

**COLORADO GENERAL ASSEMBLY
JOINT BUDGET COMMITTEE**



**FY 2012-13 STAFF FIGURE SETTING
DEPARTMENT OF REGULATORY AGENCIES**

**JBC Working Document - Subject to Change
Staff Recommendation Does Not Represent Committee Decision**

**Prepared By:
Alfredo Kemm, JBC Staff
February 14, 2012**

For Further Information Contact:

Joint Budget Committee Staff
200 E. 14th Avenue, 3rd Floor
Denver, Colorado 80203
Telephone: (303) 866-2061
TDD: (303) 866-3472

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

TABLE OF CONTENTS
DEPARTMENT OF REGULATORY AGENCIES

	Numbers Pages	Narrative
Smart Act Committee of Reference Recommendations	n/a	1
Decision Item and Common Policy Notes	n/a	2
Department Divisions		
Executive Director's Office	3	17
Division of Banking	7	27
Civil Rights Division	8	29
Office of Consumer Counsel	9	32
Division of Financial Services	9	34
Division of Insurance	10	36
Public Utilities Commission	11	39
Division of Real Estate	13	43
Division of Registrations	14	46
Division of Securities	15	50
Department Total	16	n/a
Footnotes and Request for Information	n/a	53

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Committee of Reference SMART Act Recommendation Letter for the Department

House Economic and Business Development Committee
Received January 23, 2012
Recommendations

The House Economic and Business Development Committee recommended the following changes:

The committee recommends that the Department provide a report to the House Economic and Business Development Committee and the JBC that lists the total number of entities, professions, or groups regulated by the Department and the number of regulated professionals within those entities, professions, or groups for each of the last five years. The report should correlate the number of regulated entities, professions, or groups and the professionals within those entities with the budget and FTE allotted to each entity for each of the last five years. The report must be provided within 60 days of approval, and posted on the Department's website.

Senate Business, Labor, and Technology Committee
Received January 23, 2012
Recommendations

The Senate Business, Labor, and Technology Committee did not provide a recommendation on the Department's FY 2012-13 budget.

House Transportation Committee
Received January 23, 2012
Recommendations

The House Transportation Committee did not provide a recommendation on the Department's FY 2012-13 budget.

Senate Transportation Committee
Received February 1, 2012
Recommendations

The Senate Transportation Committee did not provide a recommendation on the Department's FY 2012-13 budget.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Decision Item Table of Contents	
Decision Item	Narrative Page Number
The Department had no Decision Item Requests	

The Committee has not yet acted on the following common policies:

- Personal Services base reduction;
- Health, Life, and Dental;
- Information technology common policies, set for the Governor's Office (figure setting date March 15, 2012);
- Department of Personnel and Administration (DPA) operating common policies, set for DPA (figure setting date March 15, 2012);
- Legal services hourly rate, set for the Department of Law (figure setting date March 15, 2012).

FY 2012-13 Joint Budget Committee Staff Figure Setting
Department of REGULATORY AGENCIES
Numbers Pages

	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Appropriation	FY 2012-13 Request	FY 2012-13 Staff Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------------

DEPARTMENT OF REGULATORY AGENCIES Barbara Kelley, Executive Director
--

(1) EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES

The Executive Director's Office performs department-wide administrative functions including accounting, budgeting, and purchasing. The Office of Policy and Research conducts sunrise and sunset evaluations pursuant to section 24-34-104 (8), C.R.S.

Personal Services	<u>4,022,230</u>	<u>2,141,818</u>	<u>2,207,730</u>	<u>2,254,768</u>	<u>Pending</u>
<i>FTE</i>	49.0	28.4	27.5	27.5	29.5
General Fund	15,619	0	3,500	3,500	
Cash Funds	25,500	0	29,000	29,000	
Reappropriated Funds	3,981,111	2,141,818	2,175,230	2,222,268	
Health, Life, and Dental	<u>2,878,828</u>	<u>2,633,444</u>	<u>2,873,888</u>	<u>2,957,012</u>	<u>Pending</u>
General Fund	92,248	89,650	92,463	104,395	
Cash Funds	2,200,431	2,362,286	2,596,890	2,658,390	
Reappropriated Funds	542,780	181,508	157,668	147,996	
Federal Funds	43,369	0	26,867	46,231	
Short-term Disability	<u>48,080</u>	<u>49,782</u>	<u>56,574</u>	<u>60,597</u>	<u>55,751</u>
General Fund	1,113	1,730	1,956	1,975	1,956
Cash Funds	41,117	44,915	49,889	54,427	49,889
Reappropriated Funds	5,401	3,137	4,325	3,502	3,502
Federal Funds	449	0	404	693	404
S.B. 04-257 Amortization Equalization Disbursement	<u>623,700</u>	<u>767,991</u>	<u>880,361</u>	<u>1,095,520</u>	<u>1,095,148</u>
General Fund	14,244	26,415	30,573	35,706	35,334
Cash Funds	539,181	693,014	789,205	983,984	983,984
Reappropriated Funds	70,275	48,562	54,187	63,307	63,307
Federal Funds	0	0	6,396	12,523	12,523

*This line item includes a decision item.

FY 2012-13 Joint Budget Committee Staff Figure Setting
Department of REGULATORY AGENCIES
Numbers Pages

	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Appropriation	FY 2012-13 Request	FY 2012-13 Staff Recommendation
S.B. 06-235 Supplemental Amortization Equalization					
Disbursement	<u>389,309</u>	<u>559,808</u>	<u>707,267</u>	<u>941,462</u>	<u>940,997</u>
General Fund	8,719	19,067	24,403	30,685	30,220
Cash Funds	336,721	505,331	634,182	845,611	845,611
Reappropriated Funds	43,869	35,410	43,543	54,404	54,404
Federal Funds	0	0	5,139	10,762	10,762
Workers' Compensation	<u>74,629</u>	<u>80,268</u>	<u>70,066</u>	<u>76,436</u>	<u>Pending</u>
General Fund	2,825	2,850	2,328	2,538	
Cash Funds	67,940	72,476	64,296	70,145	
Reappropriated Funds	2,571	4,942	2,337	2,548	
Federal Funds	1,293	0	1,105	1,205	
Operating Expenses	<u>188,850</u>	<u>131,851</u>	<u>210,344</u>	<u>210,344</u>	<u>210,344</u>
General Fund	3,689	0	3,689	3,689	3,689
Cash Funds	74,164	23,238	95,427	95,427	95,427
Reappropriated Funds	110,997	108,613	111,228	111,228	111,228
Legal Services	<u>7,616,109</u>	<u>7,877,947</u>	<u>8,088,494</u>	<u>7,896,902</u>	<u>Pending</u>
General Fund	152,809	148,721	153,464	153,464	
Cash Funds	7,324,753	7,081,789	7,759,646	7,570,989	
Reappropriated Funds	138,547	647,437	30,433	30,433	
Federal Funds	0	0	144,951	142,016	
Administrative Law Judge Services	<u>324,818</u>	<u>300,459</u>	<u>430,196</u>	<u>287,849</u>	<u>Pending</u>
General Fund	14,964	13,842	19,819	13,261	
Cash Funds	309,854	286,617	410,377	274,588	

*This line item includes a decision item.

FY 2012-13 Joint Budget Committee Staff Figure Setting
Department of REGULATORY AGENCIES
Numbers Pages

	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Appropriation	FY 2012-13 Request	FY 2012-13 Staff Recommendation
Purchase of Services from Computer Center	<u>48,916</u>	<u>1,484,641</u>	<u>1,695,122</u>	<u>1,818,880</u>	<u>Pending</u>
General Fund	0	24,265	60,624	64,934	
Cash Funds	0	1,371,730	1,634,498	1,753,946	
Reappropriated Funds	48,916	88,646	0	0	
Multiuse Network Payments	<u>0</u>	<u>127,783</u>	<u>149,825</u>	<u>328,794</u>	<u>Pending</u>
General Fund	0	4,625	5,385	11,738	
Cash Funds	0	112,232	144,440	317,056	
Reappropriated Funds	0	10,926	0	0	
Management and Administration of OIT	<u>60,444</u>	<u>139,117</u>	<u>278,679</u>	<u>131,988</u>	<u>Pending</u>
General Fund	1,376	2,574	9,957	4,712	
Cash Funds	49,277	122,801	268,722	127,276	
Reappropriated Funds	9,246	13,742	0	0	
Federal Funds	545	0	0	0	
Payment to Risk Management and Property Funds	<u>90,734</u>	<u>27,792</u>	<u>106,459</u>	<u>129,003</u>	<u>Pending</u>
General Fund	3,286	987	3,537	4,281	
Cash Funds	73,272	25,094	97,694	118,394	
Reappropriated Funds	12,179	1,711	3,550	4,297	
Federal Funds	1,997	0	1,678	2,031	
Vehicle Lease Payments	<u>191,507</u>	<u>205,660</u>	<u>184,182</u>	<u>221,254</u>	<u>Pending</u> *
Cash Funds	191,507	205,660	184,182	221,254	
Information Technology Asset Maintenance	<u>586,737</u>	<u>668,485</u>	<u>671,403</u>	<u>671,403</u>	<u>671,403</u>
Cash Funds	398,480	478,227	480,646	480,646	480,646
Reappropriated Funds	188,257	190,258	190,757	190,757	190,757

*This line item includes a decision item.

**FY 2012-13 Joint Budget Committee Staff Figure Setting
Department of REGULATORY AGENCIES
Numbers Pages**

	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Appropriation	FY 2012-13 Request	FY 2012-13 Staff Recommendation
Leased Space	<u>2,839,367</u>	<u>2,791,912</u>	<u>3,038,518</u>	<u>3,038,518</u>	<u>3,038,518</u>
General Fund	99,836	96,132	106,866	106,866	106,866
Cash Funds	2,285,655	2,262,957	2,536,022	2,536,022	2,536,022
Reappropriated Funds	453,876	432,823	356,190	356,190	356,190
Federal Funds	0	0	39,440	39,440	39,440
Capitol Complex Leased Space	<u>6,325</u>	<u>6,358</u>	<u>6,098</u>	<u>5,585</u>	<u>Pending</u>
Cash Funds	6,325	6,358	6,098	5,585	
Hardware/Software Maintenance	<u>872,377</u>	<u>690,689</u>	<u>805,010</u>	<u>686,330</u>	<u>686,330</u>
General Fund	800	0	800	800	800
Cash Funds	613,822	433,268	545,608	426,928	426,928
Reappropriated Funds	257,755	257,421	258,602	258,602	258,602
Consumer Outreach/Education Program	<u>193,834</u>	<u>200,000</u>	<u>200,000</u>	<u>200,000</u>	<u>200,000</u>
Cash Funds	193,834	200,000	200,000	200,000	200,000
Total Funds - (1) Executive Director's Office and Administrative Services	21,056,794	20,885,805	22,660,216	23,012,645	6,898,491
FTE	<u>49.0</u>	<u>28.4</u>	<u>27.5</u>	<u>27.5</u>	<u>29.5</u>
General Fund	411,528	430,858	519,364	542,544	178,865
Cash Funds	14,731,833	16,287,993	18,526,822	18,769,668	5,618,507
Reappropriated Funds	5,865,780	4,166,954	3,388,050	3,445,532	1,037,990
Federal Funds	47,653	0	225,980	254,901	63,129

*This line item includes a decision item.

FY 2012-13 Joint Budget Committee Staff Figure Setting
Department of REGULATORY AGENCIES
Numbers Pages

	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Appropriation	FY 2012-13 Request	FY 2012-13 Staff Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------------

(2) DIVISION OF BANKING

The Division of Banking regulates state-chartered commercial and industrial banks, trust companies, debt adjusters, and money order companies; and conducts examinations of institutions and ensures institutions comply with the Public Deposit Protection Act. The Division is entirely cash funded by the Division of Banking Cash Fund, pursuant to section 11-102-403, C.R.S.

Personal Services	<u>2,703,233</u>	<u>2,860,656</u>	<u>3,552,422</u>	<u>3,612,383</u>	<u>Pending</u>
<i>FTE</i>	34.5	36.7	47.5	47.5	40.0
Cash Funds	2,703,233	2,860,656	3,552,422	3,612,383	
Operating Expenses	<u>411,694</u>	<u>432,187</u>	<u>506,387</u>	<u>490,703</u>	<u>490,703</u>
Cash Funds	411,694	432,187	506,387	490,703	490,703
Board Meeting Costs	<u>21,876</u>	<u>19,167</u>	<u>23,500</u>	<u>23,500</u>	<u>23,500</u>
Cash Funds	21,876	19,167	23,500	23,500	23,500
Indirect Cost Assessment	<u>513,677</u>	<u>309,464</u>	<u>315,930</u>	<u>315,930</u>	<u>Pending</u>
Cash Funds	513,677	309,464	315,930	315,930	
Total Funds - (2) Division of Banking	<u>3,650,480</u>	<u>3,621,474</u>	<u>4,398,239</u>	<u>4,442,516</u>	<u>514,203</u>
<i>FTE</i>	<u>34.5</u>	<u>36.7</u>	<u>47.5</u>	<u>47.5</u>	<u>40.0</u>
Cash Funds	3,650,480	3,621,474	4,398,239	4,442,516	514,203

*This line item includes a decision item.

FY 2012-13 Joint Budget Committee Staff Figure Setting
Department of REGULATORY AGENCIES
Numbers Pages

	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Appropriation	FY 2012-13 Request	FY 2012-13 Staff Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------------

(3) CIVIL RIGHTS DIVISION

The Civil Rights Division enforces state laws that prohibit discrimination in employment, housing, and public accommodations on the basis of race, sex (gender), national origin, ancestry, physical or mental disability, religion, color, marital status, or sexual orientation.

Personal Services	<u>1,556,303</u>	<u>1,574,017</u>	<u>1,580,295</u>	<u>1,609,144</u>	<u>Pending</u>
<i>FTE</i>	23.6	25.9	31.4	31.4	27.0
General Fund	960,212	945,538	999,488	1,023,546	
Reappropriated Funds	272,752	297,629	232,343	232,343	
Federal Funds	323,339	330,850	348,464	353,255	
Operating Expenses	<u>68,224</u>	<u>85,637</u>	<u>100,438</u>	<u>100,438</u>	<u>100,438</u>
General Fund	63,336	59,318	59,318	59,318	59,318
Federal Funds	4,888	26,319	41,120	41,120	41,120
Hearings Pursuant to Complaint	<u>17,000</u>	<u>17,000</u>	<u>18,000</u>	<u>18,000</u>	<u>18,000</u>
General Fund	17,000	17,000	17,000	17,000	17,000
Federal Funds	0	0	1,000	1,000	1,000
Commission Meeting Costs	<u>5,174</u>	<u>5,168</u>	<u>12,374</u>	<u>12,374</u>	<u>12,374</u>
General Fund	5,174	5,168	5,174	5,174	5,174
Federal Funds	0	0	7,200	7,200	7,200
Indirect Cost Assessment	<u>37,208</u>	<u>33,295</u>	<u>51,798</u>	<u>51,798</u>	<u>Pending</u>
Federal Funds	37,208	33,295	51,798	51,798	

Total Funds - (3) Civil Rights Division	1,683,909	1,715,117	1,762,905	1,791,754	130,812
<i>FTE</i>	<u>23.6</u>	<u>25.9</u>	<u>31.4</u>	<u>31.4</u>	<u>27.0</u>
General Fund	1,045,722	1,027,024	1,080,980	1,105,038	81,492
Reappropriated Funds	272,752	297,629	232,343	232,343	0
Federal Funds	365,435	390,464	449,582	454,373	49,320

*This line item includes a decision item.

FY 2012-13 Joint Budget Committee Staff Figure Setting
Department of REGULATORY AGENCIES
Numbers Pages

	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Appropriation	FY 2012-13 Request	FY 2012-13 Staff Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------------

(4) OFFICE OF CONSUMER COUNSEL

The Office of Consumer Counsel represents the interests of residential, agricultural and small business consumers at electric, gas, and telecommunications utility rate and service proceedings before the Public Utility Commission. The Division is cash funded by the Public Utilities Commission Fixed Utility Fund pursuant to section 40-2-114, C.R.S.

Personal Services	<u>723,873</u>	<u>708,610</u>	<u>778,171</u>	<u>792,953</u>	<u>Pending</u>
<i>FTE</i>	7.0	6.8	7.0	7.0	7.0
Cash Funds	723,873	708,610	778,171	792,953	
Operating Expenses	<u>41,802</u>	<u>48,022</u>	<u>55,787</u>	<u>55,787</u>	<u>55,787</u>
Cash Funds	41,802	48,022	55,787	55,787	55,787
Indirect Cost Assessment	<u>76,032</u>	<u>49,233</u>	<u>46,558</u>	<u>46,558</u>	<u>Pending</u>
Cash Funds	76,032	49,233	46,558	46,558	

Total Funds - (4) Office of Consumer Counsel	841,707	805,865	880,516	895,298	55,787
<i>FTE</i>	<u>7.0</u>	<u>6.8</u>	<u>7.0</u>	<u>7.0</u>	<u>7.0</u>
Cash Funds	841,707	805,865	880,516	895,298	55,787

(5) DIVISION OF FINANCIAL SERVICES

The Division of Financial Services regulates state-chartered credit unions, savings and loans, and life care institutions; and conducts examinations of institutions to ensure continued compliance with regulatory standards. The Division is entirely cash funded by the Division of Financial Services Cash Fund pursuant to section 11-40-106 (2), C.R.S.

Personal Services	<u>1,048,009</u>	<u>978,162</u>	<u>1,109,414</u>	<u>1,134,247</u>	<u>Pending</u>
<i>FTE</i>	13.2	11.9	15.0	15.0	13.0
Cash Funds	1,048,009	978,162	1,109,414	1,134,247	

*This line item includes a decision item.

FY 2012-13 Joint Budget Committee Staff Figure Setting
Department of REGULATORY AGENCIES
Numbers Pages

	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Appropriation	FY 2012-13 Request	FY 2012-13 Staff Recommendation
Operating Expenses	<u>129,434</u>	<u>95,719</u>	<u>161,788</u>	<u>161,788</u>	<u>161,788</u>
Cash Funds	129,434	95,719	161,788	161,788	161,788
Indirect Cost Assessment	<u>162,927</u>	<u>105,499</u>	<u>99,767</u>	<u>99,767</u>	<u>Pending</u>
Cash Funds	162,927	105,499	99,767	99,767	
Total Funds - (5) Division of Financial Services	1,340,370	1,179,380	1,370,969	1,395,802	161,788
FTE	<u>13.2</u>	<u>11.9</u>	<u>15.0</u>	<u>15.0</u>	<u>13.0</u>
Cash Funds	1,340,370	1,179,380	1,370,969	1,395,802	161,788

(6) DIVISION OF INSURANCE

The Division of Insurance is responsible for licensing insurance agents and adjusters; and regulating insurance companies, non-profit hospitals, prepaid dental plans, health maintenance organizations, self-insurance pools for workers' compensation, bail bondsmen, and pre-need funeral contracts. Unless otherwise indicated, the Division is funded by the Division of Insurance Cash Fund pursuant to section 10-1-103 (3), C.R.S.

Personal Services	<u>5,700,543</u>	<u>5,762,069</u>	<u>5,659,555</u>	<u>5,787,409</u>	<u>Pending</u>
FTE	81.7	77.8	84.7	84.7	83.0
Cash Funds	5,700,543	5,762,069	5,657,035	5,787,409	
Federal Funds	0	0	2,520	0	
Operating Expenses	<u>373,227</u>	<u>305,487</u>	<u>291,716</u>	<u>291,716</u>	<u>291,716</u>
Cash Funds	373,227	305,487	291,716	291,716	291,716
Out-of-State Travel Expenses	<u>0</u>	<u>0</u>	<u>100,000</u>	<u>100,000</u>	<u>100,000</u>
Cash Funds	0	0	100,000	100,000	100,000
Senior Health Counseling Program	<u>869,262</u>	<u>869,262</u>	<u>507,838</u>	<u>509,000</u>	<u>Pending</u>
FTE			2.0	2.0	2.0
Federal Funds	869,262	869,262	507,838	509,000	

*This line item includes a decision item.

**FY 2012-13 Joint Budget Committee Staff Figure Setting
Department of REGULATORY AGENCIES
Numbers Pages**

	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Appropriation	FY 2012-13 Request	FY 2012-13 Staff Recommendation
Transfer to CAPCO Administration	<u>79,196</u>	<u>79,593</u>	<u>80,281</u>	<u>80,281</u>	<u>Pending</u>
Cash Funds	79,196	79,593	80,281	80,281	
Indirect Cost Assessment	<u>911,898</u>	<u>613,227</u>	<u>571,561</u>	<u>571,561</u>	<u>Pending</u>
Cash Funds	911,898	613,227	563,353	563,353	
Federal Funds	0	0	8,208	8,208	
Insurance Fraud Prosecution	<u>830,262</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Cash Funds	830,262	0	0	0	0
Total Funds - (6) Division of Insurance	8,764,388	7,629,638	7,210,951	7,339,967	391,716
FTE	<u>81.7</u>	<u>77.8</u>	<u>86.7</u>	<u>86.7</u>	<u>85.0</u>
Cash Funds	7,895,126	6,760,376	6,692,385	6,822,759	391,716
Federal Funds	869,262	869,262	518,566	517,208	0

(7) PUBLIC UTILITIES COMMISSION

The Public Utilities Commission regulates the rates and services of fixed and transportation utilities in Colorado; and administers the Colorado Telecommunications High Cost Program, the Low-Income Telephone Assistance Program, and the Disabled Telephone Users Program.

Personal Services	<u>7,937,847</u>	<u>8,323,065</u>	<u>8,570,623</u>	<u>8,759,799</u>	<u>Pending</u>
FTE	86.3	88.1	101.1	101.1	95.0
Cash Funds	7,937,847	8,323,065	8,570,623	8,759,799	
Operating Expenses	<u>453,045</u>	<u>430,361</u>	<u>445,689</u>	<u>445,689</u>	<u>445,689</u>
Cash Funds	453,045	430,361	445,689	445,689	445,689

*This line item includes a decision item.

FY 2012-13 Joint Budget Committee Staff Figure Setting
Department of REGULATORY AGENCIES
Numbers Pages

	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Appropriation	FY 2012-13 Request	FY 2012-13 Staff Recommendation
Expert Testimony	<u>25,000</u>	<u>24,450</u>	<u>25,000</u>	<u>25,000</u>	<u>25,000</u>
Cash Funds	25,000	24,450	25,000	25,000	25,000
Disabled Telephone Users Fund Payments	<u>2,009,738</u>	<u>1,890,099</u>	<u>2,439,591</u>	<u>2,439,591</u>	<u>2,439,591</u>
Cash Funds	2,009,738	1,890,099	2,439,591	2,439,591	2,439,591
Transfer to Reading Services for the Blind Cash Fund	<u>250,000</u>	<u>250,000</u>	<u>250,000</u>	<u>250,000</u>	<u>Pending</u>
Cash Funds	250,000	250,000	250,000	250,000	
Commission for the Deaf and Hard of Hearing Cash Fund	<u>730,626</u>	<u>910,190</u>	<u>873,778</u>	<u>878,964</u>	<u>Pending</u>
Cash Funds	730,626	910,190	873,778	878,964	
Colorado Commission for Individuals who are Blind or Visually Impaired	<u>98,822</u>	<u>98,089</u>	<u>111,002</u>	<u>112,067</u>	<u>Pending</u>
Cash Funds	98,822	98,089	111,002	112,067	
Low Income Telephone Assistance	<u>1,094,729</u>	<u>253,580</u>	<u>2,143,752</u>	<u>2,143,752</u>	<u>2,143,752</u>
Cash Funds	1,094,729	253,580	2,143,752	2,143,752	2,143,752
Colorado Bureau of Investigation Background Checks Pass-through	<u>46,649</u>	<u>66,795</u>	<u>67,128</u>	<u>104,377</u>	<u>104,377</u>
Cash Funds	46,649	66,795	67,128	104,377	104,377
Indirect Cost Assessment	<u>1,095,953</u>	<u>706,846</u>	<u>672,432</u>	<u>672,432</u>	<u>Pending</u>
Cash Funds	1,095,953	706,846	672,432	672,432	
Total Funds - (7) Public Utilities Commission	13,742,409	12,953,475	15,598,995	15,831,671	5,158,409
FTE	<u>86.3</u>	<u>88.1</u>	<u>101.1</u>	<u>101.1</u>	<u>95.0</u>
Cash Funds	13,742,409	12,953,475	15,598,995	15,831,671	5,158,409

*This line item includes a decision item.

FY 2012-13 Joint Budget Committee Staff Figure Setting
Department of REGULATORY AGENCIES
Numbers Pages

	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Appropriation	FY 2012-13 Request	FY 2012-13 Staff Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------------

(8) DIVISION OF REAL ESTATE

The Division of Real Estate licenses real estate brokers, real estate appraisers, and mortgage brokers; and administers enforcement programs to ensure compliance with state and federal regulatory laws.

Personal Services	<u>2,692,133</u>	<u>2,744,215</u>	<u>3,275,140</u>	<u>3,323,782</u>	<u>Pending</u>
<i>FTE</i>	43.1	45.4	52.3	52.3	46.9
Cash Funds	2,692,133	2,744,215	3,275,140	3,323,782	
Operating Expenses	<u>189,346</u>	<u>181,370</u>	<u>221,306</u>	<u>219,546</u>	<u>219,546</u>
Cash Funds	189,346	181,370	221,306	219,546	219,546
Commission Meeting Costs	<u>23,972</u>	<u>30,472</u>	<u>38,836</u>	<u>38,836</u>	<u>38,836</u>
Cash Funds	23,972	30,472	38,836	38,836	38,836
Hearings Pursuant to Complaint	<u>0</u>	<u>1,808</u>	<u>4,000</u>	<u>4,000</u>	<u>4,000</u>
Cash Funds	0	1,808	4,000	4,000	4,000
Mortgage Broker Consumer Protection	<u>304,252</u>	<u>305,312</u>	<u>303,770</u>	<u>308,544</u>	<u>Pending</u>
Cash Funds	304,252	305,312	303,770	308,544	
Indirect Cost Assessment	<u>533,316</u>	<u>352,365</u>	<u>347,856</u>	<u>347,856</u>	<u>Pending</u>
Cash Funds	533,316	352,365	347,856	347,856	
Total Funds - (8) Division of Real Estate	<u>3,743,019</u>	<u>3,615,542</u>	<u>4,190,908</u>	<u>4,242,564</u>	<u>262,382</u>
<i>FTE</i>	<u>43.1</u>	<u>45.4</u>	<u>52.3</u>	<u>52.3</u>	<u>46.9</u>
Cash Funds	3,743,019	3,615,542	4,190,908	4,242,564	262,382

*This line item includes a decision item.

FY 2012-13 Joint Budget Committee Staff Figure Setting
Department of REGULATORY AGENCIES
Numbers Pages

	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Appropriation	FY 2012-13 Request	FY 2012-13 Staff Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------------

(9) DIVISION OF REGISTRATIONS

The Division of Registrations oversees boards and commissions that promulgate rules to ensure continued competency of regulated professionals; enforces laws; and takes action against individuals failing to follow laws and regulations.

Personal Services	<u>10,919,756</u>	<u>11,816,640</u>	<u>12,244,406</u>	<u>12,384,462</u>	<u>Pending</u>
<i>FTE</i>	172.5	178.7	192.6	192.6	183.5
Cash Funds	9,307,088	9,603,281	11,625,467	11,765,523	
Reappropriated Funds	1,612,668	2,213,359	618,939	618,939	
Operating Expenses	<u>1,301,438</u>	<u>1,284,616</u>	<u>1,419,979</u>	<u>1,379,648</u>	<u>1,379,648</u>
Cash Funds	1,301,438	1,284,616	1,419,504	1,379,173	1,379,173
Reappropriated Funds	0	0	475	475	475
Office of Expedited Settlement Program Costs	<u>315,127</u>	<u>349,130</u>	<u>355,008</u>	<u>361,397</u>	<u>Pending</u>
<i>FTE</i>		4.9	5.0	5.0	5.0
Cash Funds	315,127	349,130	355,008	361,397	
Hearings Pursuant to Complaint	<u>215,768</u>	<u>256,617</u>	<u>307,075</u>	<u>307,075</u>	<u>307,075</u>
Cash Funds	215,768	256,617	307,075	307,075	307,075
Payments to Department of Health Care Policy and Financing	<u>14,652</u>	<u>14,652</u>	<u>14,652</u>	<u>14,652</u>	<u>14,652</u>
Cash Funds	14,652	14,652	14,652	14,652	14,652
Indirect Cost Assessment	<u>4,021,952</u>	<u>3,422,037</u>	<u>1,277,687</u>	<u>1,277,687</u>	<u>Pending</u>
Cash Funds	4,021,952	3,422,037	1,277,687	1,277,687	

Total Funds - (9) Division of Registrations	16,788,693	17,143,692	15,618,807	15,724,921	1,701,375
<i>FTE</i>	<u>172.5</u>	<u>183.6</u>	<u>197.6</u>	<u>197.6</u>	<u>188.5</u>
General Fund	0	0	0	0	0
Cash Funds	15,176,025	14,930,333	14,999,393	15,105,507	1,700,900
Reappropriated Funds	1,612,668	2,213,359	619,414	619,414	475

*This line item includes a decision item.

FY 2012-13 Joint Budget Committee Staff Figure Setting
Department of REGULATORY AGENCIES
Numbers Pages

	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Appropriation	FY 2012-13 Request	FY 2012-13 Staff Recommendation
--	----------------------	----------------------	-----------------------------	-----------------------	------------------------------------

(10) DIVISION OF SECURITIES

The Division of Securities monitors the conduct of Colorado broker-dealers and sales representatives; and investigates citizen complaints and other indications of investment fraud. The Division is funded by the Division of Securities Cash Fund pursuant to section 11-51-707 (2), C.R.S.

Personal Services	<u>1,700,013</u>	<u>1,804,415</u>	<u>2,116,333</u>	<u>2,157,670</u>	<u>Pending</u>
<i>FTE</i>	21.0	21.3	26.0	26.0	24.0
Cash Funds	1,700,013	1,804,415	2,116,333	2,157,670	
Operating Expenses	<u>57,696</u>	<u>52,921</u>	<u>73,009</u>	<u>58,999</u>	<u>58,999</u>
Cash Funds	57,696	52,921	73,009	58,999	58,999
Hearings Pursuant to Complaint	<u>12,271</u>	<u>19,371</u>	<u>19,594</u>	<u>19,594</u>	<u>19,594</u>
Cash Funds	12,271	19,371	19,594	19,594	19,594
Board Meeting Costs	<u>2,505</u>	<u>4,182</u>	<u>4,500</u>	<u>4,500</u>	<u>4,500</u>
Cash Funds	2,505	4,182	4,500	4,500	4,500
Securities Fraud Prosecution	<u>473,028</u>	<u>493,081</u>	<u>720,638</u>	<u>727,381</u>	<u>Pending</u>
Cash Funds	473,028	493,081	720,638	727,381	
Indirect Cost Assessment	<u>238,960</u>	<u>160,809</u>	<u>172,930</u>	<u>172,930</u>	<u>Pending</u>
Cash Funds	238,960	160,809	172,930	172,930	
Total Funds - (10) Division of Securities	2,484,473	2,534,779	3,107,004	3,141,074	83,093
<i>FTE</i>	<u>21.0</u>	<u>21.3</u>	<u>26.0</u>	<u>26.0</u>	<u>24.0</u>
Cash Funds	2,484,473	2,534,779	3,107,004	3,141,074	83,093

*This line item includes a decision item.

FY 2012-13 Joint Budget Committee Staff Figure Setting
Department of REGULATORY AGENCIES
Numbers Pages

	FY 2009-10 Actual	FY 2010-11 Actual	FY 2011-12 Appropriation	FY 2012-13 Request	FY 2012-13 Staff Recommendation
Total Funds - Department of Regulatory Agencies	74,096,242	72,084,767	76,799,510	77,818,212	15,358,056
<i>FTE</i>	<u>531.9</u>	<u>525.9</u>	<u>592.1</u>	<u>592.1</u>	<u>555.9</u>
General Fund	1,457,250	1,457,882	1,600,344	1,647,582	260,357
Cash Funds	63,605,442	62,689,217	69,765,231	70,646,859	13,946,785
Reappropriated Funds	7,751,200	6,677,942	4,239,807	4,297,289	1,038,465
Federal Funds	1,282,350	1,259,726	1,194,128	1,226,482	112,449

*This line item includes a decision item.

**DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING**

JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

(1) EXECUTIVE DIRECTOR'S OFFICE

The Executive Director's Office performs operations that are common to all divisions including accounting, budgeting, data processing, human resources, and purchasing. The Office of Policy and Research conducts sunrise reviews if they are requested and statutorily required sunset evaluations of divisions, commissions, and boards located throughout state government.

Personal Services

Description: This line funds the Executive Director, accounting, budget, purchasing, human resources, and Office of Policy and Research staff.

Request: The Department requests an appropriation of \$2,254,768, of which \$3,500 is General Fund, and 27.5 FTE.

Staff Summary Executive Director's Office	FY 2010-11 Actual	FY 2011-12 Approp.	FY 2012-13 Request	FY 2012-13 Recomm.
Management and Administrative Staff	5.5	4.0	4.0	6.0
Legislative Liaison and Public Information Staff	1.2	2.0	2.0	2.0
Office of Policy and Research Staff	6.5	6.5	6.5	6.5
Planning and budgeting	2.0	2.0	2.0	2.0
Accounting and Purchasing	7.2	7.0	7.0	7.0
Human Resources	6.0	6.0	6.0	6.0
TOTAL	28.4	27.5	27.5	29.5

Recommendation: **Staff recommendation on funding is pending Committee action on a personal services base adjustment.** Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

Executive Director's Office - Personal Services					
	GF	CF	RF	Total	FTE
FY 2011-12 Long Bill Appropriation	\$3,500	\$29,000	\$2,222,268	\$2,254,768	27.5
S.B. 11-076, state PERA reduction	0	0	(47,038)	(47,038)	0.0
FY 2011-12 Supplementals	0	0	0	0	0.0
Subtotal FY 2011-12 Subtotal	3,500	29,000	2,175,230	2,207,730	27.5
Annualize S.B. 11-076, state PERA reduction	0	0	47,038	47,038	0.0

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Executive Director's Office - Personal Services					
	GF	CF	RF	Total	FTE
Staff recommended adjustment to FTE					2.0
Base personal services adjustment				PENDING	
Recommended FY 2012-13 Appropriation				PENDING	29.5

Staff also recommends an adjustment to FTE to better reflect actual FTE usage by the Executive Director's Office and each division in the Department. **Staff recommends 29.5 FTE** for the Executive Director's Office.

As presented in a briefing issue, the Department consistently experiences a disparity between appropriated FTE and actual FTE usage.

Based on the legal memorandum of October 6, 2011, provided by the Office of Legislative Legal Services to the Joint Budget Committee, regarding the General Assembly's control over FTEs, and included in the Compensation-Related Common Policy briefing on November 10, 2011:

- The Governor has the power to determine the appropriate number of FTE, regardless of the number of FTE specified by the General Assembly in the long bill; and
- Pursuant to current statutory law and the Colorado Supreme Court's decisions, the General Assembly cannot limit or reduce a department's actual FTE through an FTE designation in the long bill.

The Committee and the General Assembly have authority to address the personal services appropriation amount. The FTE numbers or allocations in the budget do not restrict the executive branch from using a different number of FTE, and represents a measuring tool for budget and appropriations authority purposes.

Based on the separation of powers authority over FTE allocation that has been accorded to the executive branch pursuant to current statutory law and Colorado Supreme Court decisions, staff recommends the Committee eliminate consistently vacant FTE in the Department's budget in order to align with the executive branch's actual usage. Resolving this disparity will provide additional clarity and transparency going forward, particularly when addressing decision item requests or appropriation amendments for additional resources.

The following table summarizes staff's recommendation for the Executive Director's Office and each division.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Department FTE by Division	FY 2010-11 Actual	FY 2011-12 Approp.	FY 2012-13 Request	Currently Filled	FY 2012-13 Recomm.
Executive Director's Office	28.4	27.5	27.5	29.5	29.5
Division of Banking	36.7	47.5	47.5	34.5	40.0
Civil Rights Division	25.9	31.4	31.4	26.0	27.0
Office of Consumer Counsel	6.8	7.0	7.0	7.0	7.0
Division of Financial Services	11.9	15.0	15.0	12.0	13.0
Division of Insurance	77.8	84.7	84.7	81.8	83.0
Public Utilities Commission	88.1	101.1	101.1	93.4	95.0
Division of Real Estate	45.4	52.3	52.3	45.0	46.9
Division of Registrations	183.6	197.6	197.6	183.6	188.5
Division of Securities	21.3	26.0	26.0	24.0	24.0
DEPARTMENT TOTAL	525.9	590.1	590.1	536.8	553.9

Health, Life, and Dental

Description: This line funds the Department's share of the state's group health, life and dental insurance plans for state employees. Health, life, and dental is appropriated to the Executive Director's Office and distributed as needed to the divisions.

Request: The Department requests an appropriation of \$2,957,012, of which \$104,395 is General Fund.

Recommendation: **Staff recommendation is pending Committee action on Health, Life, and Dental rates.** Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

Short-term Disability

This line item funds the Department's share of the state's short-term disability program which is administered by the Department of Personnel and Administration (DPA). The Department requests an appropriation of \$60,597, of which \$1,975 is General Fund.

Staff recommends an appropriation of \$55,751 total funds, in accordance with Committee policy. Of the total appropriation, \$1,956 is General Fund, \$49,889 is cash funds, \$3,502 is reappropriated funds, and \$404 is federal funds.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

S.B. 04-257 Amortization Equalization Disbursement

This line funds the costs associated with S.B. 04-257, which requires additional state contribution for employees in PERA. The Department requests an appropriation of \$1,095,520, of which \$35,706 is General Fund.

Staff recommends an appropriation of \$1,095,148, in accordance with Committee policy. Of the total appropriation \$35,334 is General Fund, \$983,984 is cash funds, \$63,307 is reappropriated funds, and \$12,523 is federal funds.

S.B. 06-235 Supplemental Amortization Equalization Disbursement

Senate Bill 06-235 created a mechanism to increase the state's effective PERA rate beginning on January 1, 2008. The Department requests an appropriation of \$941,462, of which \$30,685 is General Fund.

Staff recommends an appropriation of \$940,997, in accordance with Committee policy. Of the total appropriation \$30,220 is General Fund, \$845,611 is cash funds, \$54,404 is reappropriated funds, and \$10,762 is federal funds.

Salary Survey and Senior Executive Services

DPA's total compensation report pursuant to Section 24-50-104 (4) (c), C.R.S., recommends salary adjustments that are funded by this line. The Department did not request funding for salary survey and senior executive services. **Staff recommends that salary survey not be funded for FY 2012-13**, in accordance with Committee policy.

Performance-Based Pay Awards

Employee performance-based pay is appropriated and funded by this line pursuant to Section 24-50-104 (1) (c) (I), C.R.S. The Department did not request funding for performance-based pay awards. **Staff recommends that performance-based pay awards not be funded for FY 2012-13**, in accordance with Committee policy.

Workers' Compensation

This line item is used to pay the Department's share of the state's workers' compensation program run by the DPA. The Department requests an appropriation of \$76,436, of which \$2,538 is General Fund.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Staff recommendation is pending the approval of common policy by the Committee. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

Operating Expenses

Request: The Department requests an appropriation of \$210,344, of which \$3,689 is General Fund.

Recommendation: **Staff recommends an appropriation of \$210,344 total funds.** This appropriation is a continuation of the FY 2011-12 appropriation and includes \$3,689 in General Fund.

Legal Services

This line item is used to pay the Department of Law for the provision of legal services to all divisions. The Department requests an appropriation of 104,340 hours.

Staff recommends 104,340 hours of services, and the dollar amount is pending Committee policy setting the hourly rate for FY 2012-13 legal services. Staff requests permission to adjust the line and apply a funding split once Committee policy is established. The following table summarizes staff's calculation of the FY 2012-13 legal services recommendation.

Executive Director's Office - Legal Services						
	GF	CF	RF	FF	Total	Hours*
FY 2011-12 Appropriation	\$153,464	\$7,487,586	\$30,433	\$142,016	\$7,813,499	103,203
FY 2011-12 Supplemental	0	0	0	0	0	0
S.B. 11-088	0	4,109	0	0	4,109	56
S.B. 11-091	0	4,402	0	0	4,402	60
S.B. 11-094	0	4,402	0	0	4,402	60
S.B. 11-128	0	0	0	2,935	2,935	40
S.B. 11-169	0	38,886	0	0	38,886	530
S.B. 11-187	0	176,088	0	0	176,088	2,400
S.B. 11-192	0	0	0	0	0	0
H.B. 11-1033	0	0	0	0	0	0
H.B. 11-1100	0	34,484	0	0	34,484	470
H.B. 11-1195	0	7,337	0	0	7,337	100

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Executive Director's Office - Legal Services						
	GF	CF	RF	FF	Total	Hours*
H.B. 11-1198	0	0	0	0	0	0
H.B. 11-1300	0	2,352	0	0	2,352	32
Subtotal FY 2011-12 Appropriation	153,464	7,759,646	30,433	144,951	8,088,494	106,951
Annualize S.B. 11-088	0	(4,109)	0	0	(4,109)	(56)
Annualize S.B. 11-091	0	(4,402)	0	0	(4,402)	(60)
Annualize S.B. 11-094	0	(4,402)	0	0	(4,402)	(60)
Annualize S.B. 11-128	0	0	0	(2,935)	(2,935)	(40)
Annualize S.B. 11-169	0	(25,191)	0	0	(25,191)	(343)
Annualize S.B. 11-187	0	(110,055)	0	0	(110,055)	(1,500)
Annualize S.B. 11-192	0	0	0	0	0	0
Annualize H.B. 11-1033	0	0	0	0	0	0
Annualize H.B. 11-1100	0	(34,484)	0	0	(34,484)	(470)
Annualize H.B. 11-1195	0	(3,662)	0	0	(3,662)	(50)
Annualize H.B. 11-1198	0	0	0	0	0	0
Annualize H.B. 11-1300	0	(2,352)	0	0	(2,352)	(32)
Recommended FY 2012-13 Appropriation	\$153,464	\$7,570,989	\$30,433	\$142,016	\$7,896,902	104,340

*Legal service hours appropriated in special bills were calculated at \$73.37 per hour. The FY 2011-12 Long Bill, supplemental, budget amendment and recommended total hours are calculated at \$75.71 per hour.

Administrative Law Judge (ALJ) Services

This line item is used to purchase administrative law services from DPA. The Department requests an appropriation of \$287,849, of which \$13,261 is General Fund.

Staff recommendation is pending the approval of common policy by the Committee. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Purchase of Services from Computer Center

This line item is used to reimburse the Governor's Office of Information Technology (OIT) for the Department's share of the state's computer system. The Department requests an appropriation of \$1,818,880, of which \$64,934 is General Fund.

Staff recommendation is pending the approval of common policy by the Committee. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

Multiuse Network Payments

This line item was added in FY 2010-11 as part of the statewide information technology staff consolidation. Funds in this line are used to reimburse OIT for the Department's share of the statewide multi-use network. The Department requests an appropriation of \$328,794, of which \$11,738 is General Fund and \$317,056 is cash funds.

Staff recommendation is pending the approval of common policy by the Committee. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

Management and Administration of OIT

The Department requests an appropriation of \$131,988, of which \$4,712 is General Fund.

Staff recommendation is pending the approval of common policy by the Committee. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

Payment to Risk Management and Property Funds

This line item is used to reimburse DPA for the Department's share of the state's liability and property insurance. The Department requests an appropriation of \$129,003, of which \$4,281 is General Fund.

Staff recommendation is pending the approval of common policy by the Committee. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

**DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING**

JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Vehicle Lease Payments

Description: Funding for annual payments to DPA for the cost of administration, loan repayment, and lease-purchase payments for new and replacement motor vehicles is provided by this line item.

Request: The Department requests \$221,254 cash funds, and includes the replacement of eight vehicles and adjustments to the line item to align appropriations with actual billings from DPA. Justification for replacement of these vehicles is *very high mileage*, greater than 140,000 miles, which will typically result in higher maintenance and repair costs, lower reliability, and an increase in safety concerns. The following table provides details about the vehicle replacement request.

Summary of the FY 2012-13 Vehicle Replacement Request						
Division/Board			Mileage		Projected Mileage	
that Uses Vehicle	Type of Vehicle	Model Year	May 2011	May 2012	March 2013	Department Justification for Replacement
Electrical Board	Small 4x4	2006	111,499	133,027	153,957	These vehicles are used by electrical inspectors, plumbing inspectors, and for PUC pipeline inspections. Electrical inspectors, pursuant to Section 12-23-116 (2) (b), C.R.S., and plumbing inspectors, pursuant to Section 12-58-114.5 (1), C.R.S., have three working days after receiving an inspection request to perform the inspection. Due to the large amount of travel required, the Department anticipates significant increase in the cost of the repairs/maintenance. Inspection vehicles are 4wd because they are statutorily required to perform safety inspections in all weather conditions, on improved (60 percent) and unimproved (40 percent) roads and in mountainous regions.
Electrical Board	½ Ton - 4x4	2009	93,357	135,609	167,298	
Electrical Board	Small 4x4	2009	88,089	132,453	165,726	
Electrical Board	Small 4x4	2008	106,480	137,500	160,765	
Electrical Board	Small 4x4	2006	119,264	140,096	155,720	
Plumbers Board	Small 4x4	2007	169,482	206,166	233,679	
Plumbers Board	Small 4x4	2006	144,109	171,229	191,569	
Public Utilities Commission	Large patrol sedan	2005	176,530	203,410	223,570	

Recommendation: Staff recommends the replacement of the eight vehicles, five for the Electrical Board, two for the Plumbers Board and one for the Public Utilities Commission. These replacements are cash funded, and each vehicle will be in excess of 140,000 miles, the *very high mileage* replacement criterion set by Fleet Management in DPA, at the projected time of replacement in FY 2012-13. **The dollar amount of the staff recommendation is pending the**

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

approval of common policy by the Committee. Once a Committee policy is established, staff requests permission to adjust the line and apply a fund split.

Information Technology Asset Maintenance

This line item pays for replacement of the Department's information technology assets on a schedule determined by OIT. The Department requests an appropriation of \$671,403, that is unchanged from the FY 2011-12 request and appropriation.

Staff recommends the Department's request for \$671,403, of which \$480,646 is cash funds and \$190,757 is reappropriated funds.

Leased Space

Description: The Department leases a total of 159,042 square feet, of which, 154,837 is located at 1550 Broadway, Denver Colorado. The remaining 4,205 square feet is for satellite offices for the electrical board and civil rights offices located throughout the state. The following table provides a breakdown of the lease space locations and rates, excluding operating expenses that are paid on a calendar year basis.

Executive Director's Office, Leased Space Base Rates (Excluding Operating Expenses)						
Location	FY 2011-12 Appropriation			FY 2012-13 Request		
	Area	Rate	Total	Area	Rate	Total
1560 Broadway, Denver - Section 1	149,127	\$17.10	\$2,550,072	149,127	\$17.35	\$2,587,353
1560 Broadway, Denver - Section 2	5,710	\$20.01	\$114,257	5,710	\$20.51	\$117,112
Satellite Offices	4,205	\$11.90-26.68	\$63,304	4,205	\$13.52-23.49	\$62,747
Total	159,042		\$2,727,633	159,042		\$2,767,213

Request: The Department requests an appropriation of \$3,038,518 total funds, of which \$106,866 is General Fund, \$2,536,022 is cash funds, \$356,190 is reappropriated funds, and \$39,440 is federal funds. This request total is unchanged from the FY 2011-12 request.

Recommendation: **Staff recommends an appropriation of \$3,038,518 total funds,** of which \$106,866 is General Fund, \$2,536,022 is cash funds, \$356,190 is reappropriated funds, and \$39,440 is federal funds.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Capitol Complex Leased Space

Capitol complex space is maintained by DPA, and the Department requests an appropriation for 769 square feet in the Grand Junction Facility for the Division of Registrations Electrical Board.

Staff recommends funding for 769 square feet of space. The cash fund dollar amount is pending the approval of common policy by the Committee. Staff requests permission to adjust the line once Committee policy is established.

Hardware/Software Maintenance

This line item pays for the licensing and maintenance agreements for hardware and software, as well as the costs of required equipment upgrades. The Department requests \$686,330 for this purpose.

Staff recommends an appropriation of \$686,330 total funds, which is outlined in the following table.

Executive Director's Office - Hardware/Software Maintenance				
	GF	CF	RF	Total
FY 2011-12 Long Bill Appropriation	\$800	\$426,928	\$258,602	\$686,330
S.B. 11-169	0	23,680	0	23,680
S.B. 11-187	0	95,000	0	95,000
Subtotal FY 2011-12 Subtotal	800	545,608	258,602	805,010
Annualize S.B. 11-169	0	(23,680)	0	(23,680)
Annualize S.B. 11-187	0	(95,000)	0	(95,000)
Recommended FY 2012-13 Appropriation	\$800	\$426,928	\$258,602	\$686,330

Consumer Outreach / Education Program

Description: This line item was added to the FY 2009-10 Long Bill as a result of H.B. 08-1216 (Ferrandino/Romer), which established the Consumer Outreach and Education Program (Program) within the Department. The Program works to inform consumers of their rights regarding regulated professions and occupations, decrease regulatory violations by licensees, and increase public awareness of consumer protection information available from the Department. The Program is funded by a surcharge on fines issued by various divisions.

Request: The Department requests a continuation appropriation of \$200,000 cash funds.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Recommendation: **Staff recommends an appropriation of \$200,000 cash funds.**

(2) DIVISION OF BANKING

The Division of Banking is responsible for the enforcement of banking laws on state-chartered commercial banks, trust companies, industrial banks and money transmitters. The Division holds charter and license application hearings, issues rules and regulations, investigates consumer complaints, and conducts examinations of banking institutions. Pursuant to Section 11-102-403, C.R.S., this Division is funded entirely by the Division of Banking Cash Fund.

Personal Services

Description: Division staff conduct examinations and enforce compliance with the Public Deposit Protection Act and the Uniform Consumer Credit Code. Staff also enforce regulatory guidelines for trust departments, electronic funds transfers, and electronic data processing.

Request: The Department requests an appropriation of \$3,612,383 cash funds and 47.5 FTE, that is unchanged from the FY 2011-12 Long Bill appropriation. The request includes an increase of \$59,961 cash funds to restore the state PERA contribution reduction from S.B. 11-076.

Staff Summary Banking Division	FY 2010-11 Actual	FY 2011-12 Approp.	FY 2012-13 Request	FY 2012-13 Recomm.
Commissioner and Assistant	1.5	2.0	2.0	2.0
Examiners	32.2	39.5	39.5	34.0
Administration	3.0	6.0	6.0	4.0
TOTAL	36.7	47.5	47.5	40.0

Recommendation: **Staff recommendation on funding is pending Committee action on a personal services base adjustment.** Staff recommends 40.0 FTE to better reflect actual FTE usage. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Division of Banking - Personal Services		
	CF	FTE
FY 2011-12 Long Bill Appropriation	\$3,612,383	47.5
S.B. 11-076, state PERA reduction	(59,961)	0.0
Subtotal FY 2011-12 Appropriation	3,552,422	47.5
Annualize S.B. 11-076, state PERA reduction	59,961	0.0
Staff recommended adjustment to FTE		(7.5)
Base personal services adjustment	PENDING	
Recommended FY 2012-13 Appropriation	PENDING	40.0

Operating Expenses

Description: A portion of this line item funds the reimbursement for travel of staff examiners. Travel reimbursements includes meal and hotel per diem, and mileage reimbursement. The remainder of this line is used for general operating expenses incurred by the Division.

Request: The Department requests \$490,703 cash funds.

Recommendation: **Staff recommends an appropriation of \$490,703 cash funds.** Staff's recommendation is outlined in the following table.

Division of Banking - Operating Expenses	
	CF
FY 2011-12 Long Bill Appropriation	\$506,387
Subtotal FY 2011-12 Appropriation	506,387
Annualize FY 2011-12 DI #1 - Banking resources	(15,684)
FY 2012-13 Recommended Appropriation	\$490,703

Board Meeting Costs

Description: The eight-member Governor-appointed Colorado State Banking Board (Board) is the policy and rulemaking authority for this Division. The Board conducts monthly hearings on applications for commercial and industrial banks, trust companies, and the licensure of money transmitters. Board members receive reimbursements for expenses incurred during the performance of official duties pursuant to Section 11-102-103 (6), C.R.S.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Request: The Department requests a continuation appropriation of \$23,500 cash funds.

Recommendation: **Staff recommends an appropriation of \$23,500 cash funds.**

Indirect Cost Assessment

Description: This line item funds a portion of the Executive Director's Office costs and for the Department's share of statewide indirect costs. Statewide indirect costs are overhead costs associated with the operation of general government functions and departmental administrative duties. Indirect cost recoveries are intended to offset these overhead costs in the Executive Director's Office and statewide, that would otherwise have been supported General Fund. This description applies to all Indirect Cost Assessment lines in each division.

Request: The Department is requesting an appropriation of \$315,930 cash funds for this purpose.

Recommendation: **Staff recommendation is pending the approval of common policy by the Committee.** Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

(3) CIVIL RIGHTS DIVISION

This Division is the administrative arm of the Colorado Civil Rights Commission, and enforces the 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.

Personal Services

Description: Division staff investigate and adjudicate charges of discriminatory practices, supervise complaint hearings, provide technical assistance with fair housing laws, general public information, and community intervention and education.

Request: The Department requests an appropriation of \$1,609,144 total funds and 31.4 FTE, of which \$1,023,546 is General Fund. The request is unchanged from the FY 2011-12 Long Bill appropriation, and includes an increase of \$28,849 in total funds, of which \$24,058 is General Fund, to restore the state PERA contribution reduction from S.B. 11-076.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Staff Summary Civil Rights Division	FY 2010-11 Actual	FY 2011-12 Approp.	FY 2012-13 Request	FY 2012-13 Recomm.
Management and Administrative Staff	3.9	4.0	4.0	4.0
Outreach and Education Staff	1.2	1.5	1.5	1.5
Intake and Employment Public Accommodation Staff	6.2	6.0	6.0	6.0
Investigations and Enforcement Compliance	13.5	18.4	18.4	14.0
Mediation, State Personnel Board and Internships	1.1	1.5	1.5	1.5
TOTAL	25.9	31.4	31.4	27.0

Recommendation: **Staff recommendation on funding is pending Committee action on a personal services base adjustment.** Staff recommends 27.0 FTE to better reflect actual FTE usage. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

Civil Rights Division - Personal Services					
	GF	RF	FF	Total	FTE
FY 2011-12 Long Bill Appropriation	\$1,023,546	\$232,343	\$353,255	\$1,609,144	31.4
S.B. 11-076, state PERA reduction	(24,058)	0	(4,791)	(28,849)	0.0
Subtotal FY 2011-12 Appropriation	999,488	232,343	348,464	1,580,295	31.4
Annualize S.B. 11-076, state PERA reduction	24,058	0	4,791	28,849	0.0
Staff recommended adjustment to FTE					(4.4)
Base personal services adjustment				PENDING	
Recommended FY 2012-13 Appropriation				PENDING	27.0

Operating Expenses

Request: The Department requests an appropriation of \$100,438, of which \$59,318 is General Fund and \$41,120 is federal funds, that is unchanged from the FY 2011-12 appropriation.

Recommendation: **Staff recommends an appropriation of \$100,438 total funds,** of which, \$59,318 is General Fund and \$41,120 is federal funds. The following table outlines staff's recommendation.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Civil Rights Division - Operating Expenses			
	GF	FF	Total
FY 2011-12 Long Bill Appropriation	\$59,318	\$41,120	\$100,438
FY 2011-12 Supplementals	0	0	0
Subtotal FY 2011-12 Appropriation	59,318	41,120	100,438
No changes to FY 2011-12 appropriation			
Recommended FY 2012-13 Appropriation	\$59,318	\$41,120	\$100,438

Hearings Pursuant to Complaint

Description: This line item pays for expenses associated with division hearings and mediations to resolve complaints received by the division. Also included in this line is funding for a portion of the expert witnesses, court reporters, transcripts and depositions expenses incurred in the Office of the Attorney General in the Department of Law. This description applies to all lines in the following divisions titled Hearings Pursuant to Complaint.

Request: The Department requests a continuation appropriation of \$18,000, of which \$17,000 is General Fund.

Recommendation: **Staff recommends an appropriation of \$18,000**, of which \$17,000 is General Fund and \$1,000 is federal funds.

Commission Meeting Costs

Description: The Colorado Civil Rights Commission holds meetings at various locations around the state, enabling members of the public to tell the Commission about their concerns regarding civil rights issues. This line receives General Funds and federal funds because meetings include federal and state civil rights issues. This line funds the per diem and travel expenses for Commissioners and various other meeting costs.

Request: The Department requests a continuation appropriation of \$12,374, of which \$5,174 is General Fund and \$7,200 is federal funds.

Recommendation: **Staff recommends an appropriation of \$12,374**, of which, \$5,174 is General Fund and \$7,200 is federal funds.

**DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING**

JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Indirect Cost Assessment

Request: The Department requests an appropriation of \$51,798 federal funds, that is unchanged from the FY 2011-12 appropriation.

Recommendation: **Staff recommendation is pending the approval of common policy by the Committee.** Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

(4) OFFICE OF CONSUMER COUNSEL

The Office of Consumer Counsel represents the public interest, especially those interests of residential, small business, and agricultural consumers in cases heard by the Public Utilities Commission and federal agencies (such as the Federal Communications Commission and the Federal Energy Regulatory Commission). Cases involve proposed changes to electric, gas, and telecommunications utility rates, service, and general policies. This Office is funded entirely with cash funds from the Public Utilities Fixed Utility Fund pursuant to Section 40-2-114, C.R.S.

Personal Services

Request: The Department requests an appropriation of \$792,953 cash funds, that is unchanged from the FY 2011-12 Long Bill appropriation. The request includes an increase of \$14,782 cash funds to restore the state PERA contribution reduction from S.B. 11-076.

Staff Summary Consumer Counsel	FY 2010-11 Actual	FY 2011-12 Approp.	FY 2012-13 Request	FY 2012-13 Recomm.
Director	1.0	1.0	1.0	1.0
Technical Staff	3.8	4.0	4.0	4.0
Administrative Staff	2.0	2.0	2.0	2.0
TOTAL	6.8	7.0	7.0	7.0

Recommendation: **Staff recommendation on funding is pending Committee action on a personal services base adjustment.** Staff recommends 7.0 FTE. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Personal Services - Office of Consumer Counsel		
	CF	FTE
FY 2011-12 Long Bill Appropriation	\$792,953	7.0
FY 2011-12 Supplementals	0	0.0
S.B. 11-076, state PERA reduction	(14,782)	0.0
Subtotal FY 2011-12 Appropriation	778,171	7.0
Annualize S.B. 11-076, state PERA reduction	14,782	0.0
Base personal services adjustment	PENDING	
Recommended FY 2012-13 Appropriation	PENDING	7.0

Operating Expenses

Request: The Department requests an appropriation of \$55,787 cash funds, that is unchanged from the FY 2011-12 appropriation.

Recommendation: **Staff recommends an appropriation of \$55,787 cash funds**, which is outlined in the table below.

Office of Consumer Counsel - Operating Expenses	
	CF
FY 2011-12 Long Bill Appropriation	\$55,787
FY 2011-12 Supplementals	0
Subtotal FY 2011-12 Appropriation	55,787
No changes to the FY 2011-12 appropriation	
Recommended FY 2012-13 Appropriation	\$55,787

Indirect Cost Assessment

Request: The Department requests an appropriation of \$46,558 cash funds, that is unchanged from the FY 2011-12 appropriation.

Recommendation: **Staff recommendation is pending the approval of common policy by the Committee.** Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

(5) DIVISION OF FINANCIAL SERVICES

This Division 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 Division is entirely cash funded by the Division of Financial Services Cash Fund.

Personal Services

Description: Division staff enforce the Public Deposit Protection Act and conduct examinations to ensure financial stability and compliance with state and federal laws. When appropriate, division staff will initiate enforcement actions in order to bring an institution into compliance with regulatory laws.

Request: The Department requests an appropriation of \$1,134,247 cash funds and 15.0 FTE, that is unchanged from the FY 2011-12 Long Bill appropriation. The request includes an increase of \$24,833 cash funds to restore the state PERA contribution reduction from S.B. 11-076.

Staff Summary Financial Services	FY 2010-11 Actual	FY 2011-12 Approp.	FY 2012-13 Request	FY 2012-13 Recomm.
Commissioner	1.0	1.0	1.0	1.0
Examiners	9.1	12.0	12.0	10.0
Administrative	1.8	2.0	2.0	2.0
TOTAL	11.9	15.0	15.0	13.0

Recommendation: **Staff recommendation on funding is pending Committee action on a personal services base adjustment.** Staff recommends 13.0 FTE to better reflect actual FTE usage. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

Division of Financial Services - Personal Services		
	CF	FTE
FY 2011-12 Long Bill Appropriation	\$1,134,247	15.0
FY 2011-12 Supplementals	0	0.0
S.B. 11-076, state PERA reduction	(24,833)	0.0
Subtotal FY 2011-12 Appropriation	1,109,414	15.0
Annualize S.B. 11-076, state PERA reduction	24,833	0.0

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Division of Financial Services - Personal Services		
	CF	FTE
Staff recommended adjustment to FTE		(2.0)
Base personal services adjustment	PENDING	
Recommended FY 2012-13 Appropriation	PENDING	13.0

Operating Expenses

Request: The Department requests an appropriation of \$161,788 cash funds, that is unchanged from the FY 2011-12 appropriation.

Recommendation: **Staff recommends \$161,788 cash funds.** The following table outlines staff's recommendation.

Division of Financial Services - Operating Expenses	
	CF
FY 2011-12 Long Bill Appropriation	\$161,788
FY 2011-12 Supplemental	0
Subtotal FY 2011-12 Appropriation	161,788
No changes to the FY 2011-12 appropriation	
Recommended FY 2012-13 Appropriation	\$161,788

Indirect Cost Assessment

Request: For this line item, the Department is requesting \$99,767 cash funds, that is unchanged from the FY 2011-12 appropriation.

Recommendation: **Staff recommendation is pending the approval of common policy by the Committee.** Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

**DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING**

JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

(6) DIVISION OF INSURANCE

This Division regulates insurance entities and insurance producers throughout Colorado. If the Division of Insurance Cash Fund (Fund) does not collect enough revenue to fully fund the Division's appropriated expenditures, the Division is authorized by Section 10-3-209 (4), C.R.S. to divert up to 5.0 percent of insurance premium tax revenues to the Fund from the General Fund.

Personal Services

Description: There are two units that work within the division, the financial regulation unit and the consumer affairs unit. The financial regulation unit works primarily with insurance companies and agents, conducting financial exams and managing corporate and financial affairs. The consumer affairs unit works mainly with consumers, taking consumer complaints, conducting investigations and insurance market analysis.

Request: The Department requests \$5,787,409 cash funds and 84.7 FTE, that is unchanged from the FY 2011-12 Long Bill appropriation. The request includes an increase of \$130,374 cash funds to restore the state PERA contribution reduction from S.B. 11-076.

Staff Summary Division of Insurance	FY 2010-11 Actual	FY 2011-12 Approp.	FY 2012-13 Request	FY 2012-13 Recomm.
Commissioner's Office	4.0	4.0	4.0	4.0
Finance and Administration	45.6	50.7	50.7	49.0
Consumer Affairs	28.2	30.0	30.0	30.0
TOTAL	77.8	84.7	84.7	83.0

Recommendation: **Staff recommendation on funding is pending Committee action on a personal services base adjustment.** Staff recommends 83.0 FTE to better reflect actual FTE usage. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

Division of Insurance - Personal Services		
	CF	FTE
FY 2011-12 Long Bill Appropriation	\$5,787,409	84.7
FY 2011-12 Supplementals	0	0.0
S.B. 11-076, state PERA reduction	(130,374)	0.0
S.B. 11-128, Child Only Health Plans	2,520	0.0
Subtotal FY 2011-12 Appropriation	5,659,555	84.7

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Division of Insurance - Personal Services		
	CF	FTE
Annualize S.B. 11-076, state PERA reduction	130,374	0.0
Annualize S.B. 11-128, Child Only Health Plans	(2,520)	0.0
Staff recommended adjustment to FTE		(1.7)
Base personal services adjustment	PENDING	
Recommended FY 2011-12 Appropriation	PENDING	83.0

Operating Expenses

Description: This line consists of amounts annually appropriated by the General Assembly for division operating expenses.

Request: The Department requests an appropriation of \$291,716 cash funds, that is unchanged from the FY 2011-12 appropriation.

Recommendation: **Staff recommends an appropriation of \$291,716 cash funds.** The following table summarizes the staff recommendation.

Division of Insurance - Operating Expenses	
	CF
FY 2011-12 Long Bill Appropriation	\$297,049
FY 2011-12 Supplementals	0
H.B. 11-1033, Repeal Schedule P Filing	(5,333)
Subtotal FY 2011-12 Appropriation	291,716
No changes to the FY 2011-12 appropriation	
Recommended FY 2012-13 Appropriation	291,716

Out-Of-State Travel Expenses

Description: This line item funds out-of state travel expenses incurred when Division staff are required to do 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.

Request: The Department requests an appropriation of \$100,000 cash funds, that is unchanged from the FY 2011-12 appropriation.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Recommendation: **Staff recommends an appropriation of \$100,000 cash funds.**

Senior Health Counseling Program

Description: This federally funded program provides senior citizens with Medicare information, and the appropriation is contingent on the availability of federal money from the Centers for Medicare and Medicaid Services and the U.S. Administration on Aging. Annual spending fluctuations are the result of the availability of funds.

Request: The Department requests \$509,000 federal funds and 2.0 FTE, that is unchanged from the FY 2011-12 Long Bill appropriation. The request includes an increase of \$1,162 federal funds to restore the state PERA contribution reduction from S.B. 11-076.

Recommendation: **Staff recommendation on funding is pending Committee action on a personal services base adjustment.** Staff recommends 2.0 FTE. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

Transfer to CAPCO Administration

Description: This line item accounts for the reappropriated funds in the CAPCO Administration line in the Governor's Office budget. This line provides the cash funds for the administration of the capital company (CAPCO) incentives program in the Governor's Office. The Office of Economic Development (OED) certifies CAPCOs that are qualified to offer assistance to business enterprises that create jobs in the state. Insurance companies that make an investment of certified capital in an OED-certified CAPCO can receive a tax credit against premium taxes owed.

Request: The Department requests an appropriation of \$80,281 cash funds, that is unchanged from the FY 2011-12 appropriation.

Recommendation: **Staff's recommendation is pending the Office of the Governor figure setting.** Staff requests permission to adjust the line once Committee policy is established.

Indirect Cost Assessment

Request: The Department requests \$571,561 total funds, that is unchanged from the FY 2011-12 appropriation.

Recommendation: **Staff recommendation is pending the approval of common policy by the Committee.** Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Insurance Fraud Prosecution

Description: The Division refers cases to the Department of Law's (Law) Special Prosecutions Unit for criminal prosecution of insurance fraud cases. Funds are reappropriated to Law to pay for prosecution costs incurred by Law. **The appropriation for this line item was eliminated in H.B. 10-1385, which fully cash funded the program with fees credited to the Department of Law's Insurance Fraud Cash Fund.** This line is included in staff's numbers pages for informational purposes only and will not appear in the FY 2012-13 Long Bill.

(7) PUBLIC UTILITIES COMMISSION

The three-member Public Utilities Commission (PUC) regulates the rates and services of fixed and transportation utilities, and possesses quasi-legislative and quasi-judicial responsibilities. The PUC administers the Colorado Telecommunications High Cost Program, the Low Income Telephone Assistance Program, and the Disabled Telephone Users Program.

Personal Services

Request: The Department requests an appropriation of \$8,759,799 cash funds and 101.1 FTE, that is unchanged from the FY 2011-12 Long Bill appropriation. The request includes an increase of \$183,002 cash funds to restore the state PERA contribution reduction from S.B. 11-076.

Staff Summary Public Utilities Commission	FY 2010-11 Actual	FY 2011-12 Approp.	FY 2012-13 Request	FY 2012-13 Recomm.
Director & Commissioners	6.0	6.0	6.0	6.0
Management	2.0	2.0	2.0	2.0
Administrative Services	5.0	6.0	6.0	5.0
Administrative Hearings	7.0	7.0	7.0	7.0
Policy Advisers & Case Mgmt	21.1	21.1	21.1	20.0
External Affairs	5.0	5.0	5.0	5.0
Utilities	25.0	27.0	27.0	26.0
Transportation	8.0	13.0	13.0	11.0
Gas Pipeline Safety	4.0	5.0	5.0	4.0
Rail/Transit	2.0	2.0	2.0	2.0
Research and Emerging Issues	3.0	7.0	7.0	7.0
TOTAL	88.1	101.1	101.1	95.0

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Recommendation: **Staff recommendation on funding is pending Committee action on a personal services base adjustment.** Staff recommends 95.0 FTE to better reflect actual FTE usage. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

Public Utilities Commission - Personal Services		
	CF	FTE
FY 2011-12 Long Bill Appropriation	\$8,753,625	101.1
FY 2011-12 Supplementals	0	0.0
S.B. 11-076, state PERA reduction	(183,002)	0.0
Subtotal FY 2011-12 Appropriation	8,570,623	101.1
Annualize S.B. 11-076, state PERA reduction	183,002	0.0
Annualize H.B. 11-1198, Recodify Motor Carriers	6,174	0.0
Staff recommended adjustment to FTE		(6.1)
Base personal services adjustment	PENDING	
Recommended FY 2012-13 Appropriation	PENDING	95.0

Operating Expenses

Request: The Department requests an appropriation of \$445,689 cash funds, that is unchanged from the FY 2011-12 appropriation.

Recommendation: **Staff recommends an appropriation of \$445,689 cash funds.** The following table summarizes the staff recommendation for this line item.

Public Utilities Commission - Operating Expenses	
	CF
FY 2011-12 Long Bill Appropriation	\$445,689
FY 2011-12 Supplemental	0
Subtotal FY 2011-12 Appropriation	445,689
No changes to the FY 2011-12 appropriation	
Recommended FY 2012-13 Appropriation	\$445,689

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Expert Testimony

Description: This line pays for expert testimony during PUC hearings, and for the cost of outside contract services for expertise not available from PUC staff.

Request: The Department requests a continuation appropriation of \$25,000 cash funds.

Recommendation: **Staff recommends a continuation appropriation of \$25,000 cash funds.**

Disabled Telephone Users Fund Payments

Description: Revenue for the Disabled Telephone Users Fund is from fees on land lines pursuant to Section 40-17-104 (1), C.R.S. Money in the fund is continuously appropriated to pay the cost of a contract with Sprint that provides telecommunications relay services for disabled individuals. A call through Sprint's service works as follows: a non-disabled individual telephones a hearing-impaired individual and the call is routed to a communications assistant who types the spoken words so they can be sent to a teletypewriter (TTY) terminal used by the hearing-impaired individual.

Request: The Department requests an appropriation of \$2,439,591 cash funds, that is unchanged from the FY 2011-12 appropriation.

Recommendation: **Staff recommends an appropriation of \$2,439,591 cash funds.**

Transfer to Reading Services for the Blind Cash Fund

Description: Funds are appropriated to this line from the Disabled Telephone Users Fund, and reappropriated to the Department of Education for allocation to privately operated reading services for the blind.

Request: The Department requests a continuation appropriation of \$250,000 cash funds.

Recommendation: **Staff recommendation is pending the Department of Education figure setting.** Staff requests permission to adjust the line once Committee policy is established.

Commission for the Deaf and Hard of Hearing Cash Fund

Description: Funds are appropriated to this line from the Disabled Telephone User Fund, and reappropriated to the Department of Human Services for use by the Commission for the Deaf and Hard of Hearing.

Request: The Department requests an appropriation of \$878,964 cash funds from the Disabled Telephone User Fund, that is unchanged from the FY 2011-12 appropriation.

**DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING**

JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Recommendation: **Staff recommendation is pending the Department of Human Services figure setting.** Staff requests permission to adjust the line once Committee policy is established.

Commission for the Blind or Visually Impaired Cash Fund

Description: Funds are appropriated to this line from the Disabled Telephone User Fund, and reappropriated to the Colorado Commission for the Individuals who are Blind or Visually Impaired line item in the Department of Human Services.

Request: The Department requests an appropriation of \$112,067 cash funds.

Recommendation: **Staff recommendation is pending the Department of Human Services figure setting.** Staff requests permission to adjust the line once Committee policy is established.

Low Income Telephone Assistance

Description: Since 1990 the PUC has run a program that subsidizes services for eligible low income telephone customers pursuant to Section 40-3.4-104, C.R.S. The program is funded by a monthly surcharge on telephone lines, set by the PUC each year. Currently, the monthly surcharge is set at \$0.07 per month. The appropriation in this line item represents the funds collected by the PUC and passed onto carriers, and no part of this appropriation is used by the PUC for personnel or operating.

Request: The Department requests a continuation appropriation of \$2,143,752.

Recommendation: **Staff recommends an appropriation of \$2,143,752 cash funds.**

Colorado Bureau of Investigation Background Checks Pass-through

Description: This line item was added to the FY 2008-09 Long Bill to account for reappropriated funds in the Department of Public Safety, Colorado Bureau of Investigation, for processing of fingerprint-based criminal history record checks of drivers of certain motor vehicle carriers.

Request: The Department requests an appropriation of \$104,377 cash funds.

Recommendation: **Staff recommends an appropriation of \$104,377 cash funds.**

Indirect Cost Assessment

Request: The Department has requested an appropriation of \$672,432 cash funds.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Recommendation: **Staff recommendation is pending the approval of common policy by the Committee.** Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

(8) DIVISION OF REAL ESTATE

The Division of Real Estate licenses real estate agents, appraisers and mortgage loan originators, registers mortgage companies and homeowners associations, and administers the conservation easement certification programs.

Personal Services

Request: The Department requests an appropriation of \$3,323,782 and 52.3 FTE, that is unchanged from the FY 2011-12 Long Bill appropriation. The request includes an increase of \$56,642 cash funds to restore the state PERA contribution reduction from S.B. 11-076.

Staff Summary Division of Real Estate	FY 2010-11 Actual	FY 2011-12 Approp.	FY 2012-13 Request	FY 2012-13 Recomm.
Director's Office	3.0	2.0	2.0	2.0
Broker Unit	9.0	9.4	9.4	8.0
Education Unit	2.0	5.0	5.0	5.0
Licensing and Operations	13.8	14.7	14.7	12.0
Appraisal Unit	5.0	5.3	5.3	5.3
Conservation Unit	2.6	2.6	2.6	2.6
Mortgage Broker Unit	5.0	6.3	6.3	5.0
Expedited Settlement and Support Services	4.0	5.0	5.0	5.0
Home Owner's Association Unit	1.0	2.0	2.0	2.0
TOTAL	45.4	52.3	52.3	46.9

Recommendation: **Staff recommendation on funding is pending Committee action on a personal services base adjustment.** Staff recommends 46.9 FTE to better reflect actual FTE usage. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Division of Real Estate - Personal Services		
	CF	FTE
FY 2011-12 Long Bill Appropriation	\$3,323,782	52.3
FY 2011-12 Supplemental	0	0.0
S.B. 11-076, state PERA reduction	(56,642)	0.0
H.B. 11-1300, Disputed Conservation Easements	8,000	0.0
Subtotal FY 2011-12 Appropriation	3,275,140	52.3
Annualize S.B. 11-076, state PERA reduction	56,642	0.0
Annualize H.B. 11-1300	(8,000)	0.0
Staff recommended adjustment to FTE		(5.4)
Base personal services adjustment	PENDING	
Recommended FY 2012-13 Appropriation	PENDING	46.9

Operating Expenses

Request: The Department requests an appropriation of \$219,546 cash funds, that is unchanged from the FY 2011-12 Long Bill appropriation.

Recommendation: **Staff recommends an appropriation of \$219,546 cash funds.** The following table summarizes the staff recommendation for this line item.

Division of Real Estate - Operating Expenses	
	CF
FY 2011-12 Long Bill Appropriation	\$219,546
FY 2011-12 Supplementals	0
H.B. 11-1300, Disputed Conservation Easements	1,760
Subtotal FY 2011-12 Appropriation	221,306
Annualize H.B. 11-1300	(1,760)
Recommended FY 2012-13 Appropriation	\$219,546

**DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING**

JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Commission Meeting Costs

Description: This line item funds the per diem, travel, and miscellaneous expenses for Real Estate Commission members when they attend Commission meetings.

Request: The Department requests a continuation appropriation of \$38,836 cash funds.

Recommendation: **Staff recommends an appropriation of \$38,836 cash funds.**

Hearings Pursuant to Complaint

Request: The Department requests a continuation appropriation of \$4,000 cash funds.

Recommendation: **Staff recommends a continuation appropriation of \$4,000 cash funds.**

Mortgage Broker Consumer Protection

Description: This line is used to pay the costs for the investigation and prosecution of mortgage brokers, and mortgage fraud by the Attorney General's Office. Funds are appropriated to the Division then reappropriated to the Department of Law.

Request: The Department is requesting an appropriation of \$308,544 cash funds, that is unchanged from the FY 2011-12 Long Bill appropriation. The request includes an increase of \$4,774 cash funds to restore the state PERA contribution reduction from S.B. 11-076.

Recommendation: **Staff recommendation is pending figure setting for the Department of Law.** Staff requests permission to adjust the line as necessary.

Indirect Cost Assessment

Request: The Department has requested an appropriation of \$347,856 cash funds, that is unchanged from the FY 2011-12 appropriation.

Recommendation: **Staff recommendation is pending the approval of common policy by the Committee.** Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

(9) DIVISION OF REGISTRATIONS

The Division of Registrations regulates over 300,000 licensees in more than forty-nine professions and occupations. This Division is funded by fees paid by regulated professionals and licensees.

Personal Services

Description: Division staff investigate complaints filed against licensees, staff board meetings and respond to questions from applicants and current licensees.

Request: The Department requests an appropriation of \$12,384,462 total funds and 192.6 FTE.

Staff Summary Division of Registrations	FY 2010-11 Actual	FY 2011-12 Approp.	FY 2012-13 Request	FY 2012-13 Recomm.
Director's Office	6.8	9.0	9.0	7.0
Complaint Investigations	14.2	14.2	14.2	14.2
Licensing	23.7	24.5	24.5	24.5
Support Services	17.5	22.1	22.1	18.0
Board Staff - Health Services Section	12.6	15.0	15.0	13.0
Board Staff - Business and Technical Section	63.3	64.8	64.8	64.8
Board Staff - Healthcare Section	40.6	43.0	43.0	42.0
Total	178.7	192.6	192.6	183.5

Recommendation: **Staff recommendation on funding is pending Committee action on a personal services base adjustment.** Staff recommends 183.5 FTE to better reflect actual FTE usage. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

Division of Registrations - Personal Services				
	CF	RF	Total	FTE
FY 2011-12 Long Bill Appropriation	\$11,345,601	\$619,414	\$11,965,015	187.1
FY 2011-12 Supplemental	0	0	0	(1.3)

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Division of Registrations - Personal Services				
	CF	RF	Total	FTE
S.B. 11-076, state PERA reduction	(214,636)	0	(214,636)	0.0
S.B. 11-088	1,750	0	1,750	0.0
S.B. 11-091	7,000	0	7,000	0.0
S.B. 11-169	86,028	0	86,028	1.4
S.B. 11-187	232,158	0	232,158	3.4
S.B. 11-192	40,872	0	40,872	1.0
H.B. 11-1100	59,904	0	59,904	0.0
H.B. 11-1195	66,315	0	66,315	1.0
Subtotal FY 2011-12 Appropriation	11,624,992	619,414	12,244,406	192.6
Annualize S.B. 11-076, state PERA reduction	214,636	0	214,636	0.0
Annualize S.B. 11-088	(1,750)	0	(1,750)	0.0
Annualize S.B. 11-091	(7,000)	0	(7,000)	0.0
Annualize S.B. 11-169	(19,383)	0	(19,383)	0.0
Annualize SB. 11-187	24,932	0	24,932	(1.3)
Annualize H.B. 11-1100	(59,904)	0	(59,904)	0.0
Annualize H.B. 11-1195	(11,475)	0	(11,475)	0.0
Technical adjustment – S.B. 11-187/FY 11-12 Supplemental				1.3
Staff recommended adjustment to FTE				(9.1)
Base personal services adjustment			PENDING	
Recommended FY 2012-13 Appropriation			PENDING	183.5

Operating Expenses

Request: The Department requests an appropriation of \$1,379,648 cash funds.

Recommendation: **Staff recommends an appropriation of \$1,379,648 total funds**, of which \$1,379,173 is cash funds and \$475 is reappropriated funds. The following table summarizes the staff recommendation.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Division of Registrations - Operating Expenses			
	CF	RF	Total
FY 2011-12 Long Bill Appropriation	\$1,354,278	\$475	\$1,354,753
FY 2011-12 Supplemental	0	0	0
S.B. 11-091	673	0	673
S.B. 11-094	1,050	0	1,050
S.B. 11-169	15,786	0	15,786
S.B. 11-187	29,382	0	29,382
S.B. 11-192	9,454	0	9,454
H.B. 11-1195	8,881	0	8,881
Subtotal FY 2011-12 Appropriation	1,419,504	475	1,419,979
Annualize S.B. 11-094	(1,050)	0	(1,050)
Annualize S.B. 11-169	(2,830)	0	(2,830)
Annualize S.B. 11-187	(21,714)	0	(21,714)
Annualize S.B. 11-192	(8,504)	0	(8,504)
Annualize H.B. 11-1195	(6,233)	0	(6,233)
Recommended FY 2012-13 Appropriation	\$1,379,173	\$475	\$1,379,648

Office of Expedited Settlement Program Costs

Description: The Office of Expedited Settlement oversees the Expedited Settlement Process (ESP) where all complaints received by Boards and Commissions are initially sent, to try and resolve the complaint without the use of the Attorney General's Office and incur legal service costs.

Request: The Department requests an appropriation of \$361,397 cash funds and 5.0 FTE, that is unchanged from the FY 2011-12 Long Bill appropriation. The request includes an increase of \$6,389 cash funds to restore the state PERA contribution reduction from S.B. 11-076.

Recommendation: **Staff recommendation on funding is pending Committee action on a personal services base adjustment.** Staff recommends 5.0 FTE. Staff requests permission to adjust the line once Committee policy is established.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Office of Expedited Settlement - Program Costs		
	CF	FTE
Personal Services	\$309,243	5.0
Operating Expenses	\$52,154	0.0
FY 2011-12 Long Bill Appropriation	\$361,397	5.0
S.B. 11-076, state PERA reduction	(\$6,389)	0.0
Subtotal FY 2011-12 Appropriation	355,008	5.0
Annualize S.B. 11-076, state PERA reduction	6,389	0.0
Base personal services adjustment	PENDING	
Recommended FY 2012-13 Appropriation	PENDING	5.0

Hearings Pursuant to Complaint

Request: The Department requests a continuation appropriation of \$307,075 cash funds.

Recommendation: **Staff recommends a continuation appropriation of \$307,075 cash funds.**

Payments to Department of Health Care Policy and Financing

Description: Federal regulations require the state to certify nurse aides who work in medical facilities with Medicaid or Medicare patients. Federal matching funds pay half the cost of the Medicaid portion of this program, but the Department cannot apply directly for the federal match because Medicaid's centralization rules require that the matching funds be funneled through the Department of Health Care Policy and Financing. The Division obtains the funds to cover the state's expenses from an assessment on nursing homes.

Request: The Department requests a continuation appropriation of \$14,652 cash funds.

Recommendation: **Staff recommends an appropriation of \$14,652 cash funds.**

Indirect Cost Assessment

Request: The Department requests an appropriation of \$1,277,687 cash funds, that is unchanged from the FY 2011-12 appropriation.

Recommendation: **Staff recommendation is pending the approval of common policy by the Committee.** Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

(10) DIVISION OF SECURITIES

This Division regulates the conduct of securities broker-dealers and sales representatives throughout Colorado, and 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. The Division is entirely cash funded from the Division of Securities Cash Fund.

Personal Services

Description: Division staff investigate fraudulent and other abusive conduct in the securities market and when appropriate issue sanctions and take other enforcement action. Staff also investigate consumer complaints, monitor Colorado broker-dealer and sale representative conduct, screen license applications, and perform on-site examinations of broker-dealer offices.

Request: The Department requests \$2,157,670 cash funds and 26.0 FTE, that is unchanged from the FY 2011-12 Long Bill appropriation. The request includes an increase of \$41,337 cash funds to restore the state PERA contribution reduction from S.B. 11-076.

Staff Summary Division of Securities	FY 2010-11 Actual	FY 2011-12 Approp.	FY 2012-13 Request	FY 2012-13 Recomm.
Commissioner's Office	1.5	2.0	2.0	2.0
Administration Unit	2.0	2.0	2.0	2.0
Examination Unit	6.8	11.0	11.0	9.0
Enforcement Unit	11.0	11.0	11.0	11.0
TOTAL	21.3	26.0	26.0	24.0

Recommendation: **Staff recommendation on funding is pending Committee action on a personal services base adjustment.** Staff recommends 24.0 FTE to better reflect actual FTE usage. Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING
 JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Division of Securities - Personal Services		
	CF	FTE
FY 2011-12 Long Bill Appropriation	\$2,157,670	26.0
FY 2011-12 Supplemental	0	0.0
S.B. 11-076, state PERA reduction	(41,337)	0.0
Subtotal FY 2011-12 Appropriation	2,116,333	26.0
Annualize S.B. 11-076, state PERA reduction	41,337	0.0
Staff recommended adjustment to FTE		(2.0)
Base personal services adjustment	PENDING	
Recommended FY 2012-13 Appropriation	PENDING	24.0

Operating Expenses

Request: The Department requests an appropriation of \$58,999 cash funds.

Recommendation: **Staff recommends an appropriation of \$58,999 cash funds.** Staff's recommendation is outlined in the following table.

Division of Securities - Operating Expenses	
	CF
FY 2011-12 Long Bill Appropriation	\$73,009
FY 2011-12 Supplemental	0
Subtotal FY 2011-12 Appropriation	73,009
Annualize FY 2011-12 DI #2 - Securities staffing	(14,010)
Recommended FY 2012-13 Appropriation	\$58,999

Hearings Pursuant to Complaint

Request: The Department requests a continuation appropriation of \$19,594 cash funds.

Recommendation: **Staff recommends an appropriation of \$19,594 cash funds.**

Board Meeting Costs

Description: This line item funds the per diem, travel, and miscellaneous costs incurred by the five Colorado Securities Board members when they attended board meetings.

**DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING**

JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Request: The Department requests a continuation appropriation of \$4,500 cash funds.

Recommendation: **Staff recommends a continuation appropriation of \$4,500 cash funds.**

Securities Fraud Prosecution

Description: The Division refers cases to the Securities Fraud Unit within the Department of Law's Criminal, Justice and Appellate Division for investigation and criminal prosecution. Funds appropriated in this line are reappropriated to the Department of Law.

Request: The Department requests an appropriation of \$727,381 cash funds, that is unchanged from the FY 2011-12 Long Bill appropriation. The request includes an increase of \$6,743 cash funds to restore the state PERA contribution reduction from S.B. 11-076.

Recommendation: **Staff recommendation is pending figure setting for the Department of Law.** Staff requests permission to adjust the line as necessary.

Indirect Cost Assessment

Request: The Department requests an appropriation of \$172,930 cash funds, that is unchanged from the FY 2011-12 appropriation.

Recommendation: **Staff recommendation is pending the approval of common policy by the Committee.** Staff requests permission to adjust the line and apply a funding split once Committee policy is established.

**DEPARTMENT OF REGULATORY AGENCIES
FY 2012-13 STAFF FIGURE SETTING**

JBC Working Document: Decisions Subject to Change
Staff Recommendation Does Not Represent Committee Decision

Long Bill Footnotes and Requests for Information

The Long Bill for FY 2011-12 did not contain any footnotes specific to the Department of Regulatory Agencies. Staff recommends the following information request be **added** for FY 2012-13:

- 1 Department of Regulatory Agencies, Executive Director's Office** -- The Department is requested to submit to the Joint Budget Committee and the House Economic and Business Development Committee and post on the Department's website, on or before November 1, 2012, a report that lists the total number of entities, professions, or groups regulated by the Department and the number of regulated professionals within those entities, professions, or groups for each of the last five years. The report should correlate the number of regulated entities, professions, or groups and the professionals within those entities with the actual or appropriated budget and FTE allotted to regulate each entity for each of the last five years.