

STATE OF COLORADO

DEPARTMENT OF REGULATORY AGENCIES
Office of the Executive Director

1560 Broadway
Suite 1550
Denver, Colorado 80202
V/TDD 711
(303) 894-7855



D. Rico Munn
Executive Director

Bill Ritter, Jr.
Governor

NEWS RELEASE

For Immediate Release

October 15, 2007

CONTACT: Chris Lines, Public Information Officer, 303-894-7873

DORA SUNSET REVIEWS ENSURE GOVERNMENT ACCOUNTABILITY

Ninety Percent of Sunset Bills Typically Become Law

DENVER – Rico Munn, Executive Director of the Colorado Department of Regulatory Agencies (DORA) announces today the release of 16 Sunset Reports, which provide recommendations to the Colorado Legislature to repeal unnecessary regulation in state government programs or divisions, and enhance the performance of continued programs. Colorado was the first state in the country to pass a regulatory sunset law in 1976, and by 1982, 36 other states followed suit. The sunset process was one of the first accountability tools designed to examine the need for and impact of state regulation on the economy and the effectiveness of state regulation in protecting consumers.

“The most notable change in the Ritter administration’s regulatory philosophy is the longer-term approach to regulation where consumers and businesses both benefit,” said Executive Director Munn. “Key trends that Coloradans can expect from this change of philosophy are increased consumer education, a stronger emphasis on consumer protection, and enhanced access to economic opportunity – all which result in smarter government.”

Past highlights of sunset reviews culminated in the following:

- Increased public membership on state boards and commissions
- Introduced more efficient administrative practices and disciplinary procedures
- Created stronger prohibitions against conflicts of interest
- Eliminated duplication or overlap of functions and unnecessary licensing of professions
- Eliminated rules that attempt to regulate competition with no reasonable public protection requirement
- Terminated 37 government programs and consolidated others

Bruce Harrelson started as an analyst of sunset reviews 20 years ago and now directs the Policy, Research and Regulatory Reform team of analysts at DORA, who conduct the sunset reviews. “Our criteria and timeline for sunset reviews are based in statute,

however we have made the process much more inclusive, engaging consumers, businesses and interest groups into the discussion,” said Harrelson.

“At the end of the day, I ask myself are Colorado consumers safer from our efforts, and the answer is ‘yes,’” said Munn.

2007 DORA Sunset Recommendations:

Advisory Committee Reviews

- **Air Quality Science Advisory Board** – Sunset (abolish) the Advisory Board
- **Dynamic Modeling Advisory Committee** – Sunset the Advisory Committee
- **Forest Restoration Pilot Program Technical Advisory Panel** – Sunset the Panel
- **Health Care Credentials Application Review Committee** – Continue the Review Committee

Program/Board Reviews

- **Automobile Theft Prevention Board** – Sunset the Board
- **Bingo and Games of Chance/Bingo-Raffle Advisory Board** – Continue regulation of bingo and games of chance, but sunset the Advisory Board; repeal some licensure requirements and the restriction on cash promotional prizes
- **Domestic Violence Offender Management Board** – Continue the Board; give the Board authority to remove treatment providers
- **Funding of CoverColorado** (Provides health insurance to Colorado’s “uninsurable” – those unable to acquire it on the open market) – Continue to assess fees upon insurance carriers to fund CoverColorado; create a task force to develop long-term, permanent funding solutions
- **In-Home Support Services** (Allows Coloradans greater choice in the provision of in-home, long-term care) – Continue the program with recommendations to implement a better tracking program; require periodic training seminars for case managers; and enhance educational outreach
- **Multiple Employer Welfare Arrangements** (Allows small businesses to band together and collectively purchase health insurance, but has not been utilized since its inception in 2003) – Sunset the pilot program
- **Passenger Tramway Safety Board** (Licenses and inspects ski lifts) – Continue the regulation and the Board; establish a standard fine; modify some reporting requirements
- **Public Utilities Commission** – Continue the Commission; grant fining authority over fixed utilities; require cooperative electric associations and municipal utilities to follow same standards as investor-owned utilities with regard to customer-sited generation and net metering; expand the scope of the Office of Consumer Counsel to participate in proceedings before the PUC; expand the number of Coloradans eligible for assistance by amending the Low-Income Telephone Assistance Program eligibility criteria to mirror the Low-Income

- Energy Assistance criteria; more equitably assess the surcharge to subsidize telecommunications in high cost areas; make it easier for new taxi businesses to form by shifting burden of proof from applicants for new taxi service; and other technical recommendations
- **Real Estate Commission, Division of Real Estate** – Continue the Commission and Division and the regulation of real estate brokers and subdivision developers; eliminate state procurement of errors and omissions insurance for real estate brokers; expand certain continuing education requirements; change the composition of the Commission to include three professional members and two public members; and expand the Commission’s grounds for revoking a license
 - **Regulation of Collection Agencies** – Continue regulation; increase fines; eliminate certain useless examinations and other requirements; educate debtors of right to request no further contact from the collection agency; and include ID theft and computer crimes as grounds for license denial and disciplinary action
 - **Regulation of Insurance Producers** – Continue regulation; allow producers to obtain crop hail line of authority; establish a cooling off period of two years to reapply after licenses have been revoked
 - **Use of Community Contracted Health Care Providers** (Allows small communities to contract with healthcare providers)– Continue authority to contract; expand the definition of health care providers; enhance education to municipalities to make them aware of this opportunity

For the full 2007 Sunset Reports, please see the following web link:

<http://www.dora.state.co.us/opr/oprpublications.htm>

DORA is dedicated to preserving the integrity of the marketplace and is committed to promoting a fair and competitive business environment in Colorado. Consumer protection is our mission.