

CHAPTER 407

APPROPRIATIONS

HOUSE BILL 00-1411

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

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 364, Session Laws of Colorado 1999, 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.

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	554,651	1,500			553,151(T) ^a (9.0 FTE)	
Health, Life, and Dental	996,225	45,278		818,005 ^b	132,942(T) ^a	
Short-term Disability	46,179	2,868		38,975 ^b	4,336(T) ^a	
Salary Survey and Anniversary Increases	1,179,389	53,697		982,516 ^b	143,176(T) ^a	
Workers' Compensation	97,534	4,437		81,786 ^b	9,920(T) ^a	1,391
Operating Expenses	136,708	3,883		102,196 ^b	30,629(T) ^a	
Legal Services for 79,847 hours	4,221,511	75,827		3,944,902 ^b	101,124(T) ^a	99,658
Administrative Law Judge Services for 5,975 hours	532,030	12,021		406,925 ^b	113,084(T) ^a	
Purchase of Services from Computer Center	130,297	3,090		116,586 ^b	10,621(T) ^a	

Payment to Risk Management and Property Funds	64,148	3,181	51,316 ^b	8,391(T) ^a	1,260
Vehicle Lease Payments	306,186	2,141	297,039 ^b	7,006(T) ^a	
Information Technology Asset Maintenance	512,256	21,925	423,056 ^b	67,275(T) ^a	
Leased Space	2,043,467	103,979	1,557,667 ^b	356,541(T) ^a	25,280
Capitol Complex Leased Space	5,728	4,796	932 ^b		
Centralized Data Processing	137,607	800	24,600 ^b	112,207(T) ^a	
Hardware/Software Maintenance	467,383		142,000 ^b	325,383(T) ^a	
Colorado Uninsurable Health Insurance Plan ²³⁶	<u>3,340,041</u>			3,340,041 ^c	
	14,771,340				

^a Of these amounts, it is estimated that \$1,837,382 shall be from indirect cost recoveries, \$34,909 shall be from transfers from other departments, \$45,524 shall be from the Department of Public Health and Environment, \$40,371 shall be from the Department of Health Care Policy and Financing, and \$17,600 shall be from other departments for sunset reviews.

^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	271,351		44,225 ^a	227,126(T) ^b
	(5.0 FTE)			

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

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

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

15,042,691

(2) ADMINISTRATIVE SERVICES DIVISION²³⁷

Personal Services	1,883,743					
	(33.0 FTE)					
Operating Expenses	<u>66,963</u>					
		1,950,706				1,950,706(T) ^a

^a This amount shall be from indirect cost recoveries.

(3) DIVISION OF BANKING

Personal Services	2,271,571
	(38.0 FTE)
Operating Expenses	234,903
Board Meeting Costs	13,769
Indirect Cost Assessment	<u>289,916</u>

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(6) DIVISION OF FINANCIAL SERVICES						
Personal Services	667,989					
	(10.0 FTE)					
Operating Expenses	62,489					
Indirect Cost Assessment	<u>76,294</u>					
	806,772			806,772 ^a		

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

(7) DIVISION OF INSURANCE^{238, 239}

Personal Services	5,209,220
	(93.3 FTE)
Operating Expenses	475,792
Workers' Compensation	
Studies	72,787
PIP Exam Program	100,000
Insurance Fraud Prosecution	162,695
Indirect Cost Assessment	<u>730,252</u>

6,750,746

6,513,588^a

72,787^b

164,371

^a Of this amount, \$6,413,588 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 and are appropriated under 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	5,940,255				
	5,929,255				
	(93.7 FTE)				
Operating Expenses	332,050				
	343,050				
Expert Testimony	25,000				
Indirect Cost Assessment	720,975				
Highway Crossing Payments	279,293				
	417,596				
Disabled Telephone Users Fund Payments	3,383,550				
Low Income Telephone Assistance	239,013				
High Cost Fund Payments	134,461				
	<u>(1.0 FTE)</u>				
	11,054,597	240,000	9,973,266 ^a	841,331 ^b	
	11,192,900			979,634 ^b	

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a Of this amount, it is estimated that \$5,101,371 shall be from the Public Utilities Commission Fixed Utilities Fund, \$1,369,311 shall be from the Public Utilities Commission Motor Carrier Fund, \$3,461,550 shall be from the Disabled Telephone Users Cash Fund, \$39,293 shall be from interest earned on the Highway Crossing Protection Fund, and \$1,741 shall be from the Low-Income Telephone Assistance Fund. Of this amount, \$3,461,550 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.

^b Of this amount, it is estimated that \$423,062 shall be from reserves in the Public Utilities Commission Motor Carrier Fund, \$237,272 shall be from reserves in the Low-Income Telephone Assistance Fund, \$138,303 SHALL BE FROM RESERVES IN THE HIGHWAY CROSSING PROTECTION FUND, \$134,461 shall be from reserves in the Colorado High Cost Administration Fund, and \$46,536 shall be from reserves in the Retail Electricity Policy Development Fund.

(9) DIVISION OF REAL ESTATE

Personal Services	2,113,160
	(38.0 FTE)
Operating Expenses	198,391
Commission Meeting Costs	23,666
Hearings Pursuant to Complaint	4,427
Name Check	11,000
Indirect Cost Assessment	313,139

Payments from the Real Estate Recovery Fund	<u>250,000</u>			
		2,913,783	2,890,261 ^a	23,522 ^b

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

^b This amount shall be from reserves in the Real Estate Recovery Fund.

(10) DIVISION OF REGISTRATIONS^{240, 241}

Personal Services	7,659,220			
	(150.6 FTE)			
Operating Expenses	1,302,501			
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>2,866,906</u>			
		12,319,546	10,552,381 ^a	1,767,165(T) ^b

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

^b Of this amount, it is estimated that \$1,335,862 shall be from indirect cost recoveries, \$220,833 shall be from the Department of Public Health and Environment, and \$210,470 shall be from the Department of Health Care Policy and Financing.

(11) DIVISION OF SECURITIES

Personal Services	1,363,075
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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(21.0 FTE)						
Operating Expenses	42,832					
Hearings Pursuant to Complaint	16,560					
Board Meeting Costs	3,127					
Securities Fraud Prosecution	265,258					
Indirect Cost Assessment	<u>160,217</u>					
	1,851,069			1,851,069 ^a		
^a This amount shall be from the Division of Securities Cash Fund.						
TOTALS PART XVIII						
(REGULATORY						
AGENCIES)^{5,6}						
	<u>\$58,285,772</u>	<u>\$1,927,067</u>		<u>\$45,016,707</u>	<u>\$10,552,310^a</u>	<u>\$789,688</u>
	<u>\$58,424,075</u>				<u>\$10,690,613^a</u>	

^a Of this amount, \$6,064,629 contains a (T) notation.

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

5 (Governor lined through this provision. See L. 99, p. 2245.)

6 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.

236 Department of Regulatory Agencies, Executive Director's Office, Director's Office, Colorado Uninsurable Health Insurance Plan -- It is the intent of the General Assembly that the Colorado Uninsurable Health Insurance Plan (CUHIP) provide a report to the Joint Budget Committee by November 1, 1999, that details alternative funding sources for the Plan including private company assessments, to replace CUHIP's current funding sources that may be depleted as soon as FY 2002-03.

237 (Governor lined through this provision. See L. 99, p. 2245.)

238 Department of Regulatory Agencies, Division of Insurance -- It is the intent of the General Assembly that the Division of Insurance provide a report to the Joint Budget Committee by November 1, 1999, that explains how the functions of the Division's health care policy unit relate to the regulatory powers granted to the Division by statute. Furthermore, this report should explore possible duplication of responsibilities between the Division and the Department of Health Care Policy and Financing.

239 Department of Regulatory Agencies, Division of Insurance -- It is the intent of the General Assembly that the Division of Insurance submit to the Joint Budget Committee by November 1, 1999, a zero-based budget for FY 2000-01. This budget should be presented in a manner that is consistent with, and addresses each of, the stated objectives of Section 2-3-207, C.R.S. Any departure from these statutory guidelines should be explained and justified in the budget document.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
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240 Department of Regulatory Agencies, Division of Registrations -- It is the intent of the General Assembly that the Division of Registrations submit a report to the Joint Budget Committee by October 31, 1999, that summarizes residential and commercial construction trends as they pertain to both electrical and plumbing inspection demand for the current fiscal year and the previous three fiscal years. The report should include trends in counties along the Front Range, counties in mountain regions, and any counties that reflect at least a ten percent growth rate between any two fiscal years. The Division should establish mechanisms that will enable such information to be provided in successive fiscal years.

241 Department of Regulatory Agencies, Division of Registrations -- It is the intent of the General Assembly that the Division of Registrations submit a report to the Joint Budget Committee by October 31, 1999, that summarizes how appropriations to the Dental and Nursing Boards have helped to reduce case backlog. In addition, this report should include information on the efficacy of the Early Neutral Intervention Program that was developed by the Nursing Board as a means of decreasing the number of cases that are forwarded to the Attorney General's Office.

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 6, 2000