

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 26, 2016
Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB16-1362 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, after line 13 insert:
- 2 "(2) "CONTRACT ENTITY" MEANS THE ENTITY THE COMMITTEE
- 3 CONTRACTS WITH TO IMPLEMENT SECTIONS 24-30-2206 TO 24-30-2210."
- 4 Page 2, line 14, strike "(2)" and substitute "~~(2)~~ (3)".
- 5 Page 3, after line 1 insert:
- 6 "(4) "FUND" MEANS THE DISABILITY SUPPORT FUND CREATED IN
- 7 SECTION 24-30-2205.5".
- 8 Page 3, line 2, strike "(3)" and substitute "~~(3)~~ (5)".
- 9 Page 3, line 6, strike "(4)" and substitute "~~(4)~~ (6)".
- 10 Renumber succeeding subsections accordingly.
- 11 Page 3, strike lines 17 through 22 and substitute:
- 12 "personnel. The committee consists of thirteen members appointed by the
- 13 governor. ~~as follows:~~ OF THE THIRTEEN MEMBERS, AT LEAST SEVEN
- 14 MEMBERS MUST BE EITHER A PERSON WITH A DISABILITY, A CARE GIVER OF

1 A PERSON WITH A DISABILITY, OR A PERSON WHO LIVES IN A HOUSEHOLD
2 WITH A PERSON WITH A DISABILITY AND IS MEANINGFULLY INVOLVED IN
3 THE CARE OF A PERSON WITH A DISABILITY. IN MAKING THE
4 APPOINTMENTS, THE GOVERNOR SHALL ENSURE THAT THE COMMITTEE HAS
5 MEMBERS WITH EXPERIENCE IN OR KNOWLEDGE OF BUSINESS AND
6 BUSINESS MANAGEMENT; NONPROFIT ENTITIES AND MANAGING NONPROFIT
7 ENTITIES; ADVOCACY FOR PERSONS WITH DISABILITIES; THE PRACTICE OF
8 MEDICINE; AND THE PRACTICE OF LAW WITH EXPERIENCE WORKING WITH
9 PERSONS WITH DISABILITIES. IN ADDITION TO THE THIRTEEN MEMBERS, THE
10 GOVERNOR'S COUNCIL FOR PERSONS WITH DISABILITIES MAY, IN
11 CONSULTATION WITH THE COMMITTEE, APPOINT A REPRESENTATIVE TO
12 SERVE ON THE COMMITTEE IN AN EX OFFICIO CAPACITY."

13 Page 4, strike lines 11 through 16 and substitute:

14 "(2) Members of the committee serve three-year terms; except that
15 FOUR members ~~appointed under paragraph (a) of subsection (1) of this~~
16 ~~section~~ AS DETERMINED BY THE GOVERNOR serve an initial term of one
17 year, and FOUR members ~~appointed under paragraphs (b), (c), and (d) of~~
18 ~~subsection (1) of this section~~ AS DETERMINED BY THE GOVERNOR serve an
19 initial term of two years. AFTER THE INITIAL TERMS, EVERY MEMBER
20 SERVES A TERM OF THREE YEARS. THE GOVERNOR SHALL NOT APPOINT A
21 MEMBER FOR MORE THAN TWO CONSECUTIVE TERMS."

22 Page 4, line 18, before "members" insert "APPOINTED".

23 Page 4, strike lines 19 through 23 and substitute:

24 (4) The committee shall implement ~~section 24-30-2204~~ THIS PART
25 22 using the ~~disability-benefit support fund. created in section~~
26 ~~24-30-2205.~~

27 (4.5) ~~The committee shall implement section 24-30-2204.5 using~~
28 ~~the disability investigational and pilot support fund created in section~~
29 ~~24-30-2205.5."~~

30 Page 5, strike lines 12 and 13 and substitute:

31 "(7) (a) The committee may ~~hire employees or~~ obtain the services
32 of professional advisors OR CONTRACT WITH EMPLOYEES TO HANDLE THE
33 CONDUCT OF ALL MEETINGS, CARRY OUT ITS ADMINISTRATIVE FUNCTIONS

1 FOR MEETINGS AND COMMITTEE BUSINESS, OR HANDLE THE COMMITTEE'S
2 AUCTIONS.

3 (b) THE DEPARTMENT OF PERSONNEL MAY HIRE EMPLOYEES TO
4 HANDLE THE ADMINISTRATIVE ASPECTS OF SUPPORTING THE COMMITTEE
5 RESULTING FROM THE COMMITTEE BEING WITHIN THE DEPARTMENT OF
6 PERSONNEL."

7 Page 5, after line 14, insert:

8 "(9) COMMITTEE MEMBERS DO NOT RECEIVE COMPENSATION FOR
9 PERFORMING OFFICIAL DUTIES OF THE COMMITTEE BUT MAY RECEIVE A PER
10 DIEM OR REIMBURSEMENT FOR TRAVEL AND OTHER REASONABLE AND
11 NECESSARY EXPENSES FOR PERFORMING OFFICIAL DUTIES OF THE
12 COMMITTEE. THE PER DIEM OR REIMBURSEMENT IS PAID FROM THE FUND."

13 Page 7, line 27, strike "disability investigational and" and substitute
14 "disability investigational and".

15 Page 8, line 1, strike "pilot support" and substitute "pilot support".

16 Page 8, strike lines 13 through 27 and substitute:

17 **"24-30-2205. Disability-benefit support fund.** The
18 disability-benefit support fund is hereby created in the state treasury. The
19 moneys in the fund consist of amounts transferred to the fund under
20 section 42-1-407, C.R.S., or transferred to the fund under section
21 24-30-2203 (5). The committee shall use the moneys in the fund to
22 implement this part 22; except that the committee may direct the state
23 treasurer to transfer moneys in the fund to the registration number fund
24 created in section 42-1-407, C.R.S., to fund the implementation of part 4
25 of article 1 of title 42, C.R.S. The committee shall not use more than five
26 percent of the money in the fund to administer this part 22. The state
27 treasurer shall credit all interest earned on the investment of moneys in
28 the fund to the fund. At the end of each fiscal year, the moneys in the
29 fund, including income earned from investment, remain in the fund. The
30 general assembly shall appropriate the moneys in the fund to the
31 department of personnel or governor's office to implement this part 22.

32 **24-30-2205.5. Disability support fund.** (1) There is hereby
33 created in the state treasury the disability investigational and pilot support
34 fund., referred to in this section as the "fund", that WHICH shall consist of

1 ~~moneys~~ MONEY transferred to the fund pursuant to IN ACCORDANCE WITH
2 section 25.5-5-308 (8), C.R.S., FROM THE SALE OF REGISTRATION
3 NUMBERS UNDER THIS PART 22, any ~~moneys~~ MONEY that may be
4 appropriated to the fund by the general assembly, and any gifts, grants, or
5 donations received by the department of personnel for the purpose of
6 implementing this ~~section~~ PART 22.

7 (2) The ~~moneys~~ MONEY in the fund ~~are~~ IS subject to annual
8 appropriation by the general assembly for the direct and indirect costs
9 associated with the implementation of ~~the pilot program~~ THIS PART 22.
10 Any ~~moneys~~ MONEY in the fund not expended for the purpose of this
11 section may be invested by the state treasurer as provided by law. All
12 interest and income derived from the investment and deposit of ~~moneys~~
13 MONEY in the fund must be credited to the fund. Any unexpended and
14 unencumbered ~~moneys~~ MONEY remaining in the fund at the end of a fiscal
15 year must remain in the fund FOR USE AS PROVIDED IN THIS PART 22 and
16 ~~shall~~ not be credited or transferred to the general fund or another fund. If
17 this section is repealed, prior to its repeal, all unexpended and
18 unencumbered ~~moneys~~ MONEY remaining in the fund must be transferred
19 to the general fund.

20 (3) ANY MONEY USED TO IMPLEMENT ADDITIONAL LICENSE PLATE
21 OPTIONS SHALL NOT BE TRANSFERRED TO THE DEPARTMENT OF REVENUE.
22 THE COMMITTEE OR CONTRACT ENTITY SHALL TRANSFER THE MONEY
23 DIRECTLY TO THE DIVISION OF CORRECTIONAL INDUSTRIES.

24 (4) THE COMMITTEE SHALL PRIORITIZE FUNDING FOR THE
25 IMPLEMENTATION OF SECTION 24-30-2204 BEFORE FUNDING FOR THE
26 IMPLEMENTATION OF SECTION 24-30-2204.5."

27 Page 9, strike lines 1 through 21.

28 Page 11, strike lines 11 and 12 and substitute:

29 ~~"(c) To acquire office space, equipment, services, supplies, and~~
30 ~~insurance necessary to carry out the purposes of this part 4;"~~.

31 Reletter succeeding paragraphs accordingly.

32 Page 11 strike line 22 and substitute:

33 ~~"(h) To hire employees and professional advisers as needed;"~~.

- 1 Reletter succeeding paragraphs accordingly.
- 2 Page 11, lines 24 and 25, strike "commission of no more than twenty
3 percent of the sale price;" and substitute "~~commission of no more than~~
4 ~~twenty percent of the sale price~~ REASONABLE COMMISSION AS
5 DETERMINED BY THE COMMITTEE;".
- 6 Page 12, line 2, strike "for auction" and substitute "~~for auction~~".
- 7 Page 12, line 3, strike "AND".
- 8 Page 12, line 5, strike "revenue. and" and substitute "revenue; and".
- 9 Page 12, line 6, strike "(m)" and substitute "(m)".
- 10 Page 12, line 9, after "sale:" add "TO SELL THE RIGHT TO USE ADDITIONAL
11 LICENSE PLATE OPTIONS, SUCH AS HISTORICALLY ISSUED BACKGROUNDS,
12 FOR A FEE IF THE OPTION IS APPROVED BY THE DEPARTMENT OF REVENUE
13 AND THE COLORADO STATE PATROL.".
- 14 Page 12, strike lines 17 through 19 and substitute "(1) The ~~group~~
15 COMMITTEE shall raise money by ~~auctioning~~ SELLING to a buyer the right
16 to use valuable letter and number combinations for a registration number.
17 THE COMMITTEE SHALL AUCTION REGISTRATION NUMBERS THAT ARE
18 LIKELY TO BE WORTH SUBSTANTIALLY MORE THAN THE AVERAGE VALUE
19 OF A REGISTRATION NUMBER.".
- 20 Page 12, strike lines 26 and 27 and substitute "currently issued. ~~The group~~
21 ~~shall not send the request to the department more than once every six~~
22 ~~months~~. THE COMMITTEE AND THE DEPARTMENT OF REVENUE SHALL
23 ENTER INTO AN AGREEMENT ESTABLISHING A PROCESS FOR REQUESTING
24 REGISTRATION NUMBERS THAT SPECIFIES THE FREQUENCY OF THESE
25 REQUESTS.".
- 26 Page 13, line 7, strike "auction" and substitute "~~auction~~ SELL".
- 27 Page 13, line 13, strike "auction" and substitute "~~auction~~".
- 28 Page 14, line 14, strike "auction" and substitute "~~auction~~".

- 1 Page 14, line 21, strike "DISABILITY-BENEFIT SUPPORT".
- 2 Page 14, line 22, strike "24-30-2205." and substitute "24-30-2205.5."
- 3 Page 14, line 27, strike "DISABILITY-BENEFIT SUPPORT".
- 4 Page 15, lines 6 and 7, strike "disability-benefit support" and substitute
5 "~~disability-benefit support~~".
- 6 Page 15, lines 9 and 10, strike "disability investigational and pilot
7 support" and substitute "~~disability investigational and pilot support~~".
- 8 Page 15, after line 11 insert:
- 9 "(3) THE COMMITTEE SHALL CONTRACT WITH AN ENTITY TO SELL
10 REGISTRATION NUMBERS AND ADDITIONAL OPTIONS BY DELEGATING THE
11 COMMITTEE'S AUTHORITY CONCERNING THESE SALES IN ACCORDANCE
12 WITH SECTIONS 24-30-2206 TO 24-30-2210. THE COMMITTEE SHALL
13 RETAIN OVERSIGHT OF THE CONTRACT ENTITY."
- 14 Page 16, strike lines 12 through 14.
- 15 Renumber succeeding subsection accordingly.
- 16 Page 17, after line 16 insert:
- 17 "**SECTION 5. Appropriation.** For the 2016-17 state fiscal year,
18 \$47,665 is appropriated to the department of personnel for use by the
19 Colorado disability funding committee. This appropriation is from the
20 disability support fund created in section 24-30-2205.5 (1), C.R.S., and
21 is based on an assumption that the committee will require an additional
22 0.5 FTE. To implement this act, the committee may use this appropriation
23 for program expenses."
- 24 Renumber succeeding section accordingly.
- 25 Page 1, line 103, strike "COMMITTEE." and substitute "COMMITTEE, AND,
26 IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

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