

CHAPTER 358

APPROPRIATIONS

SENATE BILL 99-191

BY SENATORS Lacy, Owen, and Tanner;
also REPRESENTATIVES Tool, Berry, and Saliman.

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 336, Session Laws of Colorado 1998, 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.

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^{191, 192, 193, 194}

(A) Director's Office

Personal Services	517,890	1,600			516,290 ^a (9.0 FTE)	
Health, Life, and Dental	994,442	46,162		815,818 ^b	132,462 ^a	
Short-term Disability	42,957	2,667		36,257 ^b	4,033 ^a	
Salary Survey and Anniversary Increases	1,329,378	75,406		1,036,478 ^b	217,494 ^a	
Workers' Compensation	97,200	4,308		82,014 ^b	9,528 ^a	1,350
Operating Expenses	143,152	3,883		107,158 ^b	32,111 ^a	
Legal Services for 79,703 hours	3,914,214	70,434		3,702,276 ^b	48,933 ^a	92,571
Administrative Law Judge Services for 5,957 hours	509,324 524,971	32,051 33,036		351,808^b 362,616 ^b	125,465^a 129,319 ^a	

Purchase of Services from Computer Center	130,297	3,090	116,586 ^b	10,621 ^a	
Payment to Risk Management and Property Funds	50,800 50,000	2,517 2,477	40,724^b 40,082 ^b	6,562^a 6,459 ^a	997 982
Vehicle Lease Payments	376,586	4,260	313,982 ^b	58,344 ^a	
ADP Capital Outlay	473,888	23,600	409,463 ^b	40,825 ^a	
Leased Space	1,954,005	101,321	1,470,863 ^b	356,541 ^a	25,280
Capitol Complex Leased Space	4,876 4,321	4,081 3,618	795^b 703 ^b		
Centralized Data Processing	137,607	9,264	68,798 ^b	59,545 ^a	
Colorado Uninsurable Health Insurance Plan	<u>3,340,041</u>			3,340,041 ^c	
	14,016,657 14,030,949				

^a Of these amounts, it is estimated that ~~\$1,459,238(T)~~\$1,462,989(T) shall be from indirect cost recoveries, \$46,647(T) shall be from transfers from other departments, \$31,171(T) shall be from the Department of Public Health and Environment, \$27,642(T) shall be from the Department of Health Care Policy and Financing, \$3,200(T) shall be from other departments for sunset reviews, and \$50,856 shall be from reserves in the Division of Registrations Cash Fund.

^b These amounts shall be from various cash sources within the Department.

^c Of this amount, it is estimated that \$2,500,000 shall be from the Business Associations Unclaimed Moneys Fund and \$840,041 shall be from the Insurance Unclaimed Moneys Fund.

(B) Office of Certification

Program Costs	252,274		44,225 ^a	208,049(T) ^b
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

(5.0 FTE)

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

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

~~14,268,931~~
14,283,223

(2) ADMINISTRATIVE SERVICES DIVISION^{195, 196}

Personal Services	1,822,430					
	(33.0 FTE)					
Operating Expenses	73,280					
Network Wiring						
Infrastructure Upgrade	416,400					
Document Management						
System	<u>224,859</u>					
	2,536,969				2,536,969(T) ^a	

^a This amount shall be from indirect cost recoveries.

(3) DIVISION OF BANKING

Personal Services	2,200,425			
	(38.0 FTE)			
Operating Expenses	228,291			
Board Meeting Costs	13,769			
Indirect Cost Assessment	<u>311,363</u>			
	2,753,848	2,597,794 ^a	156,054 ^b	

^a This amount shall be from the Division of Banking Cash Fund.

^b This amount shall be from reserves in the Division of Banking Cash Fund.

(4) CIVIL RIGHTS DIVISION

Personal Services	1,735,802	1,070,703	10,000 ^a	286,235(T) ^b	368,864
		(20.0 FTE)		(6.5 FTE)	(8.5 FTE)
Operating Expenses	133,034	57,998			75,036
Hearings Pursuant to Complaint	9,000	8,000			1,000
Commission Meeting Costs	17,053	5,053			12,000
Indirect Cost Assessment	<u>43,939</u>				43,939
	1,938,828				

^a This amount shall be from fees collected for training services.

^b This amount shall be from indirect cost recoveries.

(5) OFFICE OF CONSUMER COUNSEL

Program Costs	690,705
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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(8.0 FTE)						
Indirect Cost Assessment	62,273					
	752,978			752,978 ^a		

^a This amount shall be from the Public Utilities Commission Fixed Utilities Fund.

(6) DIVISION OF FINANCIAL SERVICES

Personal Services	646,102					
(10.0 FTE)						
Operating Expenses	52,491					
Indirect Cost Assessment	77,841					
	776,434			766,895 ^a	9,539 ^b	

^a This amount shall be from the Division of Financial Services Cash Fund.

^b This amount shall be from reserves in the Division of Financial Services Cash Fund.

(7) DIVISION OF INSURANCE^{196a}

Personal Services	5,015,778					
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	(93.3 FTE)				
Operating Expenses	464,020				
Workers' Compensation					
Studies	72,787				
PIP Exam Program	100,000				
Insurance Fraud					
Prosecution	154,680				
Indirect Cost Assessment	<u>868,030</u>				
		6,675,295	6,425,936 ^a	72,787 ^b	176,572

^a Of this amount, \$6,325,936 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 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.

^b This amount shall be from reserves in the Workers' Compensation Cash Fund.

(8) PUBLIC UTILITIES COMMISSION

Personal Services	5,622,970
	(92.7 FTE)
Operating Expenses	320,746
Expert Testimony	25,000
Indirect Cost Assessment	833,152
Highway Crossing	
Payments	284,598
Disabled Telephone Users	
Fund Payments	3,002,400
Local Exchange	
Administration Fund	48,000

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
500						
Low Income Telephone Assistance	236,274					
High Cost Fund Payments (1.6 FTE)	17,904,833					
	<u>28,277,973</u>	240,000		<u>27,242,516^a</u>	795,457 ^b	
	28,230,473			27,195,016 ^a		

^a Of this amount, it is estimated that \$17,904,833 shall be from the High Cost Fund, \$4,950,701 shall be from the Public Utilities Commission Fixed Utilities Fund, \$2,892,000 shall be from the Disabled Telephone Users Cash Fund, \$1,400,971 shall be from the Public Utilities Commission Motor Carrier Fund, ~~\$48,000~~\$500 shall be from the Local Exchange Administration Fund, \$44,598 shall be from interest earned on the Highway Crossing Protection Fund, and \$1,413 shall be from the Low-Income Telephone Assistance Fund. Of this amount, \$20,651,534 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 Sections 40-15-208 and 40-17-104, C.R.S.

^b Of this amount, it is estimated that \$342,354 shall be from reserves in the Public Utilities Commission Motor Carrier Fund, \$234,861 shall be from reserves in the Low-Income Telephone Assistance Fund, \$170,400 shall be from reserves in the Disabled Telephone Users Cash Fund, and \$47,842 shall be from reserves in the Public Utilities Commission Fixed Utilities Fund. Of these amounts, \$170,400 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 Section 40-17-104, C.R.S.

(9) DIVISION OF REAL ESTATE

Personal Services	1,981,282			
	(38.0 FTE)			
Operating Expenses	195,705			
Commission Meeting Costs	22,718			
Hearings Pursuant to Complaint	4,427			
Name Check	11,000			
Indirect Cost Assessment	325,590			
Payments from the Real Estate Recovery Fund	<u>250,000</u>			
		2,790,722	2,401,319 ^a	389,403 ^b

^a This amount shall be from the Division of Real Estate Cash Fund.

^b Of this amount, \$250,000 shall be from reserves in the Real Estate Recovery Fund and \$139,403 shall be from reserves in the Division of Real Estate Cash Fund.

(10) DIVISION OF REGISTRATIONS¹⁹⁸

Personal Services	7,148,140
	(147.6 FTE)
Operating Expenses	1,257,193
Centralized Licensing System - Annual License	175,000
Hearings Pursuant to Complaint	303,075
Payments to Department of Health Care Policy and Financing	12,844
Indirect Cost Assessment	<u>2,749,896</u>

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	11,646,148			8,763,723 ^a	2,882,425 ^b	

^a This amount shall be from the Division of Registrations Cash Fund.

^b Of this amount, it is estimated that \$1,518,330(T) shall be from indirect cost recoveries, \$225,733(T) shall be from the Department of Public Health and Environment, \$200,179(T) shall be from the Department of Health Care Policy and Financing, and \$938,183 shall be from reserves in the Division of Registrations Cash Fund.

(11) DIVISION OF SECURITIES

Personal Services	1,291,224				
	(21.0 FTE)				
Operating Expenses	43,246				
Hearings Pursuant to Complaint	16,560				
Board Meeting Costs	3,000				
Securities Fraud Prosecution	278,505				
Indirect Cost Assessment	<u>171,250</u>				
	1,803,785			1,781,296 ^a	22,489 ^b

^a This amount shall be from the Division of Securities Cash Fund.

^b This amount shall be from reserves in the Division of Securities Cash Fund.

TOTALS PART XVIII

**(REGULATORY
AGENCIES)^{4,5}**

\$74,221,911	\$1,766,398	\$59,339,702	\$12,318,202 ^a	\$797,609
<u>\$74,188,703</u>	<u>\$1,766,880</u>	<u>\$59,302,276</u>	<u>\$12,321,953^a</u>	<u>\$797,594</u>

^a Of this amount, ~~\$6,543,393~~\$6,547,144 contains a (T) notation.

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

4 (Governor lined through this provision. See L. 98, p. 2193.)

5 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. Each principal department of the state shall produce its rules and regulations in an electronic format that is suitable for public access through electronic means. Such rules and regulations in such format shall be submitted to the Office of Legislative Legal Services for publishing on the Internet. It is the intent of the General Assembly that this be done within existing resources.

191 (Governor lined through this provision. See L. 98, p. 2197.)

192 (Governor lined through this provision. See L. 98, p. 2197.)

193 (Governor lined through this provision. See L. 98, p. 2197.)

194 Department of Regulatory Agencies, Executive Director's Office -- The Executive Director is requested to report to the Joint Budget Committee by October 1, 1998, on how the Department of Regulatory Agencies intends to consolidate, streamline, and manage its expenditures on legal services. This report should identify how each of the divisions have used its

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appropriation for legal services and propose alternative ways to control and manage this expense.

195 (Governor lined through this provision. See L. 98, p. 2198.)

196 (Governor lined through this provision. See L. 98, p. 2198.)

196a Department of Regulatory Agencies, Division of Insurance -- It is the intent of the General Assembly that market conduct examinations performed by the Division of Insurance include title insurance companies and title insurance agents.

198 Department of Regulatory Agencies, Division of Registrations -- It is the intent of the General Assembly that efforts related to electrical and plumbing inspections be performed in proportion to the fees collected for those services in the areas where the fees are collected.

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 15, 1999