

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 10-1313

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

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.**

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			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 4,039,321		15,619		25,500 ^a	4,045,997^b 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 48,529		1,256 1,113		43,106^c 41,566 ^c	5,649^b 5,401 ^b	471^d 449 ^d
S.B. 04-257 Amortization Equalization Disbursement	654,717 629,510		16,098 14,244		559,080^c 539,191 ^c	73,465^b 70,275 ^b	6,074^d 5,800 ^d
S.B. 06-235 Supplemental Amortization Equalization Disbursement	408,688 392,933		9,879 8,719		349,150^c 336,721 ^c	45,863^b 43,869 ^b	3,796^d 3,624 ^d
Workers' Compensation	84,676 79,945		2,992 2,825		71,961^c 67,940 ^c	8,354^b 7,887 ^b	1,369^d 1,293 ^d
Operating Expenses	212,018 210,229		3,689		95,427 ^c	112,902^b 111,113 ^b	
Legal Services for 101,950 101,192 hours	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^b 48,916 ^b	

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Management and Administration of OIT	70,429 60,445		1,604 1,376		57,416^c 49,277 ^c	10,774^b 9,247 ^b	635^d 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^b 12,179 ^b	2,121^d 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^d
Leased Space	3,110,357 3,040,012		102,146 99,836		2,500,098^c 2,443,555 ^c	466,206^b 455,662 ^b	41,907^d 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 ^c		
		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.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(2) DIVISION OF BANKING							
Personal Services	3,362,638						
	3,329,677						
	(44.5 FTE)						
Operating Expenses	419,464						
	416,042						
Board Meeting Costs	23,500						
Indirect Cost Assessment	<u>513,677</u>						
		4,319,279			4,319,279*		
		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^b
	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					

APPROPRIATION FROM

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

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(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 Transfer to CAPCO Administration	872,262						
	81,312						
	79,196						
Indirect Cost Assessment	<u>984,872</u>						
		8,930,279					
		8,850,352					
					8,411,817*		518,462
					8,331,890 ^a		

^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 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

APPROPRIATION FROM

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

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	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 ^a		
		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						
Payments to Department of Health Care Policy and Financing	14,652						
Indirect Cost Assessment	<u>4,391,211</u>						

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	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	253,953					
		2,743,961		2,743,961 ^a		
		2,721,218		2,721,218 ^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)**

\$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>\$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.

Terrance D. Carroll
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO