

CHAPTER 330

APPROPRIATIONS

SENATE BILL 11-151

BY SENATOR(S) Hodge, Steadman, Lambert, Kopp;
also REPRESENTATIVE(S) Gerou, Becker, Ferrandino.

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. The appropriation to the department of regulatory agencies for the fiscal year beginning July 1, 2010, as enacted in Part XVIII of section 2 of chapter 453, Session Laws of Colorado 2010 (HB 10-1376), 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	2,239,716	8,000		13,000 ^a	2,218,716 ^b (27.5 FTE)	
Health, Life, and Dental	2,675,752	89,650		2,362,287 ^c	181,508 ^b	42,307 ^d
Short-term Disability	50,447	1,730		44,960 ^c	3,137 ^b	620 ^d
S.B. 04-257 Amortization						
Equalization Disbursement	780,730	26,415		696,157 ^c	48,562 ^b	9,596 ^d
S.B. 06-235 Supplemental						
Amortization Equalization						
Disbursement	569,089	19,067		507,615 ^c	35,410 ^b	6,997 ^d
Workers' Compensation	81,100	2,850		72,476 ^c	4,942 ^b	832 ^d
Operating Expenses	210,344	3,689		95,427 ^c	111,228 ^b	
Legal Services for 101,685						
hours	7,460,628	148,721		7,038,824 ^c	134,854 ^b	138,229 ^d
Administrative Law Judge						
Services	300,459	13,842		286,617 ^c		
Purchase of Services from						
Computer Center	1,583,905	57,027		1,371,730 ^c	132,784 ^b	22,364

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Multiuse Network							
Payments	130,329		4,692		112,871 ^c	10,926 ^b	1,840
Management and Administration of OIT	272,265		9,803		235,794 ^c	22,824 ^b	3,844 ^d
Payment to Risk Management and Property Funds	28,080		987		25,094 ^c	1,711 ^b	288 ^d
Vehicle Lease Payments	241,797 205,660				241,797^c 205,660 ^c		
Information Technology							
Asset Maintenance	671,403				480,646 ^c	190,757 ^b	
Leased Space	2,927,222		96,132		2,352,894 ^c	438,756 ^b	39,440 ^d
Capitol Complex Leased Space	6,358				6,358 ^c		
Hardware/Software Maintenance	717,330		800		457,928 ^c	258,602 ^b	
Consumer Outreach / Education Program	<u>200,000</u>				200,000 ^c		
		21,146,954 21,110,817					

^a Of this amount, it is estimated that \$6,000 shall be from the Health Facilities General Licensure Cash Fund created in Section 25-3-103.1. (1), C.R.S., \$3,000 shall be from the Colorado Identity Theft and Financial Fraud Cash Fund created in Section 24-33.5-1707 (1) (a), C.R.S., \$2,000 shall be from the Parks and Outdoor Recreation Cash Fund created in Section 33-10-111 (1), C.R.S., and \$2,000 shall be from the Colorado Water Conservation Board Construction Cash Fund created in to Section 37-60-121 (1) (a), C.R.S.

^b Of these amounts, it is estimated that \$3,688,287 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	3,296,342		3,296,342^e
	3,222,497		3,222,497 ^a
			(44.0 FTE)
Operating Expenses	384,418		384,418^e
	458,263		458,263 ^a
Board Meeting Costs	23,500		23,500 ^a
Indirect Cost Assessment	<u>321,086</u>		321,086 ^a
		4,025,346	

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

(3) CIVIL RIGHTS DIVISION

Personal Services	1,590,869	945,538	297,629 ^a	347,702 ^b
		(18.4 FTE)	(2.0 FTE)	(11.0 FTE)
Operating Expenses	100,438	59,318		41,120 ^b
Hearings Pursuant to Complaint	18,000	17,000		1,000 ^b

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	
	\$	\$	\$	\$	\$	\$	\$
Commission Meeting							
Costs	12,374		5,174				7,200 ^b
Indirect Cost Assessment	<u>35,191</u>						35,191 ^b
		1,756,872					

^a This amount shall be from statewide 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	790,393			790,393 ^a		
				(7.0 FTE)		
Operating Expenses	55,787			55,787 ^a		
Indirect Cost Assessment	<u>51,082</u>			51,082 ^a		
		897,262				

^a These amounts 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	1,128,221			1,128,221 ^a		
				(15.0 FTE)		
Operating Expenses	161,788			161,788 ^a		
Indirect Cost Assessment	<u>109,461</u>			109,461 ^a		
		1,399,470				

^a These 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	6,058,774	6,058,774 ^a	
	6,049,239	6,049,239 ^a	
		(84.7 FTE)	
Operating Expenses	397,049	397,049 ^a	
Senior Health Counseling Program	507,838		507,838 (2.0 FTE)
Insurance Fraud Prosecution	860,186	860,186 ^a	
Transfer to CAPCO Administration	79,593	79,593 ^a	
Indirect Cost Assessment	<u>636,256</u>	618,090 ^a	18,166
	8,539,696		
	8,530,161		

^a Of these amounts, ~~\$7,901,692~~ \$7,892,157 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 \$12,000 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.

(7) PUBLIC UTILITIES COMMISSION

Personal Services	8,644,394	8,644,394 ^a	
		(100.5 FTE)	
Operating Expenses	445,119	445,119 ^a	
Expert Testimony	25,000	25,000 ^a	

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Disabled Telephone Users Fund Payments	2,439,591				2,439,591 ^a		
Transfer to Reading Services for the Blind Cash Fund	250,000				250,000 ^a		
Commission for the Deaf and Hard of Hearing Cash Fund	910,190				910,190 ^a		
Commission for the Blind or Visually Impaired Cash Fund	112,067				112,067 ^a		
Low Income Telephone Assistance	2,143,752				2,143,752 ^a		
Colorado Bureau of Investigation Background Checks Pass-through	67,128				67,128 ^a		
Indirect Cost Assessment	<u>733,389</u>				733,389 ^a		
		15,770,630					

^a Of these amounts, it is estimated that \$8,445,262 shall be from the Public Utilities Commission Fixed Utility Fund created in Section 40-2-114, C.R.S., \$3,823,006 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., \$1,250,449 shall be from the Public Utilities Commission Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S., and \$108,161 shall be from the Colorado High Cost Administration Fund created in Section 40-15-208 (3), C.R.S. Of this amount, \$3,711,848 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	3,198,723	3,198,723 ^a
		(50.1 FTE)
Operating Expenses	208,646	208,646 ^a
Commission Meeting		
Costs	38,836	38,836 ^a
Hearings Pursuant to		
Complaint	4,000	4,000 ^a
Mortgage Broker		
Consumer Protection	305,313	305,313 ^a
Indirect Cost Assessment	<u>365,600</u>	365,600 ^a
	4,121,118	

^a Of these amounts, it is estimated that \$3,071,154 shall be from the Division of Real Estate Cash Fund created in Section 12-61-111.5 (2) (b), C.R.S., \$828,985 shall be from the Mortgage Broker Licensing Cash Fund created in Section 12-61-908 (2), C.R.S., \$134,523 shall be from the Conservation Easement Holder Certification Fund created in Section 12-61-720 (3), C.R.S., and \$86,456 shall be from the Conservation Easement Appraisal Review Fund created in Section 12-61-719 (8), C.R.S.

(9) DIVISION OF REGISTRATIONS

Personal Services	11,704,121
	(181.8 FTE)
Operating Expenses	1,326,130

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Office of Expedited Settlement Program Costs	355,008 (5.0 FTE)						
Hearings Pursuant to Complaint	307,075						
Payments to Department of Health Care Policy and Financing	14,652						
Indirect Cost Assessment	<u>3,467,647</u>						
		17,174,633			15,028,455 ^a	2,139,354 ^b	6,824

^a Of this amount, \$14,985,662 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 \$1,589,098 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	1,956,533			1,956,533 ^a (23.0 FTE)		
Operating Expenses	56,149			56,149 ^a		
Hearings Pursuant to Complaint	19,594			19,594 ^a		
Board Meeting Costs	4,500			4,500 ^a		

Securities Fraud			
Prosecution	493,081		493,081 ^a
Indirect Cost Assessment	<u>167,840</u>		167,840 ^a
		2,697,697	

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

**TOTALS PART XVIII
(REGULATORY
AGENCIES)**

\$77,529,678	\$1,510,435	\$68,556,145	\$6,231,700	\$1,231,398
<u>\$77,484,006</u>		<u>\$68,510,473</u>		

SECTION 2. The appropriation to the department of regulatory agencies for the fiscal year beginning July 1, 2010, as enacted in Section 33 (1) of chapter 280, Session Laws of Colorado 2010 (HB 10-1141), is amended to read:

Section 33. **Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the mortgage company and loan originator licensing cash fund created in section 12-61-908 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of ~~registrations~~ REAL ESTATE, for the fiscal year beginning July 1, 2010, the sum of fifteen thousand seven hundred eighty-two dollars (\$15,782) cash funds, or so much thereof as may be necessary, for the implementation of this act.

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 9, 2011