$502,784</u>

^a Of these amounts, ~~\$4,637,046~~ \$4,370,920 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.

SECTION 2. Section 5 of chapter 223, Session Laws of Colorado 1993, is amended to read:

SECTION 5. Appropriation. In addition to any other appropriation, there is hereby appropriated, ~~out of any moneys FROM RESERVES in the Colorado uninsurable health insurance plan cash fund not otherwise appropriated, to the department of regulatory agencies, for allocation~~ THE SUM OF TWO HUNDRED FIFTY-SEVEN THOUSAND SIX HUNDRED SEVENTY-TWO (\$257,672), AND FROM THE BUSINESS ASSOCIATIONS UNCLAIMED MONEYS FUND THE SUM OF TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) to the DEPARTMENT OF REGULATORY AGENCIES FOR ALLOCATION TO THE Colorado uninsurable health insurance plan for the fiscal year beginning July 1, 1993, ~~the sum of two million seven hundred fifty-seven thousand six hundred seventy-two dollars (\$2,757,672);~~ or so much thereof as may be necessary, for the implementation of this act.

SECTION 3. Section 8 of chapter 217, Session Laws of Colorado 1993, is repealed as follows:

SECTION 8. Transfer of appropriations. ~~(1) Any appropriation made in the general appropriation act for the fiscal year beginning July 1, 1993, to the department of law for allocation to the office of consumer counsel for program operations is hereby transferred to the department of regulatory agencies for allocation to the office of consumer counsel for the implementation of this act. Any appropriation made in the general appropriation act for the fiscal year beginning July 1, 1993, to the department of law for legal services for the office of consumer counsel shall remain with the department of law for the implementation of this act.~~

~~(2) From amounts appropriated to the department of law for the office of consumer counsel in the general appropriations act for the fiscal year beginning July 1, 1992, the office of consumer counsel is authorized to spend an amount necessary to effect office space relocation. Such amount shall be transferred from the appropriation from the fixed utility fund allocated to the office of consumer counsel in the department of law to the department of regulatory agencies to accomplish this relocation. This subsection (2) authorizing spending authority from existing fiscal year 1992 funds for office relocation for the office of consumer counsel shall become effective upon passage of this act.~~

SECTION 4. 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: May 25, 1994