

Department of Regulatory Agencies  
Line Item Descriptions

FY 2016-17 Budget Request

## (1) EXECUTIVE DIRECTOR'S OFFICE

This Office oversees and coordinates the operations of the Department's various divisions. This Office provides leadership, coordination, control and various management and technical services (accounting, payroll, purchasing, human resources, information technology, planning and budgeting, facilities planning and management) to DORA divisions. The Office of Policy, Research and Regulatory Reform provides sunset and sunrise regulatory evaluations and policy recommendations to the General Assembly and analyzes the submission of proposed rules and regulations from state agencies.

### **PERSONAL SERVICES**

This line item recurs annually to provide division staffing and pay for contractual services. The base personal services calculation includes the FY 2015-16 long bill amount of \$2,385,638 and 29.5 FTE plus \$45,216 in annualizations of salary survey and merit pay. A fund split adjustment is requested to reflect the statutory schedule of sunset reviews that will be worked on during FY 2016-17.

### **HEALTH, LIFE, AND DENTAL**

This line item recurs annually for the State contribution toward health, life and dental insurance coverage for DORA's FTE. The request includes the FY 2015-16 Long Bill appropriation plus a total compensation request adjustment to arrive at an FY 2016-17 calculation of \$119,053 General Fund, \$3,790,660 Cash Funds, and \$236,639 Reappropriated Funds, with \$40,297 reflected in informational federal fund authority.

### **SHORT TERM DISABILITY**

This line item recurs annually for the State contribution toward short-term disability coverage for DORA's FTE. The request includes the FY 2015-16 Long Bill appropriation plus a total compensation request adjustment to arrive at an FY 2016-17 calculation of \$2,000 General Fund, \$61,826 Cash Funds, and \$3,925 Reappropriated Funds, with \$504 reflected in informational federal fund authority.

### **SB 04-257 AMORTIZATION EQUALIZATION DISBURSEMENT**

This line item recurs annually for required increases in employer payments to PERA pursuant to S.B. 04-257. The request includes the FY 2015-16 Long Bill appropriation plus a total compensation request adjustment to arrive at an FY 2016-17 calculation of \$50,621 General Fund, \$1,567,171 Cash Funds, and \$99,342 Reappropriated Funds, with \$12,856 reflected in informational federal fund authority.

### **SB 06-235 SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENT**

This line item recurs annually for required increases in employer payments to PERA pursuant to S.B. 06-235. The request includes the FY 2015-16 Long Bill appropriation plus a total compensation request adjustment to arrive at an FY 2016-17 calculation of \$50,094 General Fund, \$1,550,846 Cash Funds, and \$98,307 Reappropriated Funds, with \$12,722 reflected in informational federal fund authority.

### **SALARY SURVEY AND SENIOR EXECUTIVE SERVICE**

This line item recurs annually to fund salary survey increases. The request zeroes out the FY 2015-16 Long Bill appropriation and replaces it with a total compensation request amount for FY 2016-17 of \$0 General Fund, \$51,472 Cash Funds, and \$0 Reappropriated Funds, with \$2,049 reflected in informational federal fund authority.

### **MERIT PAY**

This line item funds merit pay increases. The request zeroes out the FY 2015-16 Long Bill appropriation.

### **WORKERS' COMPENSATION**

This line item recurs annually to pay for the State's self-insurance of worker and board member injury claims. The request includes the FY 2015-16 Long Bill appropriation plus a common policy requested adjustment to arrive at an FY 2016-17 calculation of \$3,765 General Fund, \$102,082 Cash Funds, and \$3,829 Reappropriated Funds, with \$1,674 reflected in informational federal fund authority.

### **OPERATING EXPENSES**

This line item recurs annually for costs associated with supporting Office operations, and also includes the Department's capital outlay pot for allocation to Divisions (General Fund and Cash Fund splits). This includes but is not limited to office supplies, telephone, postage, printing, furniture and travel expenses. The request includes continuation funding of \$210,344 including \$3,689 General Fund, \$95,427 Cash Funds, and \$111,228 Reappropriated Funds.

### **LEGAL SERVICES**

This line item recurs annually to pay the Attorney General's Office for legal representation in both prosecution and defense cases, and for legal advice and rule-making assistance. The base legal services calculation includes the FY 2015-16 long bill amount of \$10,437,650 to reflect 109,858 hours plus special bill funding of \$20,658 (3 bills total) adjusted to reflect the out-year impact cited in the Legislative Council Staff fiscal notes for each bill. In addition, there is a Legal Services rate adjustment of \$125,268 reflecting a

change in the expected blended rate from \$95.01 to \$96.15. Continuation hours will be used to calculate dollars using the new blended rate for FY 2016-17.

### **ADMINISTRATIVE LAW JUDGES**

This line item supports payment for services received from the Division of Administrative Hearings in the Department of Personnel. The request includes a net adjustment to reflect the common policy request and fund splits. The total request for FY 2016-17 is \$199,130 including \$9,005 General Fund and \$190,125 Cash Funds.

### **PAYMENTS TO RISK MANAGEMENT**

This line item recurs annually to pay for the State's self-insurance of property and vehicles. The total request for FY 2016-17 is \$224,717, including \$7,598 General Fund, \$206,012 Cash Funds, and \$7,728 Reappropriated Funds. The amount will be supplemented by \$3,379 in Federal Funds. These amounts include a reduction due to a common policy adjustment of \$21,706.

### **VEHICLE LEASE PAYMENTS**

This line item recurs annually for vehicles leased from the Department of Personnel's Fleet Management section for staff that must travel to complete their job duties. This includes vehicles assigned to the Division of Professions and Occupations, the Public Utilities Commission, and the Division of Securities. The request for FY 2016-17 is \$237,198, which is the continuation amount of \$219,218 with adjustments to reflect a common policy request of \$17,980.

### **INFORMATION TECHNOLOGY ASSET MAINTENANCE**

This line item recurs annually for the purchase of equipment related to the implementation of an asset management plan to achieve and maintain a standard information technology environment department-wide. Funding supports replacement of the Department's IT assets on a replacement schedule. The request includes continuation funding of \$671,403, including \$0 General Fund, \$480,646 Cash Funds, and \$190,757 Reappropriated Funds.

### **HARDWARE/SOFTWARE MAINTENANCE**

This line item recurs annually for system maintenance and software purchases to achieve and maintain a standard information technology environment department-wide. Funding pays for licensing and maintenance agreements for the computer hardware and software used by the Department. The request includes continuation funding of \$729,218.

### **LEASED SPACE**

This line item recurs annually for office space rent in buildings outside the capitol complex. The Department occupies consolidated space at 1560 Broadway in Denver with a present total of 165,674 square feet (recently redrawn pursuant to commercial real estate industry “BOMA” standards). The Department does not have significant satellite locations throughout the state, with the exception of Capitol Complex space in Grand Junction and a small amount of federally funded satellite space that exists in Pueblo for the Division of Civil Rights. Because the Department is presently in the tenth year of a 10-year agreement for this lease, the Department has negotiated a new lease agreement that will begin in FY 16-17 and has submitted an associated change request. The initial appropriation includes continuation funding to \$3,193,641, including \$97,721 General Fund, \$2,653,882 Cash Funds, \$371,388 Reappropriated Funds, and \$70,650 Federal Funds. However, the negotiated lease agreement will reduce the Department request to \$818,924 in total funding, including \$0 General Fund, \$689,583 in Cash Funds, \$99,155 Reappropriated Funds and \$30,186 Federal Funds.

### **CAPITOL COMPLEX LEASED SPACE**

This line item recurs annually for office space rent in State-owned buildings. The Department has historically leased 169 square feet within the Capitol Complex Facilities in Grand Junction, and the FY 15-16 Long bill appropriation amount is \$4,147. However, other state agencies will be using this space and a common policy adjustment zeroes out the request for FY 16-17.

### **PAYMENTS TO OIT**

This consolidated line item exists to support payment for services provided by the Governor’s Office of Information and Technology. The appropriated amount includes \$3,844,690 to reflect the requested appropriations for all existing OIT line items including special bill funding. The requested amount includes this amount along with common policy adjustments of an overall decrease of \$1,224,327 to arrive at \$2,620,363 for FY 16-17.

### **CORE OPERATIONS**

Payment for the State of Colorado’s Financial Reporting System database. The initial continuation request for FY 2016-17 is \$186,920, which is decreased by a common policy adjustment of \$21,750. This arrives at the FY 16-17 amount \$165,170 including \$3,376 General Fund, \$147,109 Cash Funds, \$8,947 Reappropriated Funds, and an informational appropriation of \$5,738 Federal Funds.

## **CONSUMER OUTREACH/EDUCATION PROGRAM**

This line item was created by HB 08-1216. The line item pays for a consumer education and outreach program funded by a surcharge on fines collected by the Department. The request includes continuation funding of \$200,000 including \$200,000 Cash Funds, as well as \$5,000 associated with SB 13-189.

## **(2) DIVISION OF BANKING**

The Division of Banking regulates state-chartered banks and debt management companies. Division staff conducts examinations and enforce compliance in the following areas: the Public Deposit Protection Act, trust departments, electronic funds transfers, electronic data processing, and the Uniform Consumer Credit Code. The eight-member Colorado State Banking Board is the policy and rulemaking authority for the Division. The funding source for all Division of Banking expenditures is the Division of Banking Cash Fund created in Section 11-102-403, C.R.S.

## **PERSONAL SERVICES**

This line item recurs annually to provide division staffing and pay for contractual services associated with the regulation of state-chartered commercial banks, industrial banks, trust companies, money order companies and money transmitters. The base personal services calculation includes the FY 2015-16 long bill amount of \$3,775,541 and 40.0 FTE, plus annualizations associated with salary survey and merit pay totaling \$41,340.

## **OPERATING EXPENSES**

This line item recurs annually for costs associated with supporting Division operations and capital needs. This includes but is not limited to office supplies, telephone, postage, printing, furniture and travel expenses. The request includes continuation funding of \$490,703 Cash Funds.

## **BOARD MEETING COSTS**

This line item recurs annually to pay per diem, travel and miscellaneous costs for board members attending meetings to conduct business related to rule-making, policy formulation, taking disciplinary action, and making licensing and chartering decisions. Funding pays operating expenses of the Colorado State Banking Board and a \$50 per diem for board members. For FY 2015-16, the Department received continuation funding of \$23,500 Cash Funds.

## **INDIRECT COST ASSESSMENT**

This line item recurs annually for the payment of indirect costs to cover the operations of the Executive Director's Office and for DORA's share of statewide indirect costs. The request includes \$315,415 Cash Funds. This amount reflects continuation funding for the Division's proportionate share necessary to recover the full amount of costs for the Executive Director's Office with a common policy adjustment of \$1,682. However, the Total request amount for FY 2016-17 is \$317,097. However, the precise amount for FY 2016-17 must be calculated after all other figures are determined for FY 2016-17.

### **(3) DIVISION OF CIVIL RIGHTS**

The Division of Civil Rights is the administrative arm of the Colorado Civil Rights Commission. It carries out state laws that prohibit discrimination in employment, housing, and public accommodations on the basis of race, sex, national origin, ancestry, physical or mental disability, religion, color, or marital status (housing and public accommodations only). The primary duties of the Commission and of Division personnel are the investigation and adjudication of charges of unfair or discriminatory practices, and the supervision of hearings upon complaints issued against a respondent pursuant to statute. The Division's Compliance Unit also provides training and education, technical assistance with fair housing laws, public information, and community intervention. Enforcement activities account for a major portion of the Division's resources.

## **PERSONAL SERVICES**

This line item recurs annually to provide division staffing and pay for contractual services. The Civil Rights Division is the administrative arm of the Colorado Civil Rights Commission, both carrying out the Colorado state laws that prohibit discrimination in housing, employment and public accommodations. As advocates of the law, the CCRD and CCRC are concerned with the civil rights of all persons, including the "charging party" (private citizen) and the "respondent" (business) on an equal basis. The base personal services calculation includes the FY 2015-16 long bill amount of \$1,907,901 which includes \$1,075,589 General Fund, \$416,922 in Reappropriated Funds to reflect the statewide indirect cost offset, and \$415,390 in continuation Federal Funds (which is an informational amount). The request also includes annualizations associated with salary survey and merit pay totaling \$38,856.

## **OPERATING EXPENSES**

This line item recurs annually for costs associated with supporting Division operations and capital needs. This includes but is not limited to office supplies, telephone, postage, printing, furniture and travel expenses. The request includes continuation funding of \$105,460 including \$62,284 General Fund and \$43,176 Federal Funds (which is an informational amount).

### **HEARINGS PURSUANT TO COMPLAINT**

This line item recurs annually for investigation of complaints, primarily to contract for expert witness testimony, depositions, and shorthand/court reports and transcripts. Funding supports expenses associated with hearings, proceedings and mediations as well as a portion of the cost of cases referred to the Attorney General. Expenses of the Attorney General include costs for expert witnesses, court reporters, transcripts and depositions. The request includes continuation funding of \$18,000, including \$17,000 General Fund and an informational amount of \$1,000 Federal Funds.

### **COMMISSION MEETINGS**

This line item recurs annually to pay per diem, travel and miscellaneous costs for commissioners attending meetings to conduct business related to rule-making and policy formulation; and to investigate and pass upon charges alleging unfair or discriminatory practices and to hold hearings upon any complaint issued against a respondent pursuant to statute. This line pays for meetings that the Colorado Civil Rights Commission holds at various locations around the state. The appropriation pays for per diem and travel for commissioners and pays for miscellaneous meeting costs. The request includes continuation funding of \$12,374, including \$5,174 General Fund and an informational amount of \$7,200 Federal Funds.

### **INDIRECT COST ASSESSMENT**

This line item recurs annually for the payment of indirect costs to cover the operations of the Executive Director's Office and for DORA's share of statewide indirect costs. The request includes \$16,576 Federal Funds. This amount reflects continuation funding for the Division's proportionate share necessary to recover the full amount of costs for the Executive Director's Office with an adjustment to reflect decreases for the FY 2016-17 Statewide Indirect Cost Assessment. However, the precise amount for FY 2016-17 must be calculated after all other figures are determined for FY 2016-17.

### **(4) OFFICE OF CONSUMER COUNSEL**

The Office of Consumer Counsel represents the public interest on behalf of residential, small business, and agricultural consumers, in cases before the Public Utilities Commission. These cases involve proposed changes to electric, gas, and telecommunications utility rates, service, and policies. The fund source for all Division appropriations is the Public Utility Commission's Fixed Utility Fund established in Section 40-2-114, C.R.S.



### **PERSONAL SERVICES**

This line item recurs annually to provide funding for the payment of office staffing and contractual services. The Office of Consumer Counsel represents the public interest and the specific interests of residential, small business and agricultural consumers in electric, gas and telecommunications service in rate and rule-making proceedings before the Colorado Public Utilities Commission. The OCC also represents these interests in the courts on appeal arising from PUC decisions and in federal court and federal regulatory proceedings affecting Colorado consumers' rates and service. The base personal services calculation includes the FY 2015-16 long bill amount of \$838,235 Cash Funds and 7.0 FTE, plus annualizations associated with salary survey and merit pay totaling \$13,024.

### **OPERATING EXPENSES**

This line item recurs annually for costs associated with supporting Office operations and capital needs. The request includes continuation funding of \$55,787 Cash Funds.

### **INDIRECT COST ASSESSMENT**

This line item recurs annually for the payment of indirect costs to cover the operations of the Executive Director's Office and for DORA's share of statewide indirect costs. The request includes \$55,197 Cash Funds. This amount reflects continuation funding for the Division's proportionate share necessary to recover the full amount of costs for the Executive Director's Office with an adjustment to reflect increase necessary for Common policy adjustments of \$294. However, the precise amount for FY 2016-17 must be calculated after all other figures are determined for FY 2016-17.

## (5) DIVISION OF FINANCIAL SERVICES

The Division of Financial Services regulates state-chartered credit unions, savings and loan associations, and life-care institutions, which provide care for the duration of a person's life in return for the payment of an initial fee. The Financial Services Division also administers the Public Deposit Protection Act which safeguards the uninsured deposits of public moneys in a number of state and federal savings and loan associations. The Division conducts onsite examinations that are designed to ensure financial stability and compliance with applicable state and federal laws, and initiates enforcement actions when appropriate. The five-member Financial Services Board provides policy guidance to the Division. The funding source for all Division appropriations is the Division of Financial Services Cash Fund created in Section 11-40-106 (2), C.R.S.

### **PERSONAL SERVICES**

This line item recurs annually to provide division staffing and pay for board per diem and contractual services. The Division of Financial Services is responsible for the regulation of state-chartered credit unions, a single wholesale corporate credit union, state-chartered savings and loan associations, and life-care institutions. It also administers the Public Deposit Protection Act to safeguard uninsured deposits of public monies in state and federal savings and loan associations. The base personal services calculation includes the FY 2015-16 long bill amount of \$1,382,357 Cash Funds and 15.6 FTE, plus annualizations associated with salary survey and merit pay totaling \$20,279.

### **OPERATING EXPENSES**

This line item recurs annually for costs associated with supporting Division operations and capital needs. This includes but is not limited to office supplies, telephone, and postage, printing, furniture and travel expenses. The request includes continuation funding of \$145,921 Cash Funds plus \$14,133 related to HB 14-1398 (Marijuana Financial Service Cooperatives).

### **INDIRECT COST ASSESSMENT**

This line item recurs annually for the payment of indirect costs to cover the operations of the Executive Director's Office and for DORA's share of statewide indirect costs. The request includes \$123,011 Cash Funds. This amount reflects continuation funding for the Division's proportionate share necessary to recover the full amount of costs for the Executive Director's Office, with an adjustment for Common policy adjustments of \$656. However, the precise amount for FY 2016-17 must be calculated after all other figures are determined for FY 2016-17.

## (6) DIVISION OF INSURANCE

The Division of Insurance regulates authorized insurance entities and licensed insurance producers throughout Colorado to promote and preserve a safe and sound competitive market environment for both the industry and the consumer. The Division's duties include the following: Conduct actuarial examinations, authorize surplus lines, and regulate provider networks and non-traditional insurance entities; Conduct examinations related to the financial solvency of Colorado insurance companies; Monitor and rehabilitate troubled insurance companies, collect premium taxes, and perform financial analysis of applicable companies; Review policy forms submitted by insurance carriers and ensure that insurer rates are reasonable and equitable; Perform field and desk examinations to monitor compliance related to the advertising, underwriting, and other practices of regulated insurance entities; Respond to consumer inquiries and complaints; and, Regulate bail bond agents, investigate producer violations and act to prohibit unauthorized insurance activities. The funding source is primarily the Division of Insurance Cash Fund, created in Section 10-1-103 (3), C.R.S. In addition to cash fee sources, this fund is backfilled by insurance premium tax revenues that would otherwise be credited to the General Fund.

### **PERSONAL SERVICES**

This line item recurs annually to provide division staffing and pay for contractual services. The Division of Insurance is separated into two functional areas. Financial Regulation is composed of corporate affairs, financial examinations and financial affairs. The second functional area is Consumer Affairs, composed of rates and forms, consumer complaints, market conduct and investigations. The base personal services calculation includes the FY 2015-16 long bill amount of \$6,179,123 and 83.2 FTE.

The request also includes annualizations associated with salary survey and merit pay totaling \$110,014.

### **OPERATING EXPENSES**

This line item recurs annually for costs associated with supporting Division operations and capital needs. This includes but is not limited to office supplies, telephone, postage, printing, furniture and travel expenses. The Division's Operating Expense appropriation consists of two components: (1) moneys continuously appropriated by Section 10-1-108 (9), C.R.S., which derive from out-of-state travel expense reimbursements paid by insurance companies; and (2) amounts appropriated annually by the General Assembly. The out-of-state travel component varies substantially. The request includes continuation funding of \$291,716 Cash Funds.

### **OUT-OF-STATE TRAVEL**

This line item funds out-of state travel expenses incurred when Division staff are required to perform market conduct examinations. Funds in this line item are reimbursements paid by insurance companies and are continuously appropriated pursuant to Section 10-1-108 (9), C.R.S. The request includes continuation funding of \$100,000 Cash Funds.

### **SENIOR HEALTH COUNSELING PROGRAM**

This line item reflects a federally funded program that provides information to senior citizens regarding Medicare. This federally funded program supports senior citizen awareness of Medicare information. The level of program expenditures is contingent on the availability of federal money from the Centers for Medicare and Medicaid Services (CMS) and the U.S. Administration on Aging, two Federal agencies located within the U.S. Department of Health and Human Services. The request includes an informational amount for continuation funding of \$517,794 Federal Funds and 2.0 FTE.

### **TRANSFER TO CAPCO ADMINISTRATION**

This line item recurs annually to support payment to the Governor's Office to support work related to certified capital companies. The amount appropriated in the FY 2015-16 long bill is \$84,036.

### **INDIRECT COST ASSESSMENT**

This line item recurs annually for the payment of indirect costs to cover the operations of the Executive Director's Office and for DORA's share of statewide indirect costs. The request includes \$774,163, including \$656,063 Cash Funds and \$118,100 Federal Funds. This amount reflects continuation funding for the Division's proportionate share necessary to recover the full amount of costs for the Executive Director's Office, with a common policy adjustment to reflect an decrease necessary for the FY 2016-17 Request of \$2,236. However, the precise amount for FY 2016-17 must be calculated after all other figures are determined for FY 2016-17.

### **(7) PUBLIC UTILITIES COMMISSION**

The three-member Public Utilities Commission (PUC) regulates the rates and services of fixed utilities and transportation utilities located in the state. The PUC also administers the Colorado Telecommunications High Cost Program, the Low Income Telephone Assistance Program, the Disabled Telephone Users Program, and the Highway Crossing Protection Program. Most of the PUC's activities are supported by the PUC Fixed Utility Fund created in Section 40-2-114, C.R.S. or the PUC Motor Carrier Fund created in Section 40-2-110.5 (6), C.R.S.; however, certain special purpose line items utilize specific corresponding cash funds.

## **PERSONAL SERVICES**

This line item recurs annually to provide division staffing and pay for contractual services. The PUC has regulatory responsibility for fixed utilities, those utilities that do not move (such as natural gas, electric, telecommunications and water) and for transportation utilities, those that move persons or property. The base personal services calculation includes the FY 2015-16 long bill amount of \$9,345,496 and 97.3 FTE, plus annualizations associated with salary survey and merit pay totaling \$149,190.

## **OPERATING EXPENSES**

This line item recurs annually for costs associated with supporting Division operations and capital needs. This includes but is not limited to office supplies, telephone, postage, printing, furniture and travel expenses. The request includes continuation funding of \$444,473 Cash Funds.

## **EXPERT TESTIMONY**

This line item recurs annually to support contractual services requiring expertise not available from PUC staff and to assist with PUC representation before the Commissioners. This line pays for expert testimony during hearings before the PUC. The request includes continuation funding of \$25,000 Cash Funds.

## **INDIRECT COST ASSESSMENT**

This line item recurs annually for the payment of indirect costs to cover the operations of the Executive Director's Office and for DORA's share of statewide indirect costs. The request includes \$767,246 Cash Funds. This amount reflects continuation funding for the Division's proportionate share necessary to recover the full amount of costs for the Executive Director's Office, with an adjustment to reflect an increase necessary for a Common Policy adjustment of \$4,090. However, the precise amount for FY 2016-17 must be calculated after all other figures are determined for FY 2016-17.

## **DISABLED TELEPHONE USERS' FUND**

This line is for the annual contract for the provision of telephone services for the deaf and hard of hearing. The revenue comes from a specific charge on consumers' telephone bills. This fund is continuously appropriated. Pursuant to Section 40-17-104 (1), C.R.S., phone companies impose a fee, set by the PUC, on each phone line in the state with the resulting revenues deposited in the Disabled Telephone Users Fund. Moneys in the fund are continuously appropriated to pay the cost of a contract that provides telecommunications relay services for disabled individuals. The request of \$1,900,542 reflects continuation figures intended to cover estimated usage of the relay contract for FY 2016-17.

### **TRANSFER TO READING SERVICES FOR THE BLIND CASH FUND**

This line item recurs annually as a mechanism for the transfer of funds from the Disabled Telephone Users Fund Payment line in the Long Bill to the Reading Services for the Blind cash fund. Pursuant to Section 40-17-104 (1), C.R.S., this line item appropriates money from the Disabled Telephone Users Fund to the Reading Services for the Blind Cash Fund. There is a corresponding Reappropriated Funds appropriation from the Reading Services for the Blind Cash Fund in the Department of Education, where the appropriation supports broadcasts by the Radio Reading Service of the Rockies, a volunteer reading service for the visually impaired. The request includes continuation funding of \$360,000 Cash Funds. This amount is not final until FY 2016-17 appropriations to the Department of Education are final.

### **TRANSFER TO COMMISSION FOR THE DEAF AND HARD OF HEARING CASH FUND**

This line item recurs annually as a mechanism for the transfer of funds from the Disabled Telephone Users Fund Payment line in the Long Bill to the Colorado Commission for the Deaf and Hard of Hearing cash fund. This line item reflects the annual transfer from the Disabled Telephone Users Fund to the Colorado Commission for the Deaf and Hard of Hearing Cash Fund that is required by Section 40-17-104 (4), C.R.S. Pursuant to S.B. 06-218, the funds are directly transferred from the Colorado Disabled Telephone Users Fund to the Colorado Commission for the Deaf and Hard of Hearing Cash Fund. The appropriation includes continuation funding of \$1,012,818 Cash Funds. This amount is not final until FY 2016-17 appropriations to the Department of Human Services are final.

### **COLORADO BUREAU OF INVESTIGATION BACKGROUND CHECKS PASS-THROUGH**

This line item was added during FY 2008-09 and recurs annually to pass-through CBI/FBI background check fees to the Department of Public Safety pursuant to HB07-1065 and HB 07-1249, which require fingerprint-based criminal history record checks for drivers of certain motor vehicle carriers, and the principals of household goods moving companies, respectively. A continuation amount of \$104,377 is requested for FY 2016-17.

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

The Division of Real Estate licenses real estate brokers, real estate appraisers, and mortgage brokers; analyzes subdivision offerings on undeveloped land; and administers an enforcement program that responds to the needs of the industry and the consumer. The five-member Real Estate Commission and the seven-member Appraisal Board serve as the policy-making bodies of the Division. Appropriations for the Division are from the Division of Real Estate Cash Fund created in Section 12-61-111.5 (2) (b), C.R.S., and the Mortgage Broker Registration Cash Fund created in Section 12-61-908 (2), C.R.S.

## **PERSONAL SERVICES**

This line item recurs annually to provide division staffing and pay for contractual services. The fundamental purpose of the Division is to establish and maintain a safe, stable environment in which the general public may buy, sell and lease real property in Colorado. The Division accomplishes this through qualifying and licensing real estate brokers, appraiser professionals, and mortgage brokers; by careful scrutiny of time share and undeveloped, raw land subdivision offerings; and through an enforcement program that is responsive to the needs of the citizenry. The base personal services calculation includes the FY 2015-16 long bill amount of \$3,938,037 and 55.9 FTE, hours plus special bill funding of \$47,250 (1 bill total) adjusted to reflect the out-year impact cited in the Legislative Council Staff fiscal notes for the bill (a net reduction of \$39,250), and annualizations associated with salary survey and merit pay totaling \$65,519.

## **OPERATING EXPENSES**

This line item recurs annually for costs associated with supporting Division operations and capital needs. This includes but is not limited to office supplies, telephone, postage, printing, furniture and travel expenses. The request includes: continuation funding of \$244,557 Cash Funds.

## **COMMISSION MEETINGS**

This line item recurs annually to pay per diem, travel and miscellaneous costs for Real Estate Commission members attending meetings to conduct business related to rule-making, policy formulation, taking disciplinary action, and making licensing decisions. The request includes continuation funding of \$38,836 Cash Funds.

## **HEARINGS PURSUANT TO COMPLAINT**

This line item recurs annually for investigation of complaints, primarily to contract for expert witness testimony, depositions, and shorthand/court reports and transcripts. Expenses associated with hearings, proceedings and mediations as well as a portion of the cost of cases referred to the Attorney General are funded via this line item. Expenses of the Attorney General include costs for expert witnesses, court reporters, transcripts and depositions. The request includes continuation funding of \$4,000 Cash Funds.

## **MORTGAGE BROKER CONSUMER PROTECTION**

This new line item was added for FY 09-10 and will recur annually to support the investigation and prosecution of Mortgage Broker complaints in the Attorney General's Office. The line is not part of "Legal Services to State Agencies", but rather supports expenditures in the Department of Law for related to mortgage fraud. Funds are appropriated in the Division of Real Estate and then

transferred to the Department of Law, where they reappear as a Reappropriated Funds appropriation. The request includes funding of \$389,265 Cash Funds. The amount will not be final until the Department of Law's budget is final for FY 2016-17.

### **INDIRECT COST ASSESSMENT**

This line item recurs annually for the payment of indirect costs to cover the operations of the Executive Director's Office and for DORA's share of statewide indirect costs. The request includes \$440,792 Cash Funds. This amount reflects continuation funding for the Division's proportionate share necessary to recover the full amount of costs for the Executive Director's Office, with a Common policy adjustment to reflect an increase necessary for the FY 2016-17 Statewide Indirect Cost Assessment. However, the precise amount for FY 2016-17 must be calculated after all other figures are determined for FY 2016-17.

### **(9) DIVISION OF PROFESSIONS AND OCCUPATIONS**

The Division of Professions and Occupations regulates licensees in more than thirty professions and occupations throughout Colorado. Its boards and licensing programs have been created by the General Assembly to ensure a basic level of competence among licensees and to protect the public welfare. The Division's licensing examinations measure applicants' knowledge, skills, and abilities. The Division also licenses or approves qualified facilities, programs, and equipment. Public protection is further enhanced by conducting inspections, investigating complaints, and restricting or revoking licenses when generally accepted standards of practice or safety have not been met. The funding source for Division is the Division of Professions and Occupations Cash Fund created in Section 24-34-105 (2) (b) (I), C.R.S.

### **PERSONAL SERVICES**

This line item recurs annually to provide division staffing, contractual services, and board per diem. The Division's boards and licensing programs have been created to ensure a minimal level of competence of licensees and to protect the public. The base personal services calculation includes the FY 2015-16 long bill amount of \$13,886,461 and 196.9 FTE and annualizations associated with the following special bills: HB 15-1309 and SB 15-202. The request also includes annualizations associated with salary survey and merit pay totaling \$231,793.

### **OPERATING EXPENSES**

This line item recurs annually for costs associated with supporting Division operations and capital needs. This includes but is not limited to office supplies, telephone, postage, printing, and travel expenses. The request includes: continuation funding of \$1,475,649 Cash Funds and changes associated with the following special bill: SB 15-202.



### **OFFICE OF EXPEDITED SETTLEMENT PROGRAM COSTS**

This line item was created in FY 09-10 to separate the costs associated with the Division's Office of Expedited Settlement. This includes but is not limited to personal services as well as office supplies, telephone, postage, printing, and travel expenses. The request includes: continuation funding of \$392,549 Cash Funds and 5.0 FTE, as well as annualizations associated with salary survey and merit pay totaling \$7,674.

### **HEARINGS PURSUANT TO COMPLAINT**

This line item recurs annually to support hearings related to the investigation of complaints, primarily to contract for expert witness testimony, depositions, and shorthand/court reports and transcripts. This line item pays for expenses associated with hearings, proceedings and mediations as well as a portion of the cost of cases referred to the Attorney General. Expenses of the Attorney General include costs for expert witnesses, court reporters, transcripts and depositions. The request includes continuation funding of \$307,075 Cash Funds.

### **PAYMENTS TO DEPT OF HEALTH CARE POLICY AND FINANCING**

This line item recurs annually to support payment to HCPF as a partial federal funds match related to the Nurse Aides Certification Program. Federal regulations require the state to certify nurse aides who work in medical facilities with Medicaid or Medicare patients. The Nursing Board, which is within the Division of Professions and Occupations, runs Colorado's nurse aide certification program. Federal matching funds pay half the cost of the Medicaid portion of this program, but the Department cannot apply directly for the federal match; Medicaid's centralization rules require that the match be routed through the Department of Health Care Policy and Financing. Nurse Aide certification was modified to require criminal background checks, for which a match is required from the Division of Professions and Occupations Cash Fund. This line item supports that match. The request includes continuation funding of \$14,652 Cash Funds.

### **INDIRECT COST ASSESSMENT**

This line item recurs annually for the payment of indirect costs to cover the operations of the Executive Director's Office, for DORA's share of statewide indirect costs and to cover the operations of the Division's Director's Office and Complaints and Investigations Section. The request includes \$1,592,055 Cash Funds. This amount reflects continuation funding for the Division's proportionate share necessary to recover the full amount of costs for the Executive Director's Office with an adjustment to reflect a common policy adjustment increase necessary for the FY 2016-17 Statewide Indirect Cost Assessment. However, the precise amount for FY 2016-17 must be calculated after all other figures are determined for FY 2016-17.

## (10) DIVISION OF SECURITIES

The Division of Securities monitors the conduct of broker-dealers and sales representatives throughout Colorado. It also investigates citizen complaints and other indications of investment fraud. In addition to license application screening, Division personnel perform on-site examinations of broker-dealer offices. The Division enforces the following programs: the Colorado Securities Act, the Colorado Commodity Code, the Colorado Municipal Bond Supervision Act, and the Local Government Investment Pool Trust Fund Administration and Enforcement Act. All appropriations for the Division are from the Division of Securities Cash Fund

### **PERSONAL SERVICES**

This line item recurs annually to provide division staffing. The Division of Securities' purpose is to bring enforcement actions against fraudulent and other abusive conduct. The Division investigates complaints of Colorado citizens and other indications of investment fraud and monitors Colorado broker-dealer and sales representative conduct. The base personal services calculation includes the FY 2015-16 long bill amount of \$2,255,498 and 24.0 FTE, plus annualizations associated with salary survey and merit pay totaling \$32,873.

### **OPERATING EXPENSES**

This line item recurs annually for costs associated with supporting Division operations and capital needs. This includes but is not limited to office supplies, telephone, postage, printing, and travel expenses. The request includes continuation funding of \$58,999 Cash Funds.

### **HEARINGS PURSUANT TO COMPLAINT**

This line item recurs annually for investigation of complaints, primarily to contract for expert witness testimony, depositions, and shorthand/court reports and transcripts. This line item pays for expenses associated with hearings, proceedings and mediations as well as a portion of the cost of cases referred to the Attorney General. Expenses of the Attorney General include costs for expert witnesses, Court reporters, transcripts and depositions. The request includes continuation funding of \$19,594 Cash Funds.

### **BOARD MEETING COSTS**

This line item recurs annually to pay per diem, travel and miscellaneous costs for board members attending meetings to conduct business related to rule-making, policy formulation, taking disciplinary action, and making licensing and chartering decisions. This line item funds per diem, travel, and miscellaneous costs for the five members of the Colorado Securities Board. The request includes continuation funding of \$4,500 Cash Funds.

### **SECURITIES FRAUD PROSECTON**

This line item supports expenditures in the department of Law for related to the criminal prosecution of securities fraud. The line is not part of “Legal Services to State Agencies”, but rather supports expenditures in the Department of Law for related to the prosecution of securities fraud. Funds are appropriated in the Division of Securities and then transferred to the Department of Law, where it appears again as a Reappropriated Funds appropriation. The request includes continuation funding of \$943,261 Cash Funds. The amount will not be final until the Department of Law’s budget is final for FY 2016-17.

### **INDIRECT COST ASSESSMENT**

This line item recurs annually for the payment of indirect costs to cover the operations of the Executive Director’s Office and for DORA’s share of statewide indirect costs. The request includes \$189,249 Cash Funds. This amount reflects continuation funding for the Division’s proportionate share necessary to recover the full amount of costs for the Executive Director’s Office with a common policy adjustment to reflect an increase necessary for the FY 2016-17 Statewide Indirect Cost Assessment. However, the precise amount for FY 2016-17 must be calculated after all other figures are determined for FY 2016-17.