

CHAPTER 319

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**APPROPRIATIONS**

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**HOUSE BILL 96-1335**

BY REPRESENTATIVES Grampas, Owen, and Romero;  
also SENATORS Lacy, Blickensderfer, 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 XIX of section 2 of chapter 283, Session Laws of Colorado 1995, is amended to read:

Section 2. **Appropriation.**

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*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

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

PART XIX  
DEPARTMENT OF REGULATORY AGENCIES

(1) EXECUTIVE DIRECTOR'S OFFICE

(A) Director's Office

Personal Services	456,631	1,400		7,800 <sup>a</sup>	447,431(T) <sup>a</sup> 455,231(T) <sup>b</sup> (8.7 FTE)	
Health, Life, and Dental	973,021	54,608		845,278 <sup>a</sup> 792,966 <sup>c</sup>	73,135(T) <sup>a</sup> 125,447(T) <sup>b</sup>	
Short-term Disability	38,746	2,279		33,219 <sup>a</sup> 31,193 <sup>c</sup>	3,248(T) <sup>a</sup> 5,274(T) <sup>b</sup>	
Salary Survey and Anniversary Increases	1,154,831	46,336		1,007,123 <sup>a</sup> 965,312 <sup>c</sup>	101,372(T) <sup>a</sup> 143,183(T) <sup>b</sup>	
Workers' Compensation	166,061	8,574		146,352 <sup>a</sup> 140,429 <sup>c</sup>	9,306(T) <sup>a</sup> 15,229(T) <sup>b</sup>	1,829
Operating Expenses	117,335	4,600		78,611 <sup>a</sup> 73,971 <sup>c</sup>	34,124(T) <sup>a</sup> 38,764(T) <sup>b</sup>	
Legal Services for 67,733 hours <sup>127</sup>	3,256,111	68,942		3,040,346 <sup>a</sup>	67,364(T) <sup>a</sup>	79,459

			3,026,656 <sup>c</sup>	81,054(T) <sup>b</sup>	
Administrative Law Judge					
Services for 5,318 hours	<del>417,622</del>	<del>45,079</del>	<del>358,800<sup>e</sup></del>	<del>13,743(T)<sup>b</sup></del>	
	410,622	38,079	250,522 <sup>c</sup>	122,021(T) <sup>b</sup>	
Purchase of Services					
from Computer Center	130,297	3,090	116,586 <sup>c</sup>	10,621(T) <sup>b</sup>	
Payment to Risk Management					
and Property Funds	296,427	17,579	<del>251,355<sup>e</sup></del>	<del>23,458(T)<sup>b</sup></del>	4,035
			236,894 <sup>c</sup>	37,919(T) <sup>b</sup>	
Vehicle Lease Payments	<del>152,919</del>	4,260	<del>146,571<sup>e</sup></del>	<del>2,088(T)<sup>b</sup></del>	
	156,414		145,722 <sup>c</sup>	6,432(T) <sup>b</sup>	
ADP Capital Outlay	77,150	30,000	47,150 <sup>c</sup>		
Leased Space	1,810,862	118,139	<del>1,439,613<sup>e</sup></del>	<del>230,601(T)<sup>b</sup></del>	22,509
			1,325,273 <sup>c</sup>	344,941(T) <sup>b</sup>	
Capitol Complex Leased					
Space	5,169	4,328	841 <sup>c</sup>		
Centralized Data					
Processing	128,267	9,264	<del>66,948<sup>e</sup></del>	<del>52,055(T)<sup>b</sup></del>	
			66,798 <sup>c</sup>	52,205(T) <sup>b</sup>	
Colorado Uninsurable Health					
Insurance Plan	<del>2,912,783</del>		<del>2,500,000<sup>d</sup></del>	<del>412,783<sup>e</sup></del>	
	<u>3,452,442</u>			3,452,442 <sup>d</sup>	
	<u>12,094,232</u>				
	12,630,386				

<sup>a</sup>-This amount shall be from other departments for sunset reviews.

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Appropriations

Appropriations

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

<sup>b</sup> Of these amounts, \$957,651 shall be from indirect cost recoveries, \$7,800 SHALL BE FROM OTHER DEPARTMENTS FOR SUNSET REVIEWS, \$361,975 SHALL BE FROM AGENCIES THAT RECEIVE CASH REVENUE FROM OTHER ENTITIES, and \$51,012 shall be from the Department of Public Health and Environment and \$59,883 shall be from the Department of Health Care Policy and Financing.

<sup>c</sup> These amounts shall be from various cash sources within the Department.

<sup>d</sup> ~~This amount~~ OF THESE AMOUNTS, \$2,500,000 shall be from the Business Associations Unclaimed Moneys Fund: FUND, AND \$952,442 SHALL BE FROM RESERVES IN THE COLORADO UNINSURABLE HEALTH INSURANCE CASH FUND.

<sup>e</sup> ~~This amount shall be from reserves in the Colorado Uninsurable Health Insurance Cash Fund.~~

**(B) Office of Regulatory Reform<sup>128</sup>**

Personal Services	235,396				
	(5.5 FTE)				
Operating Expenses	17,838				
Small Business Start-up Kit	25,000				
Indirect Cost Assessment	12,038				
	290,272			25,000 <sup>a</sup>	265,272(T) <sup>b</sup>

<sup>a</sup> This amount shall be from non-state government sources. 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 Section 24-34-905, C.R.S., as amended by S.B. 91-18.

<sup>b</sup> This amount represents a transfer from the Department of Local Affairs, Economic Development Programs.

**(C) Office of Certification**

Program Costs	268,622		42,075 <sup>a</sup>	226,547(T) <sup>b</sup>
	(5.5 FTE)			

<sup>a</sup> This amount shall be from grants from governmental entities.

<sup>b</sup> This amount shall be from federal funds appropriated in the Department of Transportation.

~~12,653,126~~

13,189,280

**(2) ADMINISTRATIVE SERVICES DIVISION**

Personal Services	1,562,940			
	(29.0 FTE)			
Operating Expenses	<u>52,790</u>			
		1,615,730	51,500 <sup>a</sup>	1,564,230(T) <sup>b</sup>

<sup>a</sup> This amount shall be from the Division of Insurance Cash Fund.

<sup>b</sup> This amount shall be from indirect cost recoveries.

**(3) DIVISION OF BANKING**

Personal Services	2,074,969			
	(41.0 FTE)			
Operating Expenses	265,516			
Board Meeting Costs	15,082			
Indirect Cost Assessment	<u>329,046</u>			
		2,684,613	2,684,613 <sup>a</sup>	

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<sup>a</sup> This amount shall be from the Division of Banking Cash Fund.							
<b>(4) CIVIL RIGHTS DIVISION<sup>129</sup></b>							
Personal Services	1,518,716		226,045		50,000 <sup>a</sup>	1,019,043(T) <sup>b</sup>	223,628
			(4.0 FTE)			(22.5 FTE)	(7.0 FTE)
Operating Expenses	114,453		58,681				55,772
Hearings Pursuant to Complaint	<del>1,604</del> 8,604		<del>1,000</del> 8,000				604
Commission Meeting Costs	12,259		5,087				7,172
Indirect Cost Assessment	<u>61,065</u>						61,065
		<del>1,708,097</del>					
		1,715,097					

<sup>a</sup> This amount shall be from fees collected for training services.

<sup>b</sup> This amount shall be from indirect cost recoveries.

**(5) OFFICE OF CONSUMER COUNSEL**

Program Costs <sup>130</sup>	652,095						
	(8.0 FTE)						
Indirect Cost Assessment	<u>64,204</u>						

716,299

716,299<sup>a</sup>

<sup>a</sup> This amount shall be from the Public Utilities Commission Fixed Utilities Fund.

**(6) DIVISION OF FINANCIAL SERVICES**

Personal Services	541,205		
	(9.0 FTE)		
Operating Expenses	47,884		
Indirect Cost Assessment	<u>72,230</u>		
		661,319	661,319 <sup>a</sup>

<sup>a</sup> This amount shall be from the Division of Financial Services Cash Fund.

**(7) DIVISION OF INSURANCE**

Personal Services	3,914,976		
	(85.8 FTE)		
Operating Expenses	403,449		
Workers' Compensation			
Studies	99,701		
Indirect Cost Assessment	<u>678,155</u>		
		5,096,281	4,996,580 <sup>a</sup> 99,701 <sup>b</sup>

<sup>a</sup> Of this amount, \$4,896,580 shall be from the Division of Insurance Cash Fund, and \$100,000 shall be from reimbursements from insurance companies for travel expenses. Of this amount, \$100,000 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 Section 10-1-204(9), C.R.S.

<sup>b</sup> This amount shall be from reserves in the Workers' Compensation Cash Fund.

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>(8) PUBLIC UTILITIES COMMISSION</b>							
Personal Services	4,795,622						
	(93.0 FTE)						
Operating Expenses	316,323						
Expert Testimony	30,000						
Indirect Cost Assessment	790,512						
Highway Crossing Payments	<del>240,000</del> 284,598						
Disabled Telephone Users							
Fund Payments	3,197,772						
Low Income Telephone							
Assistance	56,284						
High Cost Fund Payments	<u>1,618,646</u>						
		<del>11,045,159</del> 11,089,757			<del>10,074,364</del> 10,118,962 <sup>a</sup>		970,795 <sup>b</sup>

<sup>a</sup> Of this amount, it is estimated that \$4,236,134 shall be from the Public Utilities Commission Fixed Utilities Fund, \$1,647,385 shall be from the Public Utilities Commission Motor Carrier Fund, \$1,354,515 shall be from the Colorado High Cost Fund, \$2,796,622 shall be from the Colorado Disabled Telephone Users Fund, \$44,598 SHALL BE FROM INTEREST EARNED FROM THE HIGHWAY CROSSING PROTECTION FUND, and \$39,708 shall be from the Low-Income Telephone Assistance Fund. Of this amount, \$4,190,845 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 Sections 40-17-104 and 40-15-208, C.R.S.

<sup>b</sup> Of this amount, \$240,000 shall be from the Highway Users Tax Fund pursuant to Section 43-4-205(2), C.R.S., \$444,088 shall be from reserves in the Colorado Disabled Telephone Users Fund, \$16,576 shall be from reserves in the Low-Income Telephone Assistance Fund, and \$270,131 shall be from reserves in the Colorado High Cost Fund. Of this amount, \$681,857 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 Sections 40-17-104 and 40-15-208, C.R.S.

**(9) DIVISION OF REAL ESTATE**

Personal Services	1,690,681		
	(39.0 FTE)		
Operating Expenses	197,796		
Commission Meeting Costs	25,951		
Hearings Pursuant to			
Complaint	4,450		
Name Check	12,000		
Indirect Cost Assessment	312,995		
Payments from the Real			
Estate Recovery Fund	<u>250,000</u>		
		2,493,873	2,493,873 <sup>a</sup>

<sup>a</sup> Of this amount, \$2,243,873 shall be from the Division of Real Estate Cash Fund, and \$250,000 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 12-61-303(5), C.R.S.

**(10) DIVISION OF REGISTRATIONS**

Personal Services	5,986,887
	(138.2 FTE)
Operating Expenses	<del>845,467</del>
	860,548

Appropriations

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Board Meeting Costs	187,305						
Examination Costs	<del>368,020</del>						
	352,939						
Centralized Licensing System - Annual License	175,000						
Hearings Pursuant to Complaint	279,725						
Indirect Cost Assessment	<del>1,044,118</del>						
	2,433,701						
Payments from the Manufactured Housing Fund	<u>30,000</u>						
		8,916,522			8,567,111 <sup>a</sup>	349,411 <sup>b</sup>	
		10,306,105				1,738,994 <sup>b</sup>	

<sup>a</sup> This amount shall be from the Division of Registrations Cash Fund.

<sup>b</sup> Of this amount, \$175,214(T) shall be from the Department of Health Care Policy and Financing, \$144,197(T) shall be from the Department of Public Health and Environment, \$1,389,583 (T) SHALL BE FROM PAYMENTS BY THE BOARDS WITHIN THE DIVISION FOR SUPPORT OF THE DIRECTOR OF THE DIVISION OF REGISTRATIONS AND THE COMPLAINTS AND INVESTIGATIONS SECTIONS, and \$30,000 shall be from the Manufactured Housing Recovery Fund. Payments from the Manufactured Housing Recovery Fund are shown for informational purposes as they are continuously appropriated by Section 12-51.5-204(7), C.R.S.

**(11) DIVISION OF SECURITIES**

Personal Services	1,081,558				
	(22.0 FTE)				
Operating Expenses	39,634				
Hearings Pursuant to Complaint	19,660				
Board Meeting Costs	11,147				
Indirect Cost Assessment	<u>176,561</u>				
		1,328,560		1,328,560 <sup>a</sup>	

<sup>a</sup> This amount shall be from the Division of Securities Cash Fund.

**TOTALS PART XIX**

**(REGULATORY  
AGENCIES)<sup>10, 11, 11a</sup>**

	<del>\$48,919,579</del>	\$709,291	<del>\$41,777,887</del>	<del>\$5,976,328*</del>	\$456,073
	<u>\$50,896,914</u>		<u>\$38,956,205</u>	<u>\$10,775,345<sup>a</sup></u>	

<sup>a</sup> Of this amount, ~~\$4,463,049~~ \$6,222,407 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.

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

10 (Governor lined through this provision. See L. 95, p. 2055.)

11 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.

11a (Governor lined through this provision. See L. 95, p. 2055.)

127 Department of Regulatory Agencies, Executive Director's Office, Director's Office, Legal Services -- It is the intent of the General Assembly that the Executive Director report to the Joint Budget Committee, by January 1, 1996, on the Department's efforts to reduce the level of legal services required by the Department, including the development of guidelines for prioritizing and selecting cases for litigation based on specific risk factors or statutory obligations, the expanded use

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of alternative dispute resolution proceedings, and the use of preventative measures such as the ongoing education of those regulated.

128 Department of Regulatory Agencies, Executive Director's Office, Office of Regulatory Reform -- It is the intent of the General Assembly that the Department report to the Joint Budget Committee, by January 1, 1996, on the effectiveness of the new phone system in reducing the number of abandoned calls. The report should summarize data gathered as a result of the new phone system, including the number of calls received, the city of origin for each call, the number of calls abandoned, and the average length of time calls are placed on hold.

129 Department of Regulatory Agencies, Civil Rights Division -- It is the intent of the General Assembly that the Division submit to the Joint Budget Committee by December 1, 1995, a report summarizing how many additional cases have been heard due to the increased appropriation for investigators, legal services, and administrative law judge services in FY 1994-95.

130 Department of Regulatory Agencies, Office of Consumer Counsel, Program Costs -- It is the intent of the General Assembly that the Division report to the Joint Budget Committee, by December 1, 1995, on the effectiveness of the additional 1.0 FTE appropriated in FY 1994-95, how many additional cases the Division entered due to the additional FTE, and the associated rate savings.

**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 7, 1996