

CHAPTER 468

APPROPRIATIONS

HOUSE BILL 08-1298

BY REPRESENTATIVE(S) Buescher, Pommer, White, Frangas, and Labuda;
also SENATOR(S) Keller, Morse, and Johnson.**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 466, Session Laws of Colorado 2007, 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	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 SERVICES¹²⁰

Personal Services	3,799,042	56,450		19,000 ^a	3,723,592(T) ^b (53.0 FTE)	
Health, Life, and Dental	2,253,091	120,081		1,847,073 ^c	285,937(T) ^b	
Short-term Disability	41,774	1,183		33,542 ^c	7,049(T) ^b	
S.B. 04-257 Amortization Equalization Disbursement	385,299	10,620		309,613 ^c	65,066(T) ^b	
S.B. 06-235 Supplemental Amortization Equalization Disbursement	79,954	1,896		64,503 ^c	13,555(T) ^b	
Salary Survey and Senior Executive Service	1,008,654	36,244		821,846 ^c	150,564(T) ^b	
Performance-based Pay Awards	475,057	13,741		393,951 ^c	67,365(T) ^b	
Workers' Compensation	139,889 81,821	4,995 2,922		118,005^c 69,020 ^c	14,484(T)^b 8,472(T) ^b	2,405 ^d 1,407 ^d
Operating Expenses	211,692	3,689		97,448 ^c	110,555(T) ^b	
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Legal Services for 86,216 hours	6,210,138		56,256		5,885,787 ^c	132,391(T) ^b	135,704 ^d
Administrative Law Judge Services	229,718 228,903		4,851 4,834		223,115^c 222,323 ^c	1,752(T)^b 1,746(T) ^b	
Purchase of Services from Computer Center	20,019		206		18,446^c	1,367(T)^b	
Payment to Risk Management and Property Funds	72,676 69,429		2,674 2,555		57,786^c 55,204 ^c	10,476(T)^b 10,008(T) ^b	1,740^d 1,662 ^d
Vehicle Lease Payments	203,304 157,653				203,304^c 157,653 ^c		
Information Technology Asset Maintenance	570,087				280,646 ^c	289,441(T) ^b	
Leased Space	2,532,604 2,573,535		87,472		2,017,946^c 2,058,877 ^c	401,062(T) ^b	26,124 ^d
Capitol Complex Leased Space	1,279 1,307				1,279^c 1,307 ^c		
Hardware/Software Maintenance	<u>660,320</u>		800		400,918 ^c	258,602(T) ^b	

~~18,894,597~~

18,807,756

^a Of this amount, it is estimated that \$6,000 shall be from the Notary Administration Cash Fund created in to Section 12-55-102.5 (1), C.R.S., \$5,000 shall be from the Auto Theft Prevention Cash Fund created Section 42-5-112 (4)(a), C.R.S., \$4,000 shall be from the Department of State Cash Fund pursuant to Section 12-9-103.5 (1), C.R.S., and \$4,000 shall be from the Collection Agency Cash Fund created in Section 12-14-136 (1) (a), C.R.S.

^b Of these amounts, it is estimated that ~~\$5,413,580~~ \$5,405,727 shall be from indirect cost recoveries, \$57,839 shall be from the Department of Public Health and Environment, \$57,839 shall be from the Department fo Health Care Policy and Financing, and \$4,000 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 U.S. 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	2,741,481		
	(38.5 FTE)		
Operating Expenses	279,905		
Board Meeting Costs	11,500		
	23,500		
Indirect Cost Assessment	<u>453,276</u>		
		3,486,162	3,486,162 ^a
		3,498,162	3,498,162 ^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	1,580,309	906,114	311,532(T) ^a	362,663 ^b
		(18.0 FTE)	(2.0 FTE)	(11.0 FTE)

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	97,977		56,857				41,120 ^b
Hearings Pursuant to Complaint	6,000		5,000				1,000 ^b
Commission Meeting Costs	12,374		5,174				7,200 ^b
Indirect Cost Assessment	<u>56,025</u>						56,025 ^b
		1,752,685					

^a This amount shall be from indirect cost recoveries.

^b These amounts shall be from the Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development, and are included for informational purposes only.

(4) OFFICE OF CONSUMER COUNSEL

Personal Services	753,191						
	(7.0 FTE)						
Operating Expenses	55,572						
Indirect Cost Assessment	<u>82,414</u>						
		891,177			891,177 ^a		

^a This amount shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S.

(5) DIVISION OF FINANCIAL SERVICES

Personal Services	928,668			
	(13.0 FTE)			
Operating Expenses	86,921			
Indirect Cost Assessment	<u>153,054</u>			
		1,168,643		1,168,643 ^a

^a This amount shall be from the Division of Financial Services Cash Fund created in Section 11-40-106 (2), C.R.S.

(6) DIVISION OF INSURANCE

Personal Services	5,496,746			
	(78.5 FTE)			
Operating Expenses	404,019			
Senior Health Counseling Program	509,000			
	(2.0 FTE)			
Insurance Fraud Prosecution	787,018			
Indirect Cost Assessment	<u>937,129</u>			
		8,133,912	7,591,995 ^a	20,000 ^b 521,917 ^c

^a Of this amount, \$7,487,507 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, and \$4,488 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 Health Care Reform Cash Fund created in Section 10-16-131 (5) (a), C.R.S.

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

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(7) PUBLIC UTILITIES COMMISSION						
Personal Services	7,680,267					
	(93.5 FTE)					
Operating Expenses	394,202					
Expert Testimony	25,000					
Disabled Telephone Users Fund Payments	2,011,788					
Transfer to Reading Services for the Blind Cash Fund	200,000					
Commission for the Deaf and Hard of Hearing Cash Fund	644,724					
Low Income Telephone Assistance	2,238,600					
Indirect Cost Assessment	<u>1,100,812</u>					
	14,295,393			13,919,159 ^a	376,234 ^b	

^a Of this amount, it is estimated that \$6,834,654 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S., \$2,938,807 shall be from the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S., \$2,238,600 shall be from the Low Income Telephone Assistance Fund created in Section 40-3.4-108 (2) (a), C.R.S., \$1,799,597 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., and \$107,501 shall be from the Colorado High Cost Administration Fund created in Section 40-15-208 (3), C.R.S. Of this amount, \$2,656,512 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.

^b This amount shall be from reserves in the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S.

(8) DIVISION OF REAL ESTATE

Personal Services	2,661,047		
	(40.5 FTE)		
Operating Expenses	192,196		
Commission Meeting Costs	21,925		
Hearings Pursuant to Complaint	4,000		
Indirect Cost Assessment	<u>476,823</u>		
		3,355,991	3,355,991 ^a

^a Of this amount, it is estimated that \$3,262,454 shall be from the Division of Real Estate Cash Fund created in Section 12-61-111.5 (2) (b), C.R.S., and \$93,537 shall be from the Mortgage Broker Registration Cash Fund created in Section 12-61-908 (2), C.R.S.

(9) DIVISION OF REGISTRATIONS

Personal Services	10,379,371
	(166.2 FTE)
Operating Expenses	1,236,529
Hearings Pursuant to Complaint	307,075

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Payments to Department of Health Care Policy and Financing	14,652					
Indirect Cost Assessment	<u>3,783,139</u>					
	15,720,766			13,581,758 ^a	2,139,008(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 \$1,549,657 shall be from indirect cost recoveries, \$267,504 shall be from the Department of Public Health and Environment, and \$267,504

shall be from the Department of Health Care Policy and Financing, and \$54,343 shall be from reserves in the Division of Registrations Cash Fund created in Section 24-34-105 (2) (b) (I), C.R.S.

(10) DIVISION OF SECURITIES

Personal Services	1,684,692
	(20.0 FTE)
Operating Expenses	47,816
Hearings Pursuant to Complaint	19,594
Board Meeting Costs	4,500
Securities Fraud Prosecution	447,844
Indirect Cost Assessment	<u>235,468</u>

2,439,914

2,439,914^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)^{4,5}

\$70,139,240	\$1,374,303		\$59,229,007	\$8,380,032 ^a	\$1,155,898
<u>\$70,064,399</u>	<u>\$1,371,888</u>		<u>\$59,165,510</u>	<u>\$8,372,179^a</u>	<u>\$1,154,822</u>

^a Of this amount, ~~\$7,983,798~~ \$7,975,945 contains a (T) notation.

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

- 4 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.
- 5 All Departments, Totals -- Every Department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2007-08. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.
- 120 Department of Regulatory Agencies, Executive Director's Office and Administrative Services -- The Department is requested to submit a report to the Joint Budget Committee by October 1, 2007 on the Office of Expedited Settlement within the Division of Registrations. The report shall include quantitative measures that can be used to assess the program and a recommendation, based on those measures, to continue, modify or discontinue the program.

SECTION 2. Section 12 (1) of chapter 386, Session Laws of Colorado 2007, is amended to read:

Section 12. **Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the mortgage broker registration cash fund created in Section 12-61-908 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for the fiscal year beginning July 1, 2007, the sum of ~~four hundred ninety-five thousand eighty-four dollars (\$495,084), cash funds, and 2.5 FTE,~~ ONE HUNDRED THIRTY-FIVE THOUSAND SEVEN HUNDRED FORTY-ONE DOLLARS (\$135,741), CASH FUNDS, AND 0.7 FTE, or so much thereof as may be necessary. Of said sum, one hundred eighteen thousand five hundred ninety-eight dollars (\$118,598) shall be allocated to the executive director's office for the purchase of legal services from the department of law and ~~three hundred seventy-six thousand four hundred eighty-six dollars (\$376,486) and 2.5 FTE~~ SEVENTEEN THOUSAND ONE HUNDRED FORTY-THREE DOLLARS (\$17,143) AND 0.7 FTE shall be allocated to the division of real estate for the implementation of this act.

SECTION 3. Section 16 of chapter 388, Session Laws of Colorado 2007, is amended to read:

Section 16. **Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the mortgage broker registration cash fund created in Section 12-61-908 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for the fiscal year beginning July 1, 2007, the sum of ~~four hundred twenty-two thousand four hundred sixty-three dollars (\$422,463),~~ TWO HUNDRED THIRTY-SIX THOUSAND ONE HUNDRED FOURTEEN DOLLARS (\$236,114), cash funds, and 1.8 FTE, or so much thereof as may be necessary, for the implementation of this act. Of said sum, fifty-nine thousand two hundred ninety-nine dollars (\$59,299) shall be allocated to the executive director's office for the purchase of legal services from the department of law and ~~three hundred sixty-three thousand one hundred sixty-four dollars (\$363,164)~~ ONE HUNDRED SEVENTY-SIX THOUSAND EIGHT HUNDRED FIFTEEN DOLLARS (\$176,815) and 1.8 FTE shall be allocated to the division of real estate.

SECTION 4. 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 19, 2008