

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 16, 2010
Date

Committee on Appropriations.

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

HB10-1284 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend the Judiciary Committee Report, dated March 22, 2010, page 48,
2 line 21, strike "SERVICES FOR" and substitute "INTEGRATED BEHAVIORAL
3 HEALTH SERVICES FOR JUVENILES AND".

4 Strike lines 22 through 30 and substitute:

5 "SUBSTANCE USE DISORDERS AND MENTAL HEALTH TREATMENT NEEDS
6 WHO ARE INVOLVED WITH, OR AT RISK OF INVOLVEMENT WITH, THE
7 CRIMINAL JUSTICE SYSTEM. THE MONEYS DESCRIBED IN PARAGRAPH (a) OF
8 THIS SUBSECTION (6) SHALL BE APPROPRIATED TO THE DEPARTMENT OF
9 HUMAN SERVICES TO BE USED TO PROVIDE INTEGRATED BEHAVIORAL
10 HEALTH SERVICES FOR JUVENILES AND ADULTS WITH SUBSTANCE USE
11 DISORDERS OR WITH SUBSTANCE USE DISORDERS AND MENTAL HEALTH
12 TREATMENT NEEDS WHO ARE INVOLVED WITH, OR AT RISK OF
13 INVOLVEMENT WITH, THE CRIMINAL JUSTICE SYSTEM. THE DEPARTMENT
14 SHALL ENSURE THAT APPROPRIATIONS IN THIS LINE ITEM ARE DISTRIBUTED
15 THROUGH THE DEPARTMENT'S DESIGNATED MANAGED SERVICE
16 ORGANIZATIONS AND COMMUNITY MENTAL HEALTH CENTERS. THE
17 APPROPRIATIONS SHALL BE BASED ON, INCLUDING BUT NOT LIMITED TO
18 SUBSTANCE USE AND MENTAL HEALTH PREVALENCE DATA THAT IS
19 DEVELOPED WORKING COLLABORATIVELY WITH THE MANAGED SERVICES
20 ORGANIZATIONS AND COMMUNITY HEALTH CENTERS."

21 Page 48, after line 35, insert:

1 **"SECTION 10.** 39-26-123, Colorado Revised Statutes, is
2 amended BY THE ADDITION OF A NEW SUBSECTION to read:

3 **39-26-123. Receipts - disposition - transfers of general fund**
4 **surplus - sales and use tax holding fund - creation - definitions -**
5 **repeal.** (6) FOR ANY STATE FISCAL YEAR COMMENCING ON OR AFTER
6 JULY 1, 2010, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE
7 THE FIRST TWO MILLION DOLLARS OF SALES AND USE TAXES
8 ATTRIBUTABLE TO SALES OR USE OF MEDICAL MARIJUANA OR EQUALLY
9 APPROPRIATE THE SALES AND USE TAXES ATTRIBUTABLE TO SALES AND
10 USE OF MEDICAL MARIJUANA IF TWO MILLION DOLLARS IS NOT GENERATED.
11 THE MONEYS DESCRIBED IN THIS SUBSECTION (6) SHALL BE APPROPRIATED
12 TO THE DEPARTMENT OF HUMAN SERVICES TO BE USED TO PROVIDE
13 INTEGRATED BEHAVIORAL HEALTH SERVICES FOR JUVENILES AND ADULTS
14 WITH SUBSTANCE USE DISORDERS OR WITH SUBSTANCE USE DISORDERS
15 AND MENTAL HEALTH TREATMENT NEEDS WHO ARE INVOLVED WITH, OR
16 AT RISK OF INVOLVEMENT WITH, THE CRIMINAL JUSTICE SYSTEM. THE
17 DEPARTMENT SHALL ENSURE THAT APPROPRIATIONS IN THIS LINE ITEM ARE
18 DISTRIBUTED THROUGH THE DEPARTMENT'S DESIGNATED MANAGED
19 SERVICE ORGANIZATIONS AND COMMUNITY MENTAL HEALTH CENTERS.
20 THE APPROPRIATIONS SHALL BE BASED ON, INCLUDING BUT NOT LIMITED
21 TO SUBSTANCE USE AND MENTAL HEALTH PREVALENCE DATA THAT IS
22 DEVELOPED WORKING COLLABORATIVELY WITH THE MANAGED SERVICES
23 ORGANIZATIONS AND COMMUNITY HEALTH CENTERS."

24 Renumber succeeding sections accordingly.

25 page 49, after line 7, insert:

26 **"SECTION 12. Appropriation.** (1) In addition to any other
27 appropriation, there is hereby appropriated, out of any moneys in the
28 general fund not otherwise appropriated, to the department of human
29 services, for allocation to mental health and alcohol and drug abuse
30 services, for the fiscal year beginning July 1, 2010, the sum of three
31 hundred thirty-four thousand two hundred twenty-seven dollars
32 (\$334,227), or so much thereof as may be necessary, for the
33 implementation of this act.

34 (2) In addition to any other appropriation, there is hereby
35 appropriated, out of any moneys in the medical marijuana license cash
36 fund cash fund created in section 12-43.3-501 (1), Colorado Revised

1 Statutes, not otherwise appropriated, to the department of revenue, for
2 allocation to the enforcement business group, for the fiscal year beginning
3 July 1, 2010, the sum of two million seven hundred nineteen thousand
4 four hundred twenty-two dollars (\$2,719,422) and 23.2 FTE, or so much
5 thereof as may be necessary, for the implementation of this act.

6 (3) In addition to any other appropriation, there is hereby
7 appropriated to the department of law, for the fiscal year beginning July
8 1, 2010, the sum of one hundred thirteen thousand seventy dollars
9 (\$113,070) and 1.0 FTE, or so much thereof as may be necessary, for the
10 provision of legal services to the department of revenue related to the
11 implementation of this act. Said sum shall be from reappropriated funds
12 received from the department of revenue out of the appropriation made
13 in subsection (2) of this section.

14 (4) In addition to any other appropriation, there is hereby
15 appropriated to the department of public safety, Colorado bureau of
16 investigation, for the fiscal year beginning July 1, 2010, the sum of two
17 hundred sixty thousand seven hundred dollars (\$260,700) and 1.2 FTE,
18 or so much thereof as may be necessary, for the provision of background
19 checks to the department of revenue related to the implementation of this
20 act. Said sum shall be from reappropriated funds received from the
21 department of revenue out of the appropriation made in subsection (2) of
22 this section.

23 (5) In addition to any other appropriation, there is hereby
24 appropriated, out of any moneys in the medical marijuana program cash
25 fund created in section 25-1.5-106 (12), Colorado Revised Statutes, not
26 otherwise appropriated, to the department of public health and
27 environment, for allocation to the center for health and environmental
28 education, for the fiscal year beginning July 1, 2010, the sum of two
29 hundred seventy-one thousand four hundred sixty-seven dollars
30 (\$271,467) cash funds and 1.2 FTE, or so much thereof as may be
31 necessary, for the implementation of this act.

32 (6) In addition to any other appropriation, there is hereby
33 appropriated to the department of public safety, Colorado bureau of
34 investigation, for the fiscal year beginning July 1, 2010, the sum of two
35 hundred eleven thousand seven hundred twenty dollars (\$211,720) and
36 0.9 FTE, or so much thereof as may be necessary, for the provision of
37 background checks to the department of public health and environment

1 related to the implementation of this act. Said sum shall be from
2 reappropriated funds received from the department of public health and
3 environment out of the appropriation made in subsection (5) of this
4 section.

5 **SECTION 13. Appropriation.** (1) In addition to any other
6 appropriation, there is hereby appropriated, out of any moneys in the
7 general fund not otherwise appropriated, to the department of human
8 services, for allocation to mental health and alcohol and drug abuse
9 services, for the fiscal year beginning July 1, 2010, the sum of six
10 hundred sixty-eight thousand four hundred fifty-four dollars (\$668,454),
11 or so much thereof as may be necessary, for the implementation of this
12 act.

13 (2) In addition to any other appropriation, there is hereby
14 appropriated, out of any moneys in the medical marijuana license cash
15 fund cash fund created in section 12-43.3-501 (1), Colorado Revised
16 Statutes, not otherwise appropriated, to the department of revenue, for
17 allocation to the enforcement business group, for the fiscal year beginning
18 July 1, 2010, the sum of two million seven hundred nineteen thousand
19 four hundred twenty-two dollars (\$2,719,422) and 23.2 FTE, or so much
20 thereof as may be necessary, for the implementation of this act.

21 (3) In addition to any other appropriation, there is hereby
22 appropriated to the department of law, for the fiscal year beginning July
23 1, 2010, the sum of one hundred thirteen thousand seventy dollars
24 (\$113,070) and 1.0 FTE, or so much thereof as may be necessary, for the
25 provision of legal services to the department of revenue related to the
26 implementation of this act. Said sum shall be from reappropriated funds
27 received from the department of revenue out of the appropriation made
28 in subsection (2) of this section.

29 (4) In addition to any other appropriation, there is hereby
30 appropriated to the department of public safety, Colorado bureau of
31 investigation, for the fiscal year beginning July 1, 2010, the sum of two
32 hundred sixty thousand seven hundred dollars (\$260,700) and 1.2 FTE,
33 or so much thereof as may be necessary, for the provision of background
34 checks to the department of revenue related to the implementation of this
35 act. Said sum shall be from reappropriated funds received from the
36 department of revenue out of the appropriation made in subsection (2) of
37 this section.

1 (5) In addition to any other appropriation, there is hereby
2 appropriated, out of any moneys in the medical marijuana program cash
3 fund created in section 25-1.5-106 (12), Colorado Revised Statutes, not
4 otherwise appropriated, to the department of public health and
5 environment, for allocation to the center for health and environmental
6 education, for the fiscal year beginning July 1, 2010, the sum of two
7 hundred seventy-one thousand four hundred sixty-seven dollars
8 (\$271,467) cash funds and 1.2 FTE, or so much thereof as may be
9 necessary, for the implementation of this act.

10 (6) In addition to any other appropriation, there is hereby
11 appropriated to the department of public safety, Colorado bureau of
12 investigation, for the fiscal year beginning July 1, 2010, the sum of two
13 hundred eleven thousand seven hundred twenty dollars (\$211,720) and
14 0.9 FTE, or so much thereof as may be necessary, for the provision of
15 background checks to the department of public health and environment
16 related to the implementation of this act. Said sum shall be from
17 reappropriated funds received from the department of public health and
18 environment out of the appropriation made in subsection (5) of this
19 section."

20 Renumber succeeding sections accordingly.

21 Page 49, strike lines 14 and 15 and substitute:

22 "(b) This section and sections 2, 7, 8, 11, and 15 of this act shall
23 take effect July 1, 2010.

24 (c) Sections 9 and 12 of this act shall take effect only if House Bill
25 10-1033 is enacted and becomes law and shall take effect upon the
26 effective date of House Bill 10-1033.

27 (d) Sections 10 and 13 of this act shall take effect if section 9 of
28 this act does not take effect and does not become law."

29 Page 49, after line 18, insert:

30 "Page 1, line 101, strike "MARIJUANA." and substitute "MARIJUANA, AND
31 MAKING AN APPROPRIATION THEREFOR."."

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