

CHAPTER 305

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**APPROPRIATIONS**

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**SENATE BILL 97-193**

BY SENATORS Lacy, Blickensderfer, Rizzuto, Hernandez, and Martinez;  
also REPRESENTATIVES Grampas, Owen, and Romero.

**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 324, Session Laws of Colorado 1996, 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.*

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'S OFFICE**

**(A) Director's Office**

Personal Services	479,952				479,952(T) <sup>a</sup> (8.7 FTE)	
Health, Life, and Dental	974,033	52,854		803,872 <sup>b</sup>	117,307(T) <sup>a</sup>	
Short-term Disability	41,426	641		36,833 <sup>b</sup>	3,952(T) <sup>a</sup>	
Salary Survey and Anniversary Increases	1,232,057	81,488		1,034,570 <sup>b</sup>	115,999(T) <sup>a</sup>	
Workers' Compensation	137,583	6,990		116,687 <sup>b</sup>	12,601(T) <sup>a</sup>	1,305
Operating Expenses	118,159	4,554		79,822 <sup>b</sup>	33,783(T) <sup>a</sup>	
Legal Services for 67,496 hours	3,202,467	68,053		2,940,881 <sup>b</sup>	115,099(T) <sup>a</sup>	78,434
Administrative Law Judge Services for 5,734 hours	450,853	38,135		288,643 <sup>b</sup>	124,075(T) <sup>a</sup>	
Purchase of Services from Computer Center	130,297	3,090		116,586 <sup>b</sup>	10,621(T) <sup>a</sup>	
Payment to Risk Management and Property Funds	55,291	3,242		44,119 <sup>b</sup>	7,186(T) <sup>a</sup>	744

Vehicle Lease Payments	207,106	4,260	196,414 <sup>b</sup>	6,432(T) <sup>a</sup>	
ADP Capital Outlay	232,394	2,859	209,576 <sup>b</sup>	19,959(T) <sup>a</sup>	
Leased Space	1,810,862	118,139	1,325,273 <sup>b</sup>	344,941(T) <sup>a</sup>	22,509
Capitol Complex Leased Space	4,712	3,945	767 <sup>b</sup>		
Centralized Data Processing	128,467	9,264	66,998 <sup>b</sup>	52,205(T) <sup>a</sup>	
Colorado Uninsurable Health Insurance Plan <sup>144</sup>	<u>4,548,759</u>			4,548,759 <sup>c</sup>	
	13,754,418				

<sup>a</sup> Of these amounts, IT IS ESTIMATED THAT \$1,250,115 shall be from indirect cost recoveries, \$67,128 shall be from the Department of Health Care Policy and Financing, \$67,127 shall be from the Department of Public Health and Environment, \$10,500 shall be from other departments for sunset reviews, and \$49,242 shall be from transfers from other departments.

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

<sup>c</sup> Of this amount, it is estimated that \$2,500,000 shall be from the Business Associations Unclaimed Moneys Fund, \$1,000,000 shall be from the Insurance Unclaimed Moneys Fund, and \$1,048,759 shall be from reserves in the Colorado Uninsurable Health Insurance Plan Fund.

**(B) Office of Regulatory Reform<sup>145</sup>**

Personal Services	245,001				
	(5.5 FTE)				
Operating Expenses	17,660				
Small Business Start-up Kit	25,000				
Indirect Cost Assessment	<u>10,419</u>				
	298,080		25,000 <sup>a</sup>	273,080(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 shall be from the Department of Local Affairs, Economic Development Programs.

## Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>(C) Office of Certification</b>							
Program Costs	277,110 (5.5 FTE)				42,075 <sup>a</sup>		235,035(T) <sup>b</sup>
		14,329,608					
<b>(2) ADMINISTRATIVE SERVICES DIVISION</b>							
Personal Services	1,632,439 (29.0 FTE)						
Operating Expenses	<u>52,262</u>	1,684,701			51,500 <sup>a</sup>		1,633,201(T) <sup>b</sup>
<b>(3) DIVISION OF BANKING</b>							
Personal Services	2,193,785 (41.0 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.

<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.

Operating Expenses	262,861		
Board Meeting Costs	15,055		
Indirect Cost Assessment	<u>284,789</u>	2,756,490	2,756,490 <sup>a</sup>

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

**(4) CIVIL RIGHTS DIVISION**

Personal Services	1,678,649	805,790 (16.5 FTE)	50,000 <sup>a</sup>	483,824(T) <sup>b</sup> (10.0 FTE)	339,035 (8.0 FTE)
Operating Expenses	133,137	58,101			75,036
Hearings Pursuant to Complaint	9,000	8,000			1,000
Commission Meeting Costs	13,001	5,053			7,948
Indirect Cost Assessment	<u>39,324</u>				39,324
		1,873,111			

<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	673,446 (8.0 FTE)		
Indirect Cost Assessment	<u>55,569</u>	729,015	729,015 <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	569,159
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	(9.0 FTE)						
Operating Expenses	47,405						
Indirect Cost Assessment	<u>62,515</u>	679,079			679,079 <sup>a</sup>		

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

**(7) DIVISION OF INSURANCE**

Personal Services	4,192,959						
	(87.8 FTE)						
Operating Expenses	448,787						
Workers' Compensation							
Studies	99,701						
Long-Term Care Advisory Committee	43,669						
Indirect Cost Assessment	<u>603,155</u>	5,388,271			5,117,718 <sup>a</sup>	143,370 <sup>b</sup>	127,183

<sup>a</sup> Of this amount, \$5,017,718 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> Of this amount, \$99,701 shall be from reserves in the Workers' Compensation Cash Fund, and \$43,669 (T) shall be from the Department of Health Care Policy and Financing.

**(8) PUBLIC UTILITIES COMMISSION**

Personal Services	<del>5,003,495</del>				
	5,064,857				
	(93.0 FTE)				
Operating Expenses	313,160				
Expert Testimony	30,000				
Indirect Cost Assessment	645,984				
Highway Crossing Payments	284,598				
Disabled Telephone Users					
Fund Payments	2,713,200				
Local Exchange					
Administration Fund	<del>300,000</del>				
	241,394				
Low Income Telephone					
Assistance	52,235				
High Cost Fund Payments	<u>1,143,600</u>				
		<del>10,486,272</del>	240,000	<del>10,158,388</del>	87,884 <sup>b</sup>
		10,489,028		10,161,144 <sup>a</sup>	

<sup>a</sup> Of this amount, it is estimated that ~~\$4,021,955~~ \$4,063,681 shall be from the Public Utilities Commission Fixed Utilities Fund, ~~\$1,878,000~~ \$1,897,636 shall be from the Public Utilities Commission Motor Carrier Fund, \$52,235 shall be from the Low-Income Telephone Assistance Fund, \$1,149,600 shall be from the High Cost Fund, \$2,712,000 shall be from the Disabled Telephone Users Cash Fund, \$44,598 shall be from interest earned on the Highway Crossing Protection Fund, and ~~\$300,000~~ \$241,394 shall be from the Local Exchange Administration Fund. Of this amount, \$3,907,835 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.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Personal Services	1,778,995					
(39.0 FTE)						
Operating Expenses	195,822					
Commission Meeting Costs	25,752					
Hearings Pursuant to Complaint	4,427					
Name Check	11,000					
Indirect Cost Assessment	270,897					
Payments from the Real Estate Recovery Fund	<u>250,000</u>					
	2,536,893			2,451,893 <sup>a</sup>		85,000 <sup>b</sup>

<sup>b</sup> Of this amount, \$14,684 shall be from reserves in the Public Utilities Commission Motor Carrier Fund, and \$73,200 shall be from reserves in the Disabled Telephone Users Fund. Of these amounts, \$1,200 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**

<sup>a</sup> Of this amount, \$2,286,893 shall be from the Division of Real Estate Cash Fund and \$165,000 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 Section 12-61-303(5), C.R.S.

<sup>b</sup> This amount shall be from reserves in the Real Estate Recovery Fund.

**(10) DIVISION OF REGISTRATIONS<sup>146</sup>**

Personal Services	6,226,375			
	(141.1 FTE)			
Operating Expenses	<del>849,709</del>			
	864,790			
Board Meeting Costs	186,012			
Examination Costs	<del>368,020</del>			
	352,939			
Centralized Licensing System				
- Annual License	175,000			
Hearings Pursuant to				
Complaint	303,075			
Payments to Department of				
Human Services	12,844			
Indirect Cost Assessment	<u>2,387,961</u>			
		10,508,996	8,940,151 <sup>a</sup>	1,568,845(T) <sup>b</sup>

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

<sup>b</sup> Of this amount, IT IS ESTIMATED THAT \$229,009 shall be from the Department of Health Care Policy and Financing, \$229,009 shall be from the Department of Public Health and Environment, and \$1,110,827 shall be from indirect cost recoveries.

**(11) DIVISION OF SECURITIES**

Personal Services	1,153,813
	(22.0 FTE)
Operating Expenses	39,239
Hearings Pursuant to	
Complaint	19,660
Board Meeting Costs	3,000
Securities Fraud Prosecution	254,197

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Indirect Cost Assessment	<u>152,813</u>	1,622,722			1,622,722 <sup>a</sup>		
<b>TOTALS PART XVIII (REGULATORY AGENCIES)<sup>2,3</sup></b>		<u>\$52,595,158</u>	\$1,514,458		<u>\$39,885,072</u>	\$10,503,110*	\$692,518
		<u>\$52,597,914</u>			<u>\$39,887,828</u>		

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

<sup>a</sup> Of this amount, \$5,681,766 contains a (T) notation.

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

2 (Governor lined through this provision. See L. 96, p. 2426.)

3 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.

144 Department of Regulatory Agencies, Executive Director's Office, Colorado Uninsurable Health Insurance Plan -- It is the

intent of the General Assembly that the Executive Director report to the Joint Budget Committee by November 1, 1996, on the Department's efforts to control costs associated with administering the Colorado Uninsurable Health Insurance Plan (CUHIP), including identifying potential funding sources to fund (CUHIP) upon expiration of the Business Association's Unclaimed Moneys Fund.

- 145 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, 1997, 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.
- 146 Department of Regulatory Agencies, Division of Registrations -- It is the intent of the General Assembly that the Division report to the Joint Budget Committee by November 1, 1996, on the division's efforts to prioritize complaints received by the Board of Medical Examiners.

**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 13, 1997