

CHAPTER 371

APPROPRIATIONS

HOUSE BILL 02-1383

BY REPRESENTATIVE(S) Young, Berry, Saliman, Crane, Hefley, Lee, and Scott;
also SENATOR(S) Reeves, Tate, and Owen.

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 363, Session Laws of Colorado 2001, 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'S OFFICE AND ADMINISTRATIVE SERVICES						
(A) Director's Office						
Personal Services	2,930,339	2,600			2,927,739(T) ^a (46.0 FTE)	
Health, Life, and Dental	1,016,374	48,730		829,946 ^b	137,698(T) ^a	
Short-term Disability	16,959	847		14,518 ^b	1,594(T) ^a	
Salary Survey	1,358,805	75,567 52,131		1,064,050 ^b	219,188(T)^a 242,624(T) ^a	
Anniversary Increases	300,269	7,993		248,815 ^b	43,461(T) ^a	
Workers' Compensation	117,596 111,930	5,255 5,002		98,475^b 93,730 ^b	12,219(T)^a 11,630(T) ^a	1,647 1,568
Operating Expenses	222,942 230,415	3,883		105,064 ^b	113,995(T)^a 121,468(T) ^a	
Legal Services for 82,077 81,735 hours	4,795,759 4,775,772	83,802 63,815		4,502,999 ^b	98,819(T) ^a	110,139
Administrative Law Judge Services for 4,075 2,271 hours	270,345	12,166		175,724^b	82,455(T)^a	

	241,015	4,000	161,332 ^b	75,683(T) ^a	
Purchase of Services from Computer Center	86,055 67,591	1,090	54,344 ^b	30,621(T)^a 12,157(T) ^a	
Payment to Risk Management and Property Funds	90,512 36,852	4,494 1,830	71,874^b 29,263 ^b	12,363(T)^a 5,034(T) ^a	1,781 725
Vehicle Lease Payments	321,124 253,227		311,218^b 250,043 ^b	9,906(T)^a 3,184(T) ^a	
Information Technology Asset Maintenance	494,250	21,925	405,050 ^b	67,275(T) ^a	
Leased Space	2,091,667 2,142,819	111,848	1,588,008^b 1,631,313 ^b	365,753(T)^a 373,598(T) ^a	26,058 26,060
Capitol Complex Leased Space	4,997 5,602	4,183 4,692	814^b 910 ^b		
Hardware/Software Maintenance	405,650	800	166,600 ^b	238,250(T) ^a	
Colorado Uninsurable Health Insurance Plan ²²⁸	<u>8,844,923</u>			8,844,923 ^c	
	<u>23,368,566</u>				
	23,232,792				

^a Of these amounts, it is estimated that ~~\$4,231,407~~ \$4,230,285 shall be from indirect cost recoveries, \$32,500 shall be from transfers from other departments, \$48,268 shall be from the Department of Public Health and Environment, \$46,561 shall be from the Department of Health Care Policy and Financing, and \$2,600 shall be from other departments for sunset reviews.

Ch. 371

Appropriations

Appropriations

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<p>^b These amounts shall be from various cash sources within the Department.</p> <p>^c Of this amount, it is estimated that \$1,274,060 shall be from interest earned on the Unclaimed Property Trust Fund, \$1,393,283 shall be from interest earned on the Colorado Uninsurable Health Insurance Plan Cash Fund, and \$6,177,580 shall be from reserves in the Colorado Uninsurable Health Insurance Plan Cash Fund.</p>						
(B) Office of Certification						
Program Costs	263,318			45,097 ^a	218,221(T) ^b	
	(4.0 FTE)					
<p>^a This amount shall be from various grants from local governmental entities.</p> <p>^b This amount shall be from federal funds transferred from the Department of Transportation.</p>						
(C) Office of Boxing						
Program Costs	77,618					
	(1.0 FTE)					
Indirect Cost Assessment	9,148					
	<u>86,766</u>			86,766 ^a		
<p>^a This amount shall be from the Office of Boxing Cash Fund.</p>						
	23,718,650					
	23,582,876					

(2) DIVISION OF BANKING

Personal Services	2,396,700		
	(38.5 FTE)		
Operating Expenses	221,864		
	253,810		
Board Meeting Costs	13,769		
Indirect Cost Assessment	<u>352,189</u>		
	2,984,522	2,984,522 ^a	
	3,016,468		31,946 ^b

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

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

(3) CIVIL RIGHTS DIVISION

Personal Services	1,905,881	1,305,052	187,052(T) ^a	413,777
		(24.0 FTE)	(2.5 FTE)	(8.5 FTE)
Operating Expenses	142,677	58,277		84,400
Hearings Pursuant to Complaint	6,000	5,000		1,000
Commission Meeting Costs	23,000	5,174		17,826
Indirect Cost Assessment	<u>47,553</u>			47,553
	2,125,111			

^a This amount shall be from indirect cost recoveries.

(4) OFFICE OF CONSUMER COUNSEL²²⁹

Program Costs	710,996
	711,271
	(7.0 FTE)

Ch. 371

Appropriations

Appropriations

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Indirect Cost Assessment	<u>73,182</u>						
		784,178			784,178 ^a		
		784,453			784,453 ^a		

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

(5) DIVISION OF FINANCIAL SERVICES

Personal Services	742,082						
	(11.0 FTE)						
Operating Expenses	75,891						
Indirect Cost Assessment	<u>100,625</u>						
		918,598			918,598 ^a		

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

(6) DIVISION OF INSURANCE

Personal Services	5,222,067						
	5,192,436						
	(88.1 FTE)						
Operating Expenses	429,705						
	427,705						

Senior Health Counseling Program	176,222 (2.0 FTE)				
Workers' Compensation Studies	67,725				
PIP Exam Program	100,000				
Insurance Fraud Prosecution	258,873				
Indirect Cost Assessment	<u>821,911</u>				
		7,076,503	6,812,063^a	72,225 ^b	192,215
		7,044,872	6,780,432 ^a		

^a Of this amount, ~~\$6,712,063~~ \$6,680,432 shall be from the Division of Insurance Cash Fund and \$100,000 shall be from reimbursements from insurance companies for travel expenses. Reimbursement moneys are shown for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution and are appropriated under Section 10-1-204 (9), C.R.S.

^b Of this amount, \$67,725 shall be from reserves in the Workers' Compensation Cash Fund and \$4,500 shall be from the Motorist Insurance Identification Account in the Highway Users Tax Fund.

(7) PUBLIC UTILITIES COMMISSION

Personal Services	6,253,646 (90.7 FTE)
Operating Expenses	357,936 360,689
Expert Testimony	25,000
Indirect Cost Assessment	838,850
Highway Crossing Payments	279,293
Disabled Telephone Users	
Fund Payments	3,600,000

Ch. 371

Appropriations

Appropriations

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Transfer to Reading Services for the Blind Cash Fund	93,800					
Low Income Telephone Assistance	163,389					
High Cost Administration (1.0 FTE)	127,019					
	<u>11,738,933</u>	240,000		<u>11,126,874^a</u>	372,059 ^b	
	11,741,686			11,129,627 ^a		

^a Of this amount, it is estimated that ~~\$5,856,611~~ \$5,858,786 shall be from the Public Utilities Commission Fixed Utilities Fund, ~~\$1,556,821~~ \$1,557,399 shall be from the Public Utilities Commission Motor Carrier Fund, \$3,605,000 shall be from the Disabled Telephone Users Cash Fund, \$39,293 shall be from interest earned on the Highway Crossing Protection Fund, \$48,897 shall be from the Low-Income Telephone Assistance Fund, and \$20,252 shall be from interest earned on the Colorado High Cost Fund. Of this amount, \$3,605,000 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 40-17-104, C.R.S.

^b Of this amount, \$150,800 shall be from reserves in the Disabled Telephone Users Cash Fund, \$114,492 shall be from reserves in the Low-Income Telephone Assistance Fund, and \$106,767 shall be from reserves in the Colorado High Cost Administration Fund.

(8) DIVISION OF REAL ESTATE

Personal Services	2,200,317
(37.0 FTE)	
Operating Expenses	193,078
	196,657
Commission Meeting Costs	21,925

Hearings Pursuant to Complaint	4,427		
Name Checks	11,000		
Indirect Cost Assessment	338,467		
Payments from the Real Estate Recovery Fund	<u>100,000</u>		
		2,869,214	2,869,214 ^a
		2,872,793	2,872,793 ^a

^a Of this amount, ~~\$2,769,214~~ \$2,772,793 shall be from the Division of Real Estate Cash Fund and \$100,000 shall be from the Real Estate Recovery Fund.

(9) DIVISION OF REGISTRATIONS²³⁰

Personal Services	8,330,787		
	(151.4 FTE)		
Operating Expenses	1,319,317		
	1,319,867		
Centralized Licensing System - Annual License	175,000		
Hearings Pursuant to Complaint	304,075		
Payments to Department of Health Care Policy and Financing	12,844		
Indirect Cost Assessment	<u>3,565,389</u>		
		13,707,412	11,396,753 ^a 2,310,659(T) ^b
		13,707,962	11,397,303 ^a

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

Ch. 371

Appropriations

Appropriations

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(10) DIVISION OF SECURITIES						
Personal Services	1,430,143					
	(20.0 FTE)					
Operating Expenses	46,206					
	49,785					
Hearings Pursuant to Complaint	16,394					
Board Meeting Costs	2,910					
Securities Fraud Prosecution	354,117					
Indirect Cost Assessment	<u>182,955</u>					
	2,032,725			2,032,725 ^a		
	2,036,304			2,036,304 ^a		
^a This amount shall be from the Division of Securities Cash Fund.						
TOTALS PART XVIII						
(REGULATORY						
AGENCIES)^{4,5}						
	<u>\$67,955,846</u>	<u>\$1,998,686</u>		<u>\$48,694,289</u>	<u>\$16,366,475^a</u>	<u>\$896,396</u>
	<u>\$67,831,123</u>	<u>\$1,944,689</u>		<u>\$48,593,872</u>	<u>\$16,397,299^a</u>	<u>\$895,263</u>

^a Of this amount, ~~\$7,077,268~~ \$7,076,146 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. 2001, p. 2345.)
- 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 in an electronic format that is suitable for public access through electronic means. Such rules 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.
- 228 Department of Regulatory Agencies, Executive Director's Office and Administrative Services, 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 on July 1, 2001, and on January 1, 2002 that updates enrollment, revenue, expenditure, and fund balance projections for the Plan. These projections should include anticipated enrollment numbers and fund balance for June 30, 2002, June 30, 2003, and June 30, 2004.
- 229 Department of Regulatory Agencies, Office of Consumer Counsel -- The Office is requested to report to the Joint Budget Committee by November 1, 2001, on the effects of the reallocation of resources in the Office. The report should include a comparison of the number of cases before the PUC in which the Office represented consumer interests, and the outcome of those cases, for the three most recent fiscal years.
- 230 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, 2001, 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. Effective date. This act shall take effect upon passage; except that this act shall only take effect if the following bills are enacted at the Second Regular Session of the Sixty-third General Assembly and become law: House Bill 02-1366; House Bill 02-1367; House Bill 02-1368; House Bill 02-1369; House Bill 02-1370; House Bill 02-1371; House Bill 02-1372; House Bill 02-1373; House Bill 02-1374; House Bill 02-1375; House Bill 02-1376; House Bill 02-1377; House Bill 02-1378; House Bill 02-1379; House Bill 02-1380; House Bill 02-1381; House Bill 02-1382; House Bill 02-1384; House Bill 02-1385; House Bill 02-1386; House Bill 02-1387; House Bill 02-1388; House Bill 02-1389; House Bill 02-1390; House Bill 02-1391; House Bill 02-1392; House Bill 02-1393; and House Bill 02-1394.

SECTION 3. 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 27, 2002

Editor's note: Section 2 of this act provided that this act is effective upon passage only if House Bills 02-1366 through 02-1394 are enacted and become law. Said bills were signed March 27, 2002.