

CHAPTER 459

APPROPRIATIONS

SENATE BILL 07-176

BY SENATOR(S) Tapia, Keller, and Johnson;
also REPRESENTATIVE(S) Buescher, Pommer, White, and Frangas.

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 394, Session Laws of Colorado 2006, 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 AND ADMINISTRATIVE SERVICES¹¹²						
Personal Services	3,718,633 3,731,369	10,000		43,000 ^a	3,665,633(T) ^a 3,678,369(T) ^b (53.0 FTE)	
Health, Life, and Dental	1,643,160	59,376		1,348,248 ^c	235,536(T) ^b	
Short-term Disability	35,812	878		28,807 ^c	6,127(T) ^b	
Amortization Equalization Disbursement	237,365	5,503		191,198 ^c	40,664(T) ^b	
Salary Survey and Senior Executive Service	899,451	29,611		714,991 ^c	154,849(T) ^b	
Workers' Compensation	80,123 89,485	2,811 3,254		67,836^c 75,800 ^c	8,288(T) ^a 9,105(T) ^b	1,326 ^d
Operating Expenses	224,639	9,752		105,772 ^c	109,115(T) ^b	
Legal Services for 85,097 85,847 hours	5,767,024 5,817,852	52,929		5,475,015^c 5,525,843 ^c	111,334(T) ^b	127,746 ^d
Administrative Law Judge Services	182,621 214,701	8,413		172,799^c 204,879 ^c	1,409(T) ^b	

Purchase of Services from Computer Center	23,911 1,237	263 13	20,097 1,140 ^e	3,551(T) ^a 84(T) ^b	
Multiuse Network Payments	2,728	1,812		916(T) ^a	
Payment to Risk Management and Property Funds	59,200 81,449	2,128 3,073	47,248 65,058 ^e	8,592(T) ^a 11,626(T) ^b	1,232 ^a 1,692 ^d
Vehicle Lease Payments	206,011 163,193		206,011 ^a 163,193 ^e		
Information Technology Asset Maintenance	471,706	3,801	274,594 ^e	193,311(T) ^b	
Leased Space	2,256,361 2,252,161	87,178 82,978	1,778,454 ^e	367,201(T) ^b	23,528 ^d
Capitol Complex Leased Space	1,112		1,112 ^e		
Hardware/Software Maintenance	659,831	800	400,429 ^e	258,602(T) ^b	
IT SYSTEMS MODIFICATION	<u>162,641</u>		162,641 ^e		
		16,469,688			
		16,687,164			

^a Of this amount, it is estimated that \$8,000 shall be from the Department of State Cash Fund, pursuant to Section 12-9-103.5, C.R.S.; \$8,000 shall be from the Collection Agency Cash Fund, pursuant to Section 12-14-136, C.R.S.; \$6,000 shall be from the Auto Theft Prevention Cash Fund, pursuant to Section 42-5-112 (4)(a), C.R.S.; \$4,500 shall be from the Controlled Substances Program Fund, pursuant to Section 12-22-306, C.R.S.; \$5,500 shall be from the Auto Dealers License Fund, pursuant to Section 12-6-123, C.R.S.; \$5,000 shall be from the Racing Cash Fund, pursuant to Section 12-60-205 (1), C.R.S.; \$5,000 shall be from the Colorado State Veterans Trust Fund, pursuant to Section 28-5-709 (1)(a), C.R.S.; and \$1,000 shall be from the Read-to-Achieve Cash Fund, pursuant to Section 22-7-506 (4)(a), C.R.S.

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

^b Of these amounts, it is estimated that ~~\$5,038,021~~ \$5,050,225 shall be from indirect cost recoveries, \$58,054 shall be from the Department of Public Health and Environment, \$58,053 shall be from the Department fo Health Care Policy and Financing, and \$11,000 shall be from other departments for sunset reviews.

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

^d These amounts shall be from the Equal Employment Opportunity Commission, the Department of Housing and Urban Development, and the Health Information Counseling and Assistance Grant Program, and are included for informational purposes only.

(2) DIVISION OF BANKING

Personal Services	2,698,720				
	(38.5 FTE)				
Operating Expenses	270,547				
Board Meeting Costs	11,500				
Indirect Cost Assessment	<u>435,762</u>				
	3,416,529			3,416,529 ^a	

^a This amount shall be from the Division of Banking Cash Fund created in Section 11-102-403, C.R.S.

(3) CIVIL RIGHTS DIVISION

Personal Services	1,558,639	959,807		234,347(T) ^a	364,485 ^b
		(18.0 FTE)		(2.0 FTE)	(9.0 FTE)
Operating Expenses	97,977	56,857			41,120 ^b

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(6) DIVISION OF INSURANCE						
Personal Services	5,396,749					
	(78.5 FTE)					
Operating Expenses	380,420					
	389,720					
Senior Health Counseling Program	509,000					
	(2.0 FTE)					
PIP Exam Program	26,670					
	(0.5 FTE)					
Insurance Fraud Prosecution	305,779					
Indirect Cost Assessment	<u>906,348</u>					
	7,524,966			6,998,751^a	5,028 ^b	521,187 ^c
	7,534,266			7,008,051 ^a		

^a Of this amount, ~~\$6,890,333~~ \$6,899,633 shall be from the Division of Insurance Cash Fund created in Section 10-1-103 (3), C.R.S., \$100,000 shall be from reimbursements from insurance companies for travel expenses, \$8,418 shall be from the Viatical Settlements Cash Fund created in Section 10-7-619, C.R.S. Reimbursement moneys are shown for purposes of complying with the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution and are continuously appropriated pursuant to Section 10-1-108 (9), C.R.S.

^b This amount shall be from the Commission on Mandated Health Insurance Benefits Cash Fund created in Section 10-16-103.3 (8), C.R.S.

^c This amount shall be from the Health Information Counseling and Assistance Program and is included for informational purposes only.

(7) PUBLIC UTILITIES COMMISSION

Personal Services	7,589,209		
	(93.5 FTE)		
Operating Expenses	391,322		
	392,310		
Expert Testimony	25,000		
Disabled Telephone Users			
Fund Payments	2,108,400		
Transfer to Reading Services			
for the Blind Cash Fund	200,000		
Transfer to Commission for the			
Deaf and Hard of Hearing Cash			
Fund	25,000		
Low Income Telephone			
Assistance	1,097,367		
Indirect Cost Assessment	<u>1,058,279</u>		
	12,494,577	11,136,801*	1,357,776 ^b
	12,495,565	11,137,789 ^a	

^a Of this amount, it is estimated that \$7,102,442 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S., \$2,352,123 shall be from the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S., ~~\$1,575,190~~ \$1,576,178 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., and \$107,046 shall be from the Colorado High Cost Administration Fund created in Section 40-15-208 (3), C.R.S. Of this amount, \$2,670,283 is shown for purposes of complying with the limitation on state fiscal year spending imposed by Section 20 of Article X of the State Constitution. Such moneys are included for informational purposes as they are continuously appropriated by Section 40-17-104 (1), C.R.S.

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

^b Of this amount, it is estimated that \$1,097,367 shall be from reserves in the Low-Income Telephone Assistance Fund created in Section 40-3.4-108 (2) (a), C.R.S.; \$197,292 shall be from reserves in the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., and \$63,117 shall be from reserves in the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S.

(8) DIVISION OF REAL ESTATE

Personal Services	2,494,057				
	(37.0 FTE)				
Operating Expenses	183,923				
	186,623				
Commission Meeting Costs	21,925				
Hearings Pursuant to Complaint	3,000				
Indirect Cost Assessment	<u>418,784</u>				
	3,121,689			3,121,689 ^a	
	3,124,389			3,124,389 ^a	

^a This amount shall be from the Division of Real Estate Cash Fund created in Section 12-61-111.5 (2) (b), C.R.S.

(9) DIVISION OF REGISTRATIONS

Personal Services	9,845,595
	(159.5 FTE)

Operating Expenses	1,187,210			
	1,207,542			
Hearings Pursuant to Complaint	307,075			
Payments to Department of Health Care Policy and Financing	14,652			
	154,383			
Indirect Cost Assessment	<u>3,742,695</u>			
	15,097,227	12,900,173^a	2,197,054(T)^a	
	15,257,290	12,920,505 ^a	2,336,785(T) ^b	

^a This amount shall be from the Division of Registrations Cash Fund created in Section 24-34-105 (2) (b) (I), C.R.S.

^b Of this amount, it is estimated that \$1,691,724 shall be from indirect cost recoveries, \$252,665 shall be from the Department of Public Health and Environment, ~~and~~ \$252,665 shall be from the Department of Health Care Policy and ~~Financing~~- FINANCING, AND \$139,731 SHALL BE FROM EXCESS RESERVES IN THE DIVISION OF REGISTRATIONS CASH FUND.

(10) DIVISION OF SECURITIES

Personal Services	1,649,861
	(20.0 FTE)
Operating Expenses	45,656
Hearings Pursuant to Complaint	19,594
Board Meeting Costs	4,500
Securities Fraud Prosecution	421,274
Indirect Cost Assessment	<u>226,370</u>

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	2,367,255			2,367,255 ^a		

^a This amount shall be from the Division of Securities Cash Fund created in Section 11-51-707 (2), C.R.S.

TOTALS PART XVIII

(REGULATORY AGENCIES)^{2,3}

\$64,126,359	\$1,302,093		\$52,713,269	\$8,959,333 ^a	\$1,151,664
<u>\$64,516,886</u>	<u>\$1,297,219</u>		<u>\$52,956,137</u>	<u>\$9,111,268^a</u>	<u>\$1,152,262</u>

^a Of this amount, ~~\$7,596,529~~ \$7,748,464 contains a (T) notation.

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

2 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. Until such time as the Secretary of State publishes the code of Colorado regulations and the Colorado register in electronic form pursuant to section 24-4-103 (11) (b), C.R.S., each principal department of the state is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should be submitted to the Office of Legislative Legal Services for publishing on the Internet. Alternatively, the Office of Legislative Legal Services may provide links on its internet web site to such rules. It is the intent of the General Assembly that this be done within existing resources.

3 (Governor lined through this provision. See L. 2006, p. 2896.)

APPROPRIATION FROM

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

112 (Governor lined through this provision. See L. 2006, p. 2925.)

SECTION 2. Part XVIII (9) and the affected totals of section 2 of chapter 354, Session Laws of Colorado 2005, as amended by section 1 of chapter 387, Session Laws of Colorado 2006, are amended to read:

Section 2. **Appropriation.**

**PART XVIII
DEPARTMENT OF REGULATORY AGENCIES**

(9) DIVISION OF REGISTRATIONS

Personal Services	9,552,525
	(158.2 FTE)
Operating Expenses	1,165,324
Hearings Pursuant to Complaint	307,075
Payments to Department of Health Care Policy and Financing	14,652
	146,812

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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>3,492,466</u>					
	14,532,042			12,467,222 ^a	2,064,820(T) ^a	
	14,664,202				2,196,980(T) ^b	

^a This amount shall be from the Division of Registrations Cash Fund created in Section 24-34-105 (2) (b) (I), C.R.S.

^b Of this amount, it is estimated that \$1,559,429 shall be from indirect cost recoveries, \$257,244 shall be from the Department of Public Health and Environment, and \$248,147 shall be from the Department of Health Care Policy and Financing. FINANCING, AND \$132,160 SHALL BE FROM EXCESS RESERVES IN THE DIVISION OF REGISTRATIONS CASH FUND.

TOTALS PART XVIII

(REGULATORY AGENCIES)^{4, 5}

\$62,090,394	\$1,283,348			\$52,166,295	\$7,644,253	\$996,498
<u>\$62,222,554</u>					<u>\$7,776,413^a</u>	

^a Of this amount, ~~\$7,303,275~~ \$7,435,435 contains a (T) notation.

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 22, 2007