

CHAPTER 448

APPROPRIATIONS

HOUSE BILL 10-1313

BY REPRESENTATIVE(S) Pommer, Ferrandino, Lambert, Gardner B., Stephens, Summers;
also SENATOR(S) Keller, Tapia, White.

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 464, Session Laws of Colorado 2009, 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 | REAPPROPRIATED FUNDS | FEDERAL FUNDS |
|--------------------|-------|-----------------|---------------------------|---------------|-------------------------|------------------|
| \$ | \$ | \$ | \$ | \$ | \$ | \$ |

**PART XVIII
DEPARTMENT OF REGULATORY AGENCIES**

(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES

| | | | | | | |
|---------------------------|-----------|--------|--|------------------------|------------------------|---------------------|
| Personal Services | 4,087,116 | 15,619 | | 25,500 ^a | 4,045,997 ^a | |
| | 4,039,321 | | | | 3,998,202 ^b | |
| | | | | | (52.3 FTE) | |
| Health, Life, and Dental | 2,922,197 | 92,248 | | 2,243,800 ^c | 542,780 ^b | 43,369 ^d |
| Short-term Disability | 50,482 | 1,256 | | 43,106 ^c | 5,649 ^a | 471 ^a |
| | 48,529 | 1,113 | | 41,566 ^c | 5,401 ^b | 449 ^d |
| S.B. 04-257 Amortization | | | | | | |
| Equalization Disbursement | 654,717 | 16,098 | | 559,080 ^c | 73,465 ^a | 6,074 ^a |
| | 629,510 | 14,244 | | 539,191 ^c | 70,275 ^b | 5,800 ^d |
| S.B. 06-235 Supplemental | | | | | | |
| Amortization Equalization | | | | | | |
| Disbursement | 408,688 | 9,879 | | 349,150 ^c | 45,863 ^a | 3,796 ^a |
| | 392,933 | 8,719 | | 336,721 ^c | 43,869 ^b | 3,624 ^d |
| Workers' Compensation | 84,676 | 2,992 | | 71,961 ^c | 8,354 ^a | 1,369 ^a |
| | 79,945 | 2,825 | | 67,940 ^c | 7,887 ^b | 1,293 ^d |

Ch. 448

Appropriations

2613

| | ITEM & SUBTOTAL | TOTAL | APPROPRIATION FROM | | | | |
|---|---|-------|-------------------------------|---------------------------|--|--|--|
| | | | GENERAL FUND | GENERAL FUND EXEMPT | CASH FUNDS | REAPPROPRIATED FUNDS | FEDERAL FUNDS |
| | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| Operating Expenses | 212,018 210,229 | | 3,689 | | 95,427 ^c | 112,902^a 111,113 ^b | |
| Legal Services for 101,192 hours | 101,950 7,684,991 7,627,867 | | 209,933 152,809 | | 7,194,494 ^c | 138,548 ^b | 142,016 ^d |
| Administrative Law Judge Services | 324,818 | | 14,964 | | 309,854 ^c | | |
| Purchase of Services from Computer Center | 51,060 48,916 | | | | | 51,060^a 48,916 ^b | |
| Management and Administration of OIT | 70,429 60,445 | | 1,604 1,376 | | 57,416^c 49,277 ^c | 10,774^a 9,247 ^b | 635^a 545 ^d |
| Payment to Risk Management and Property Funds | 96,376 90,734 | | 3,491 3,286 | | 77,828^c 73,272 ^c | 12,936^a 12,179 ^b | 2,121^a 1,997 ^d |
| Vehicle Lease Payments | 187,489 191,507 | | | | 187,489^c 191,507 ^c | | |
| Information Technology Asset Maintenance | 671,403 | | | | 354,412^c 480,646 ^c | 190,757 ^b | 126,234^a |

| | | | | | |
|---------------------------------------|----------------|-----------------------|------------------------|----------------------|---------------------|
| Leased Space | 3,110,357 | 102,146 | 2,500,098 ^a | 466,206 ^a | 41,907 ^a |
| | 3,040,012 | 99,836 | 2,443,555 ^c | 455,662 ^b | 40,959 ^d |
| Capitol Complex Leased Space | 6,325 | | 6,325 ^c | | |
| Hardware/Software Maintenance | 672,315 | 800 | 412,913 ^c | 258,602 ^b | |
| Consumer Outreach / Education Program | <u>200,000</u> | | 200,000 ^e | | |
| | | 21,495,457 | | | |
| | | 21,257,006 | | | |

^a Of this amount, it is estimated that \$8,080 shall be from the Colorado Identity Theft and Financial Fraud Cash Fund created in Section 24-33.5-1707 (1) (a), C.R.S., \$7,320 shall be from the Parks and Outdoor Recreation Cash Fund created in Section 33-10-111 (1), C.R.S., \$4,900 shall be from the Colorado Water Conservation Board Construction Cash Fund created in to Section 37-60-121 (1) (a), C.R.S., \$2,500 shall be from the River Outfitters Cash Fund created in Section 33-32-111, C.R.S., \$1,500 shall be from the Workers' Compensation Cash Fund created in Section 8-44-112 (7) (a), C.R.S., and \$1,200 shall be from the Colorado Commission for the Deaf and Hard of Hearing Cash Fund created in Section 26-21-107 (1), C.R.S.

^b Of these amounts, it is estimated that ~~\$5,857,463~~ \$5,787,008 shall be from indirect cost recoveries, \$50,215 shall be from the Department of Public Health and Environment, \$50,215 shall be from the Department of Health Care Policy and Financing, and \$6,000 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, the U.S. Department of Justice, and the Health Information Counseling and Assistance Grant Program. These amounts are included for informational purposes only.

^e This amount shall be from the Consumer Outreach and Education Cash Fund created in Section 24-34-108 (2), C.R.S.

(2) DIVISION OF BANKING

| | |
|-------------------|----------------------|
| Personal Services | 3,362,638 |
| | 3,329,677 |
| | (44.5 FTE) |

| | ITEM & SUBTOTAL | TOTAL | APPROPRIATION FROM | | | | |
|--------------------------|--------------------|-----------|--------------------|---------------------------|------------------------|-------------------------|------------------|
| | | | GENERAL FUND | GENERAL FUND EXEMPT | CASH FUNDS | REAPPROPRIATED FUNDS | FEDERAL FUNDS |
| | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| Operating Expenses | 419,464 | | | | | | |
| | 416,042 | | | | | | |
| Board Meeting Costs | 23,500 | | | | | | |
| Indirect Cost Assessment | <u>513,677</u> | | | | | | |
| | | 4,319,279 | | | 4,319,279 ^a | | |
| | | 4,282,896 | | | 4,282,896 ^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 | 1,730,639 | | 1,105,771 | | 272,752 ^a | 352,116^c |
| | 1,577,908 | | 960,212 | | | 344,944 ^b |
| | | | (19.4 FTE) | | (2.0 FTE) | (11.0 FTE) |
| | | | (18.4 FTE) | | | |
| Operating Expenses | 105,185 | | 64,065 | | | 41,120 ^b |
| | 104,457 | | 63,337 | | | |
| Hearings Pursuant to Complaint | 18,000 | | 17,000 | | | 1,000 ^b |
| Commission Meeting Costs | 12,374 | | 5,174 | | | 7,200 ^b |
| Indirect Cost Assessment | <u>55,415</u> | | | | | 55,415 ^b |

~~1,921,613~~

1,768,154

^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 | 805,028 | | |
| | 784,927 | | |
| | (7.0 FTE) | | |
| Operating Expenses | 56,322 | | |
| | 55,750 | | |
| Indirect Cost Assessment | <u>80,803</u> | | |
| | 942,153 | | 942,153 ^a |
| | 921,480 | | 921,480 ^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 | 1,151,520 |
| | 1,119,760 |
| | (15.0 FTE) |
| Operating Expenses | 173,224 |
| | 172,177 |
| Indirect Cost Assessment | <u>173,150</u> |

Ch. 448

Appropriations

2617

| ITEM & SUBTOTAL | TOTAL | APPROPRIATION FROM | | | | |
|--------------------|----------------------|--------------------|---------------------------|-----------------------------------|-------------------------|------------------|
| | | GENERAL FUND | GENERAL FUND EXEMPT | CASH FUNDS | REAPPROPRIATED FUNDS | FEDERAL FUNDS |
| \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| | 1,497,894 | | | 1,497,894 ^a | | |
| | 1,465,087 | | | 1,465,087 ^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 | 6,082,584 | | | | | |
| | 6,008,192 | | | | | |
| | (84.7 FTE) | | | | | |
| Operating Expenses | 400,249 | | | | | |
| | 396,830 | | | | | |
| Senior Health Counseling Program | 509,000 | | | | | |
| | (2.0 FTE) | | | | | |
| Insurance Fraud Prosecution | 872,262 | | | | | |
| Transfer to CAPCO Administration | 81,312 | | | | | |
| | 79,196 | | | | | |
| Indirect Cost Assessment | <u>984,872</u> | | | | | |
| | 8,930,279 | | | 8,411,817 ^a | | 518,462 |

8,850,352

8,331,890*

* Of this amount, ~~\$8,270,375~~ \$8,190,448 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, \$30,906 shall be from the Viatical Settlements Cash Fund created in Section 10-7-619, C.R.S., and \$10,536 shall be from the Mandated Health Insurance Benefits Cash Fund created in Section 10-16-103.3 (8), 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.

(7) PUBLIC UTILITIES COMMISSION

| | |
|---------------------------|----------------------|
| Personal Services | 8,698,317 |
| | 8,593,990 |
| | (100.9 FTE) |
| Operating Expenses | 459,991 |
| | 455,273 |
| Expert Testimony | 25,000 |
| Disabled Telephone Users | |
| Fund Payments | 2,439,591 |
| Transfer to Reading | |
| Services for the Blind | |
| Cash Fund | 250,000 |
| Commission for the Deaf | |
| and Hard of Hearing Cash | |
| Fund | 661,343 |
| | 656,142 |
| Commission for the Blind | |
| or Visually Impaired Cash | |
| Fund | 112,067 |

Ch. 448

Appropriations

2619

APPROPRIATION FROM

| ITEM & SUBTOTAL | TOTAL | APPROPRIATION FROM | | | | |
|---|-------------------|--------------------|---------------------------|-------------------------|-------------------------|------------------|
| | | GENERAL FUND | GENERAL FUND EXEMPT | CASH FUNDS | REAPPROPRIATED FUNDS | FEDERAL FUNDS |
| \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| Low Income Telephone Assistance | 2,143,752 | | | | | |
| Colorado Bureau of Investigation Background Checks Pass-through | 67,128 | | | | | |
| Indirect Cost Assessment | 1,164,720 | | | | | |
| | <u>16,021,909</u> | | | <u>16,021,909</u> | | |
| | 15,907,663 | | | 15,907,663 ^a | | |

^a Of this amount, it is estimated that ~~\$8,100,116~~ \$7,985,870 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S., \$3,571,097 shall be from the Colorado Disabled Telephone Users Fund created in Section 40-17-104 (1), C.R.S., \$2,143,752 shall be from the Low-Income Telephone Assistance Fund created in Section 40-3.4-108 (2) (a), C.R.S., \$2,100,456 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., and \$106,488 shall be from the Colorado High Cost Administration Fund created in Section 40-15-208 (3), C.R.S. Of this amount, \$3,213,001 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 only, as they are continuously appropriated by Section 40-17-104 (1), C.R.S.

(8) DIVISION OF REAL ESTATE

| | |
|--------------------|----------------------|
| Personal Services | 3,172,363 |
| | 3,141,607 |
| | (49.1 FTE) |
| Operating Expenses | 210,081 |
| | 207,534 |

| | | | |
|--------------------------|----------------|----------------------|------------------------|
| Commission Meeting | | | |
| Costs | 38,836 | | |
| Hearings Pursuant to | | | |
| Complaint | 4,000 | | |
| Mortgage Broker | | | |
| Consumer Protection | 311,339 | | |
| Indirect Cost Assessment | <u>566,777</u> | | |
| | | 4,303,396 | 4,303,396 |
| | | 4,270,093 | 4,270,093 ^a |

^a Of this amount, it is estimated that ~~\$3,454,092~~ \$3,420,789 shall be from the Division of Real Estate Cash Fund created in Section 12-61-111.5 (2) (b), C.R.S., \$709,920 shall be from the Mortgage Broker Licensing Cash Fund created in Section 12-61-908 (2), C.R.S., \$86,481 shall be from the Conservation Easement Appraisal Review Fund created in Section 12-61-719 (8), C.R.S., and \$52,903 shall be from the Conservation Easement Holder Certification Fund created in Section 12-61-720 (3), C.R.S.

(9) DIVISION OF REGISTRATIONS

| | | |
|--------------------------|-----------------------|--|
| Personal Services | 11,238,334 | |
| | 11,109,059 | |
| | (174.0 FTE) | |
| Operating Expenses | 1,320,662 | |
| | 1,304,862 | |
| Office of Expedited | | |
| Settlement Program Costs | 371,853 | |
| | (5.0 FTE) | |
| Hearings Pursuant to | | |
| Complaint | 307,075 | |
| CBI/FBI Background | | |
| Checks | 7,563 | |

Ch. 448

Appropriations

2621

APPROPRIATION FROM

| ITEM & SUBTOTAL | TOTAL | APPROPRIATION FROM | | | | |
|--|------------------|--------------------|---------------------------|-------------------------|-------------------------|------------------|
| | | GENERAL FUND | GENERAL FUND EXEMPT | CASH FUNDS | REAPPROPRIATED FUNDS | FEDERAL FUNDS |
| \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| Payments to Department of Health Care Policy and Financing | 14,652 | | | | | |
| Indirect Cost Assessment | <u>4,391,211</u> | | | | | |
| | 17,651,350 | | | 15,428,215 ^a | 2,216,761 ^b | 6,374 |
| | 17,506,275 | | | 15,283,180 ^a | 2,216,603 ^b | 6,492 |

^a ~~This amount~~ OF THIS AMOUNT, IT IS ESTIMATED THAT \$15,240,387 shall be from the Division of Registrations Cash Fund created in Section 24-34-105 (2) (b) (I), C.R.S., AND \$42,793 SHALL BE FROM THE PRESCRIPTION DRUG MONITORING FUND CREATED IN SECTION 12-22-706 (1), C.R.S.

^b Of this amount, it is estimated that ~~\$1,666,505~~ \$1,666,347 shall be from indirect cost recoveries, \$275,128 shall be from the Department of Public Health and Environment, and \$275,128 shall be from the Department of Health Care Policy and Financing.

(10) DIVISION OF SECURITIES

| | |
|-----------------------------------|----------------------|
| Personal Services | 1,903,823 |
| | 1,881,759 |
| | (22.0 FTE) |
| Operating Expenses | 61,063 |
| | 60,384 |
| Hearings Pursuant to Complaint | 19,594 |
| Board Meeting Costs | 4,500 |

| | | | |
|--------------------------|----------------|-----------|------------|
| Securities Fraud | | | |
| Prosecution | 501,028 | | |
| Indirect Cost Assessment | <u>253,953</u> | | |
| | | 2,743,961 | 2,743,961* |
| | | 2,721,218 | 2,721,218* |

* 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)**

| | | | | | | |
|--|---------------------|--------------------|-----------------------------|---------------------|--------------------|--------------------|
| | \$79,827,291 | \$1,666,729 | | \$68,357,477 | \$8,453,406 | \$1,349,679 |
| | <u>\$78,950,224</u> | <u>\$1,457,251</u> | <u> </u> | <u>\$67,895,495</u> | <u>\$8,382,793</u> | <u>\$1,214,685</u> |

SECTION 2. Section 6 of chapter 407, Session Laws of Colorado 2009, is amended to read:

Section 6. **Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of registrations cash fund created in section 24-34-105 (20) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of registrations, for the establishment of rules to ensure the competency of electricians, for the fiscal year beginning July 1, 2009, the sum of ~~ninety-nine thousand eight hundred ninety-four dollars (\$99,894)~~ ninety-six thousand one hundred thirty-nine dollars (\$96,139) cash funds and 1.0 FTE, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2009, the sum of ~~eleven thousand two hundred sixty-five dollars (\$11,265)~~ SEVEN THOUSAND FIVE HUNDRED TEN DOLLARS (\$7,510) and 0.1 FTE, or so much thereof as may be necessary, for the provision of legal services to the department of regulatory agencies related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of regulatory agencies out of the appropriation made in subsection (1) of this section.

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 10, 2010