

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 10-0557.01 John Ziegler

HOUSE BILL 10-1313

HOUSE SPONSORSHIP

Pommer, Ferrandino, Lambert

SENATE SPONSORSHIP

Keller, Tapia, White

House Committees
Appropriations

Senate Committees
Appropriations

SENATE
2nd Reading Unamended
February 24, 2010

A BILL FOR AN ACT

101 **CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT**
102 **OF REGULATORY AGENCIES.**

HOUSE
3rd Reading Unamended
February 18, 2010

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Supplemental appropriations are made to the department of regulatory agencies.

HOUSE
2nd Reading Unamended
February 17, 2010

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** Part XVIII of section 2 of chapter 464, Session

3 Laws of Colorado 2009, is amended to read:

4 Section 2. **Appropriation.**

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							
5	Personal Services	4,087,116	15,619		25,500 ^a	4,045,997 ^b	
6		4,039,321				3,998,202 ^b	
7						(52.3 FTE)	
8	Health, Life, and Dental	2,922,197	92,248		2,243,800 ^c	542,780 ^b	43,369 ^d
9	Short-term Disability	50,482	1,256		43,106^c	5,649^b	471^d
10		48,529	1,113		41,566 ^c	5,401 ^b	449 ^d
11	S.B. 04-257 Amortization						
12	Equalization Disbursement	654,717	16,098		559,080^c	73,465^b	6,074^d
13		629,510	14,244		539,191 ^c	70,275 ^b	5,800 ^d

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1 S.B. 06-235 Supplemental							
2 Amortization Equalization							
3 Disbursement	408,688		9,879		349,150 ^c	45,863 ^b	3,796 ^d
4	392,933		8,719		336,721 ^c	43,869 ^b	3,624 ^d
5 Workers' Compensation	84,676		2,992		71,961 ^c	8,354 ^b	1,369 ^d
6	79,945		2,825		67,940 ^c	7,887 ^b	1,293 ^d
7 Operating Expenses	212,018		3,689		95,427 ^c	112,902 ^b	
8	210,229					111,113 ^b	
9 Legal Services for 101,950							
10 101,192 hours	7,684,991		209,933		7,194,494 ^c	138,548 ^b	142,016 ^d
11	7,627,867		152,809				
12 Administrative Law Judge							
13 Services	324,818		14,964		309,854 ^c		
14 Purchase of Services from							
15 Computer Center	51,060					51,060 ^b	

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	48,916					48,916 ^b	
2	Management and						
3	Administration of OIT	70,429	1,604		57,416 ^c	10,774 ^b	635 ^d
4		60,445	1,376		49,277 ^c	9,247 ^b	545 ^d
5	Payment to Risk						
6	Management and Property						
7	Funds	96,376	3,491		77,828 ^c	12,936 ^b	2,121 ^d
8		90,734	3,286		73,272 ^c	12,179 ^b	1,997 ^d
9	Vehicle Lease Payments	187,489			187,489 ^c		
10		191,507			191,507 ^c		
11	Information Technology						
12	Asset Maintenance	671,403			354,412 ^c	190,757 ^b	126,234 ^d
13					480,646 ^c		
14	Leased Space	3,110,357	102,146		2,500,098 ^c	466,206 ^b	41,907 ^d
15		3,040,012	99,836		2,443,555 ^c	455,662 ^b	40,959 ^d

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Capitol Complex Leased						
2	Space	6,325			6,325 ^c		
3	Hardware/Software						
4	Maintenance	672,315	800		412,913 ^c	258,602 ^b	
5	Consumer Outreach /						
6	Education Program	200,000			200,000 ^e		
7		<u>21,495,457</u>					
8		21,257,006					
9							

10 ^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
11 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
12 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
13 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.

14 ^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
15 shall be from the Department of Health Care Policy and Financing, and \$6,000 shall be from other departments for sunset reviews.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	° These amounts shall be from various cash sources within the Department.						
2	° 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						
3	Information Counseling and Assistance Grant Program. These amounts are included for informational purposes only.						
4	° This amount shall be from the Consumer Outreach and Education Cash Fund created in Section 24-34-108 (2), C.R.S.						
5							
6	(2) DIVISION OF BANKING						
7	Personal Services	3,362,638					
8		3,329,677					
9		(44.5 FTE)					
10	Operating Expenses	419,464					
11		416,042					
12	Board Meeting Costs	23,500					
13	Indirect Cost Assessment	513,677					
14		<hr/>					
			4,319,279		4,319,279*		
15			4,282,896		4,282,896 ^a		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2	^a This amount shall be from the Division of Banking Cash Fund created in Section 11-102-403, C.R.S.						
3							
4	(3) CIVIL RIGHTS DIVISION						
5	Personal Services	1,730,639		1,105,771		272,752 ^a	352,116 ^b
6		1,577,908		960,212			344,944 ^b
7				(19.4 FTE)		(2.0 FTE)	(11.0 FTE)
8				(18.4 FTE)			
9	Operating Expenses	105,185		64,065			41,120 ^b
10		104,457		63,337			
11	Hearings Pursuant to						
12	Complaint	18,000		17,000			1,000 ^b
13	Commission Meeting Costs	12,374		5,174			7,200 ^b
14	Indirect Cost Assessment	55,415					55,415 ^b
15		1,921,613					

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1		1,768,154					
2							
3	^a This amount shall be from indirect cost recoveries.						
4	^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						
5	only.						
6							
7	(4) OFFICE OF CONSUMER COUNSEL						
8	Personal Services						
		805,028					
9		784,927					
10		(7.0 FTE)					
11	Operating Expenses						
		56,322					
12		55,750					
13	Indirect Cost Assessment						
		80,803					
14							
		942,153			942,153*		
15							
		921,480			921,480 ^a		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2							
3							
4							
5	Personal Services	1,151,520					
6		1,119,760					
7		(15.0 FTE)					
8	Operating Expenses	173,224					
9		172,177					
10	Indirect Cost Assessment	173,150					
11		1,497,894			1,497,894 ^π		
12		1,465,087			1,465,087 ^a		
13							

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

15

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(6) DIVISION OF INSURANCE						
2	Personal Services	6,082,584					
3		6,008,192					
4		(84.7 FTE)					
5	Operating Expenses	400,249					
6		396,830					
7	Senior Health Counseling						
8	Program	509,000					
9		(2.0 FTE)					
10	Insurance Fraud Prosecution	872,262					
11	Transfer to CAPCO						
12	Administration	81,312					
13		79,196					
14	Indirect Cost Assessment	984,872					
15		8,930,279			8,411,817*		518,462

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1		8,850,352			8,331,890 ^a		
2							
3	^a 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						
4	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						
5	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						
6	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							
8	(7) PUBLIC UTILITIES COMMISSION						
9	Personal Services	8,698,317					
10		8,593,990					
11		(100.9 FTE)					
12	Operating Expenses	459,991					
13		455,273					
14	Expert Testimony	25,000					

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1 Disabled Telephone Users							
2 Fund Payments	2,439,591						
3 Transfer to Reading Services							
4 for the Blind Cash Fund	250,000						
5 Commission for the Deaf and							
6 Hard of Hearing Cash Fund	661,343						
7	656,142						
8 Commission for the Blind or							
9 Visually Impaired Cash Fund	112,067						
10 Low Income Telephone							
11 Assistance	2,143,752						
12 Colorado Bureau of							
13 Investigation Background							
14 Checks Pass-through	67,128						
15 Indirect Cost Assessment	1,164,720						

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
1	16,021,909			16,021,909 ^a		
2	15,907,663			15,907,663 ^a		
3						

4 ^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
5 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
6 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
7 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
8 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
9 40-17-104 (1), C.R.S.

11 **(8) DIVISION OF REAL ESTATE**

12	Personal Services	3,172,363
13		3,141,607
14		(49.1 FTE)
15	Operating Expenses	210,081

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	207,534						
2	Commission Meeting Costs	38,836					
3	Hearings Pursuant to						
4	Complaint	4,000					
5	Mortgage Broker Consumer						
6	Protection	311,339					
7	Indirect Cost Assessment	566,777					
8		<u>4,303,396</u>			4,303,396 ^π		
9		4,270,093			4,270,093 ^a		

10

11 ^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

12 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

13 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.

14

15 **(9) DIVISION OF REGISTRATIONS**

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Personal Services	11,238,334					
2		11,109,059					
3		(174.0 FTE)					
4	Operating Expenses	1,320,662					
5		1,304,862					
6	Office of Expedited						
7	Settlement Program Costs	371,853					
8		(5.0 FTE)					
9	Hearings Pursuant to						
10	Complaint	307,075					
11	CBI/FBI Background Checks	7,563					
12	Payments to Department of						
13	Health Care Policy and						
14	Financing	14,652					
15	Indirect Cost Assessment	4,391,211					

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1		17,651,350			15,428,215 ^a	2,216,761 ^b	6,374
2		17,506,275			15,283,180 ^a	2,216,603 ^b	6,492
3							

^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.~~ 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

10	Personal Services	1,903,823
11		1,881,759
12	(22.0 FTE)	
13	Operating Expenses	61,063
14		60,384

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Hearings Pursuant to						
2	Complaint	19,594					
3	Board Meeting Costs	4,500					
4	Securities Fraud Prosecution	501,028					
5	Indirect Cost Assessment	253,953					
6		<u>2,743,961</u>			2,743,961*		
7		2,721,218			2,721,218 ^a		
8							
9	^a This amount shall be from the Division of Securities Cash Fund created in Section 11-51-707 (2), C.R.S.						
10							
11	TOTALS PART XVIII						
12	(REGULATORY						
13	AGENCIES)	\$79,827,291	\$1,666,729		\$68,357,477	\$8,453,406	\$1,349,679
14		<u>\$78,950,224</u>	<u>\$1,457,251</u>		<u>\$67,895,495</u>	<u>\$8,382,793</u>	<u>\$1,214,685</u>

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

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

14 (2) In addition to any other appropriation, there is hereby
15 appropriated to the department of law, for the fiscal year beginning July
16 1, 2009, the sum of ~~eleven thousand two hundred sixty-five dollars~~
17 ~~(\$11,265)~~ SEVEN THOUSAND FIVE HUNDRED TEN DOLLARS (\$7,510) and
18 0.1 FTE, or so much thereof as may be necessary, for the provision of
19 legal services to the department of regulatory agencies related to the
20 implementation of this act. Said sum shall be from reappropriated funds
21 received from the department of regulatory agencies out of the
22 appropriation made in subsection (1) of this section.

23 **SECTION 3. Safety clause.** The general assembly hereby finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, and safety.