

MEMORANDUM



JOINT BUDGET COMMITTEE

TO Joint Budget Committee
FROM Amanda Bickel, Scott Thompson, Carolyn Kampman, and John Ziegler, JBC Staff
DATE April 10, 2017
SUBJECT Status of JBC Budget Package Bills as of April 10, 2017

The House passed S.B. 17-254, S.B. 17-255, S.B. 17-257, S.B. 17-258, S.B. 17-259, S.B. 17-260, S.B. 17-261, S.B. 17-263, S.B. 17-264, S.B. 17-265, and S.B. 17-266 on third reading. S.B. 17-256 and S.B. 17-262 are still pending second reading in the House and are currently on the House calendar for second reading on Wednesday, April 12, 2017.

The House amended Budget Package Bills S.B. 17-254, S.B. 17-258, S.B. 17-259, and S.B. 17-264. The amendments to each bill are described below.

S.B. 17-254 (The Long Bill): The House amendments are described in the attached spreadsheet.

S.B. 17-258 (Concerning the Use of Open Educational Resources in Public Institutions of Higher Education): The House amended this bill on second reading to add two additional members to the Open Educational Resources Council: a director or manager of a campus bookstore; and a person who is a representative of a publishing company that publishes textbooks for postsecondary courses.

S.B. 17-259 (Concerning a Transfer of Money from the General Fund to Cash Funds Administered by State Departments for the Protection of the State's Natural Resources): The House Appropriations Committee amended S.B. 17-259, and the House adopted the amendment on second reading. The amendment modifies the transfer for Forest Restoration and Wildfire Risk Mitigation Grant Program. The introduced bill transferred almost \$2,272,727 to the Grant program. This amendment provides the same total amount but reallocates it to four wildfire prevention and mitigation programs. Specifically, the amendment makes the following General Fund transfers:

- \$954,545 to the Forest Restoration and Wildfire Risk Mitigation Grant Program cash fund;
- \$1,186,363 to the Healthy Forest and Vibrant Communities fund;
- \$45,455 to the Wildland-urban Interface Training Fund; and
- \$86,364 to the Wildfire Preparedness Fund.

S.B. 17-264 (Concerning Funding Sources Related to Services for Behavioral or Mental Health Disorders): The House Appropriations Committee amended S.B. 17-264, and the House adopted the Committee Report and a floor amendment on second reading. The amendments struck language that allowed the Marijuana Tax Cash Fund (MTCF) to be used to treat and provide related services for people with any type of *behavioral health disorder*. Current statute allows the MTCF to be used to treat and provide related services for people with a substance use disorder.

**AMENDMENTS TO THE LONG BILL AS PASSED BY THE SENATE
(Reflects Changes to S.B. 17-254 as Passed by House on Third Reading)**

#	Department	GF	CF	RF	FF	Total	FTE	Purpose
Senate Amendments Adopted by the House that Impact Operating (Amendments that are not at Issue):								
1	S13/J.001 HCPF	0	1,790,457	0	3,353,751	5,144,208	0.0	The House accepted the Senate amendment that provided the Department of Health Care Policy and Financing \$5,144,208 total funds, including \$1,790,457 cash funds, to reimburse Connect for Health Colorado for eligibility determination assistance provided to applicants for Medicaid and the Children's Basic Health Plan. The source of cash funds is insurance fees already being spent by Connect for Health Colorado for this purpose that the Department will certify as a public expenditure in order to draw the federal match. Certified public expenditures are not included in calculations of the State's revenue that is subject to the TABOR limit and therefore do not increase the projected General Fund obligation for a TABOR refund.
2	S20/J.020 Judicial	(2,189,004)	(12,879)	0	0	(2,201,883)	0.0	The House accepted the Senate amendment that reduced appropriations to the Judicial Department to eliminate funding for a 3.15 percent increase in base salaries for judicial officers.
3	S24b/J.058 Local Affairs	0	16,300,000	0	0	16,300,000	0.0	The House accepted the Senate amendment that added \$16,300,000 from the Marijuana Tax Cash Fund for the Department of Local Affairs for affordable housing construction grants and loans.
4	S26/J.044 Military Affairs	300,000	0	0	0	300,000	0.0	The House accepted the Senate amendment that added \$300,000 General Fund to the Department of Military and Veterans Affairs for county veterans service officer payments.
5	S31/J.021 Public Health and Environ	0	44,041	0	0	44,041	0.5	The House accepted the Senate amendment that added \$44,041 cash funds from the Vital Statistics Records Cash Fund and 0.5 FTE to the Department of Public Health and Environment to pay for the costs of Proposition 106 Colorado End of Life Options Act.

#	Department	GF	CF	RF	FF	Total	FTE	Purpose
6	S40/J.024 Public Health and Environ	0	745,124	0	0	745,124	1.5	The House accepted the Senate amendment that added \$745,124 cash funds from the Marijuana Tax Cash Fund and 1.5 FTE to the Department of Public Health and Environment for the Healthy Kids Colorado Survey.
House Amendments Not Yet Acted on by the Senate (Amendments Not Accepted, Changed, or Added by the House that are at Issue) that Impact Operating:								
7	H-ACR HCPF	0	0	0	0	0	0.0	The House retained Senate Amendment 14 (J.057) that added a footnote to the Department of Health Care Policy and Financing, but changed the estimated General Fund savings from delays in federal approval of across-the-board rate increases, which the Department is instructed to invest in targeted rate increases for Medicaid transportation services. The new estimate assumes there will be no delay in implementing across-the-board increases for services through the Office of Community Living, and so the estimated General Fund savings is lowered from \$2,494,924 to \$1,647,446. The Department is instructed to invest this savings in a targeted rate increase to generate \$5,438,492 total funds for Medicaid transportation services.
8	Judicial	2,189,004	12,879	0	0	2,201,883	0.0	The Hosue struck Senate floor amendment #19 (J.050), which: (a) reduced appropriations to the Judicial Department by \$2.2 million total funds to eliminate funding for a 3.15 percent increase in base salaries for judicial officers; and (b) increased by \$2.2 million General Fund the appropriation to the Department of Transportation for construction, maintenance, and operations. This amendment thus restores appropriations of \$2.2 million total funds to the Judicial Department and eliminates the \$2.2 million General Fund appropriation to the Department of Transportation.
9	Transporation	(2,189,004)	0	0	0	(2,189,004)	0.0	
	H4/J.098 Agriculture	0	0	0	0	0	0.0	Added footnote (1a) to the Department of Agriculture indicating the General Assembly's intent that the combined financial support from Pueblo County and the City of Pueblo to the Colorado State Fair Authority total at least \$500,000 in FY 2017-18.

	#	Department	GF	CF	RF	FF	Total	FTE	Purpose
10	H5/J.098	Corrections	0	0	0	0	0	0.0	Moved \$40,000 General Fund in the Department of Corrections from personal services in the Executive Director's Office to operating expenses in the Housing and Security subprogram. Added footnote 4a describing the purpose of the additional operating expenses.
11	H6/J.121	Corrections	0	0	0	0	0	0.0	Reduced General Fund appropriations to the Department of Corrections for utilities and personal services in the recreation program by \$100,000 each and increased the appropriation for Grants to Community-based Organizations for Parolee Support by \$200,000 General Fund.
12	HA13/J.161	Education	350,900	0	0	0	350,900	0.0	Added \$350,900 General Fund to the State Share of Districts' Total Program Funding in the Department of Education and adjusted a footnote to increase the allocation to the Accelerating Students Through Concurrent Enrollment (ASCENT) Program by that amount to add 50 ASCENT slots. Decreased the General Fund appropriation for Community Behavioral Health Administration Personal Services in the Department of Human Services by \$350,900 and increased the appropriation for that purpose from the Marijuana Tax Cash Fund by the same amount.
		Human Services	(350,900)	350,900	0	0	0	0.0	
13	H17/J.067	Education	0	3,835,519	0	0	3,835,519	0.0	Increased the appropriation to the Department of Education by \$3,835,519 cash funds from the State Education Fund for transfer to the Department of Higher Education for career and technical education. Increased the appropriation to the Department of Higher Education for career and technical education by \$3,835,519 reappropriated funds from amounts transferred from the Department of Education.
		Higher Education	0	0	3,835,519	0	3,835,519	0.0	
14	H19/J.092	Governor	3,100,000	0	0	0	3,100,000	0.0	Added \$3,100,000 General Fund to the Office of the Governor for program administration within the Colorado Energy Office.
15	H20/J.093	Governor	1,100,000	0	0	0	1,100,000	0.0	Added \$1,100,000 General Fund to the Office of the Governor for weatherization services associated with the Low-income Energy Assistance Program within the Colorado Energy Office.

	#	Department	GF	CF	RF	FF	Total	FTE	Purpose
16	H25/J.164 (corrected)	Governor	750,000	0	0	0	750,000	0.0	Added \$1,500,000 General Fund to the Office of the Governor for the Colorado Office of Film, Television, and Media. Reduced \$750,000 General Fund in the Office of the Governor for tourism promotion.
17	H29/J.076	HCPF	0	0	0	0	0	0.0	Added footnote 13b to the Department of Health Care Policy and Financing indicating that a portion of the appropriation for Medical Services Premiums should be used to add elective circumcision as a Medicaid benefit. The footnote further expresses the intent of the General Assembly that the 1.4 percent across-the-board provider rate increase should be prorated by the amount necessary to pay for the new circumcision benefit.
18	H37/J.105	HCPF	0	0	0	0	0	0.0	Added footnote 20a to the Department of Health Care Policy and Financing expressing the intent of the General Assembly that the Department limit expenditures from the Hospital Provider Fee for administration and authorizing the Department to transfer the savings to support the most vulnerable hospitals.
19	H46/J.097	Human Services	0	1,500,000	0	0	1,500,000	0.0	Increased funding for the Tony Grampas Youth Services Program in the Department of Human Services by \$1,500,000 cash funds from the Marijuana Tax Cash Fund.
20	H49/J.159	Human Services	0	8,000,000	0	0	8,000,000	0.0	Increased by \$8.0 million the cash funds appropriation from the Marijuana Tax Cash Fund to the Department of Human Services for Increasing Access to Effective Substance Use Disorder Services (S.B. 16-202).
21	H52/J.081	Human Services	500,000	0	0	0	500,000	0.0	Added \$500,000 General Fund to the Department of Human Services for State Funding for Senior Services. Added footnote 52a indicating that \$500,000 of this appropriation shall be used for the maintenance and handyman home services for seniors program.
22	H54/J.107	Human Services	550,000	0	0	0	550,000	0.0	Added \$550,000 General Fund for the Department of Human Services to check whether a person in consideration for employment who will provide direct care to an at-risk adult has been substantiated in a case of mistreatment of an at-risk adult.

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#	Department	GF	CF	RF	FF	Total	FTE	Purpose
H55/J.148	Human Services	0	0	0	0	0	0.0	Added footnote 52b (changed in enrollong from 52a because a 52a had already been adopted) to the Department of Human Services stating that it is the General Assembly's intent that the Division of Youth Corrections shall use a portion of its appropriation to develop guidelines, using evidence-based practices, for administering State-owned and -operated youth corrections facilities in a manner that does not physically harm youth in custody.
H56/J.144	Judicial	0	664,949	0	0	664,949	6.3	<p>Increased the cash funds appropriation to the Judicial Department by a total of \$664,949 from the Marijuana Tax Cash Fund to enhance funding for veterans treatment courts. The additional funding includes:</p> <ul style="list-style-type: none"> • \$473,699 to add peer mentor coordinators in each of the six operational veterans treatment courts (5.8 FTE) and to add a half-time position (0.5 FTE) to provide training, technical support, and coordination for veterans courts; and • \$191,250 for expansion of peer mentoring services. <p>Makes associated modifications to existing Long Bill footnote #54, which states the General Assembly's intent that a certain portion of the Offender Treatment and Services line item appropriation be used to provide treatment and services for offenders participating in veterans treatment courts, including peer mentoring services.</p>
H62/J.083	Law	0	0	0	0	0	0.0	Added footnote 63a to the Department of Law stating the General Assembly's intent that none of the Department's appropriations be used to sue a local government on behalf of a private corporation.
H69/J.070	Public Health and Environ	0	500,000	0	0	500,000	1.0	Added \$500,000 cash funds from the Oil and Gas Conservation and Environmental Response Fund and 1.0 FTE to the Department of Public Health and Environment for oil and gas health activites.

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#	Department	GF	CF	RF	FF	Total	FTE	Purpose
27	H67/J.069 Natural Resources	0	0	0	0	0	0.0	Reduced appropriations for the Oil and Gas Conservation Commission in the Department of Natural Resources from the Oil and Gas Commission Environmental Response Fund by \$750,000 and increased appropriations from the Severance Tax Operational Fund by \$750,000. Added footnote 68a explaining the General Assumably's intent that vacant positions held open due to revenue shortfalls are hired.
28	H70/J.153 Public Health and Environ	0	4,000,000	0	0	4,000,000	0.0	Added \$4,000,000 cash funds from the Marijuana Tax Cash Fund to the Department of Public Health and Environment for marijuana retail research grants.
29	H72/J.155 Public Health and Environ	0	500,000	0	0	500,000	0.0	Added \$500,000 cash funds from the Marijuana Tax Cash Fund to the Department of Public Health and Environment for substance abuse prevention grants.
30	H74/J.075 Public Safety	1,100,000	0	0	0	1,100,000	0.0	Added \$1,100,000 General Fund to the Department of Public Safety for fire safety grants.
31	H78/J.073 Regulatory Agencies	0	9,450,000	0	0	9,450,000	0.0	Added \$9,450,000 cash funds from the High Cost Support Mechanism to the Department of Regulatory Agencies, for rural broadband.
32	H93/J.162 Governor	0	0	0	0	0	0.0	Amended footnote 10 in the Office of the Governor to indicate that the appropriation for the disabled parking education program is to be used for the development and/or dissemination of marketing materials to Colorado television and radio stations through a state-approved vendor.
OPERATING TOTAL		5,210,996	47,680,990	3,835,519	3,353,751	60,081,256	9.3	