

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

May 8, 2012
Date

Committee on Appropriations.

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

HB12-1255 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, line 5, strike "**definitions.**" and substitute
2 "**definitions - repeal.**".

3 Page 2, strike line 6 and substitute "OTHERWISE REQUIRES:

4 (a) (I) "CONTINUOUS APPROPRIATION", EXCEPT AS SET FORTH IN
5 SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), MEANS ANY GRANT OF
6 AUTHORITY TO SPEND AN UNSPECIFIED AMOUNT OF STATE MONEYS THAT
7 IS INCLUDED IN A STATUTORY PROVISION, REGARDLESS OF HOW IT IS
8 DESCRIBED, WHICH GRANT DOES NOT REQUIRE A FURTHER APPROPRIATION
9 BY THE GENERAL ASSEMBLY.

10 (II) "CONTINUOUS APPROPRIATION" DOES NOT INCLUDE:

11 (A) A GRANT OF AUTHORITY TO SPEND STATE MONEYS FROM THE
12 UNEMPLOYMENT COMPENSATION FUND CREATED IN SECTION 8-77-101,
13 C.R.S.; THE RISK MANAGEMENT FUND CREATED IN SECTION 24-30-1510,
14 INCLUDING THE STATE EMPLOYEES' WORKERS COMPENSATION ACCOUNT
15 CREATED IN SECTION 24-30-1510.7; THE SELF-INSURED PROPERTY FUND
16 CREATED IN SECTION 24-30-1510.5; THE UNCLAIMED PROPERTY TRUST
17 FUND CREATED IN SECTION 38-13-116.5, C.R.S.; THE RESERVE CREATED
18 IN SECTION 39-22-622, C.R.S., INCLUDING REFUNDS MADE PURSUANT TO
19 SAID SECTION AND GRANTS MADE PURSUANT TO SECTION 39-31-101 OR
20 39-31-104, C.R.S.; THE LOCAL GOVERNMENT SEVERANCE TAX FUND
21 CREATED IN SECTION 39-29-110, C.R.S.; OR THE OLD AGE PENSION FUND
22 CREATED IN SECTION 1 OF ARTICLE XXIV OF THE STATE CONSTITUTION;

23 (B) AN EXPENDITURE PURSUANT TO "THE COLORADO HIGH RISK

1 HEALTH INSURANCE ACT", PART 5 OF ARTICLE OF 8 OF TITLE 10, C.R.S.;

2 (C) STATE CONTRIBUTIONS TO LOCAL GOVERNMENT FOR OLD HIRE

3 PENSION PLANS PURSUANT TO SECTION 31-30.5-307, C.R.S.; OR

4 (D) CIGARETTE REBATES PURSUANT TO SECTION 39-22-623 (1) (a)

5 (II) (A), C.R.S.

6 (b) (I) "CONTINUOUSLY APPROPRIATE", EXCEPT AS SET FORTH IN

7 SUBPARAGRAPH (II) OF THIS PARAGRAPH (b), MEANS TO GRANT

8 AUTHORITY TO SPEND AN UNSPECIFIED AMOUNT OF STATE MONEYS IN A

9 STATUTORY PROVISION, REGARDLESS OF HOW IT IS DESCRIBED.

10 (II) "CONTINUOUSLY APPROPRIATE" DOES NOT INCLUDE ANY

11 STATUTORY APPROPRIATION OR A GRANT OF AUTHORITY TO SPEND STATE

12 MONEYS SET FORTH IN A SECTION IDENTIFIED IN SUBPARAGRAPH (II) OF

13 PARAGRAPH (a) OF THIS SUBSECTION (1).

14 (c) "STATE AGENCY" MEANS ANY DEPARTMENT,".

15 Page 2, line 11, strike "2012," and substitute "2013,".

16 Page 2, line 16, strike "2012," and substitute "2013,".

17 Page 2, line 23, strike "2012." and substitute "2013.

18 (5) (a) (I) ALONG WITH THEIR ANNUAL BUDGET REQUEST

19 SUBMITTED TO THE JOINT BUDGET COMMITTEE FOR THE 2013-14 STATE

20 FISCAL YEAR, EACH PRINCIPAL DEPARTMENT SHALL SUBMIT A REPORT

21 THAT:

22 (A) IDENTIFIES A FUND FROM WHICH MONEYS WERE

23 CONTINUOUSLY APPROPRIATED PRIOR TO JULY 1, 2013, THAT THE

24 DEPARTMENT BELIEVES SHOULD NOT BE ANNUALLY APPROPRIATED;

25 (B) INCLUDES AN ESTIMATE OF THE AMOUNT OF MONEYS THAT

26 THE STATE AGENCY WILL EXPEND FOR THE 2013-14 STATE FISCAL YEAR

27 FROM SUCH FUND IF THE MONEYS ARE CONTINUOUSLY APPROPRIATED; AND

28 (C) STATES THE REASON THAT THE DEPARTMENT BELIEVES THAT

29 THE MONEYS SHOULD NOT BE ANNUALLY APPROPRIATED FROM SUCH FUND

30 BY THE GENERAL ASSEMBLY.

31 (II) AT THE SAME TIME THE REPORT IS SUBMITTED TO THE JOINT

32 BUDGET COMMITTEE PURSUANT TO SUBPARAGRAPH (I) OF THIS

33 PARAGRAPH (a), THE PRINCIPAL DEPARTMENT SHALL PROVIDE COPIES OF

34 THE REPORT TO THE EXECUTIVE COMMITTEE OF LEGISLATIVE COUNCIL AND

35 THE APPROPRIATIONS COMMITTEES OF THE HOUSE OF REPRESENTATIVES

36 AND THE SENATE.

37 (b) A STATE AGENCY THAT IS NOT WITHIN A PRINCIPAL

38 DEPARTMENT IS REQUIRED TO SUBMIT THE REPORT ON CRITICAL

1 CONTINUOUS APPROPRIATIONS SPECIFIED IN PARAGRAPH (a) OF THIS
2 SUBSECTION (5) IN THE SAME MANNER AS A PRINCIPAL DEPARTMENT.
3 (c) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2013."

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