



COLORADO STATE UNIVERSITY

S Y S T E M

Colorado State University • Colorado State University - Pueblo • CSU - Global Campus

LEGISLATIVE DIGEST

2011 SESSION

COLORADO GENERAL ASSEMBLY

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May 23, 2010

The 68th session of the Colorado General Assembly adjourned on May 11th. There were over 635 pieces of legislation and 104 resolutions or memorials this session. This is about 50 to 100 bills less than have been introduced in previous sessions.

Unique to this session was the fact that we had a divided leadership in the House and Senate, with Republicans in majority in the House and Democrats in the Senate. The state budget dominated discussions with the Joint Budget Committee and leadership, who had to make tough choices to balance the state's budget. And the Colorado State University System (CSU System) top legislative concern was higher education funding – this included working on bills that allow higher education institutions to take advantage of cost-saving opportunities in its operations. The good news is that another round of massive cuts for higher education was successfully avoided, although a small reduction did occur.

The CSU System legislative team was effective this year. The team tracked, monitored, or actively worked approximately 117 bills/resolutions. The CSU System legislative team met weekly throughout the session, which involved campus representatives, lobbyists, and system staff all focused on finding solutions to issues presented in various pieces of legislation.

Through this legislative digest we have summarized each piece of relevant legislation that was successfully passed and signed, or about to be signed, by the Governor. We hope this report provides a good perspective on the bills impacting higher education, and CSU campuses in particular.

Of all the bills, there are several that rose to the top:

- SB-52 concerning higher education planning and performance funding passed both houses and has been sent to the Governor for signature. The bill revises current law in a number of areas and requires the following:
 - A new Master Plan for all of higher education laying out the broad direction that institutions and boards should pursue to support the state as a whole. The Master Plan must incorporate a host of statewide goals currently in law including several around access.
 - As part of the Master Plan a new performance funding plan that suggests how a portion of funding for higher education will be allocated based upon meeting statewide goals in the Master Plan is included in the legislation.
 - Implementation of actual performance funding in FY2016, but only if funding for higher education has been restored to FY11 level (\$644M) or higher.
- SB-204 the CSU-Pueblo role and mission change legislation passed both the House and Senate and has been sent to the Governor for signature. The bill allows Colorado State University-Pueblo to begin to offer Doctorate level degrees and programs.
- SB11-209 the Long-appropriations bill has been signed by the Governor, the Long Bill provides \$519M for all of higher education. That amount is \$125M below current year funding, and \$187 million less than the most recent high of \$706M in FY2008-2009, representing a 27% reduction.

Funding to Colorado's Public Higher Education Institutions

FY08-09 \$706 million

FY10-11 \$644 million

FY11-12 \$519 million

- HB-1301 is the follow-up flexibility legislation to SB10-003 which passed last year. The current bill has passed both houses and has been signed by the Governor. It has numerous provisions which allow greater autonomy and less oversight by the state.

The Colorado State University System Legislative Digest is a report available to interested parties within the CSU System to provide references on bills affecting the CSU System and its campuses. If you wish additional detail on a bill, there is a link to each piece of legislation. This digest only lists bills of interest to the CSU System and its campuses. If other legislation needs to be reviewed that is not listed please use this link to the Colorado General Assembly website where information on all legislation may be found.

Colorado General Assembly

<http://www.leg.state.co.us>

**CSU System
Legislative Tracking Sheet**

Successful Legislation – Bills/resolutions that have been passed

1. HB-1005 Reinstate Tax Exemption For Agricultural Products
2. HB-1015 Licensing of Accountants
3. HB-1026 Storm Water Management System Administrators
4. HB-1030 Procurement Set Aside
5. HB-1050 Boiler Inspection regulation
6. HB-1115 Public Entity Construction Retainage
7. HB-1145 Availability Background Check Child Care
8. HB-1151 Cruelty to Service Animals
9. HB-1155 Lt Gov As Head Of Principal Department
10. HB-1201 Streamlining Educator Licensing
11. HB-1202 Appropriation in Hand for Change orders
12. HB-1211 Restrict Travel Public Entities
13. HB-1236 Specialty License plates
14. HB-1241 Charitable Use Property Tax Exemption
15. HB-1274 Water Conservation Bd Construction Fund
16. HB-1281 Health Care Professional Loan Forgiveness
17. HB-1283 Extend Bioscience Grant Program
18. HB-1288 Unemployment Insurance Solvency Reform
19. HB-1289 Water Supply Structure Historic Register
20. HB-1297 Statewide Internet Portal Authority
21. HB-1301 Higher Ed Inst Efficiency
22. HB-1303 Revisor's Bill
23. HB-1307 Recovery Audits
24. SB-40 Youth Coach Concussion Education
25. SB-47 Bioscience & Clean Technology Reinvestment
26. SB-52 Higher Education performance funding
27. SB-60 3.2 Beer For On-premises Consumption
28. SB-62 Office of IT Statutory Clean-up
29. SB-76 PERA Contribution Rates
30. SB-82 OSA Security Audits IT Systems
31. SB-90 Sunset Weather Modification Act Of 1972
32. SB-91 Sunset Board Veterinary Medicine
33. SB-100 Higher Education Council
34. SB-101 Sunset Fixed Tuition & Fee Rate Program
35. SB-109 Public Education Fund Tax Check off
36. SB-110 County Open Burning Slash Permit Program
37. SB-111 Educational Success Task Force
38. SB-115 Auditor Authority To Audit State Government Entities

39. SB-140 Supp. Approp to HE
40. SB-156 Reserve reduction
41. SB-159 Limited Gaming funds
42. SB-169 Sunset Continue Physical Therapy Board
43. SB-187 Sunset Review Mental Health Professionals
44. SB-191 Uniform Limited Cooperative Association Act
45. SB-199 Workers' Compensation
46. SB-204 CSU-Pueblo University Role And Mission
47. SB-209 Long Appropriations Bill
48. SB-235 Third Party Air Quality Modelers
49. SB-238 Extend Wildfire Preparedness Funding
50. SB-263 Clarify Med Products Sales Tax Exemption
51. SB-266 Background Check School Contractors
52. SB-267 Forest Health Act Of 2011
53. HJR-1010 CSU Founder's Day
54. SJR-008 Colorado 4-H Day
55. SJR-020 50th Anniversary of the Peace Corp

Unsuccessful Legislation - Bills that have been defeated

56. HB-1007 Mesa State Personnel Vote bill
57. HB-1039 Animal Cruelty Steer Tailing
58. HB-1056 Undo 2003 Payday Shift
59. HB-1057 Adjunct Professor
60. HB-1062 San Luis Valley Farm-to-school Pilot
61. HB-1068 State Engineer Approve Agricultural Water Transfer
62. HB-1070 Public Works Prevailing Wages & Benefits
63. HB-1099 Procurement Process Task Force
64. HB-1107 State Illegal Immigration Enforcement
65. HB-1065 Elected Officials in Ads
66. HB-1114 Lease-purchase Agreement Approval Requirements
67. HB-1129 State Procurement Preferences
68. HB-1132 On-Energy bill info
69. HB-1142 State Economic Impact Of State Procurement
70. HB-1149 Identity Verification Of Lawful Presence
71. HB-1158 Colorado Wood Products Incentives
72. HB-1168 COF stipends
73. HB-1179 Waste Water Treatment Systems
74. HB-1184 Higher Ed Funding Committee
75. HB-1208 Conservation Easements
76. HB-1233 Bidder Preferences In State Contracting
77. HB-1238 Job Quality Standards
78. HB-1244 Electronic Device Recycling

79. HB-1249-DPA Omnibus bill
80. HB-1255 Colorado Alternative Energy Park Act
81. HB-1257 Part-time State Employee Group Benefits
82. HB-1259 Innovative Higher Ed Research Fund
83. HB-1266 Econ Dev Small Bus Seed Capital Market
84. HB-1273 Health Care Opportunity Patient Empower
85. HB-1280 Limit General Fund Appropriation Growth
86. HB-1284 Sale Of Full Beer-lost on second reading
87. HB-1292 Promote Use Of State Electronic Forms
88. HB-1302 Business Training For Judges
89. HB-1309 Prevent Unlawful Employee & Human Smuggling
90. HB-1312 Reorganization Of Gov Energy Office
91. SB-11 Student Voting Rights on CSU Board
92. SB-13 Alternate Dispute Resolution Restorative Mediation
93. SB-23 Commuting in State Vehicles
94. SB-27 Create Colorado Economic Stability Fund
95. SB-32 On-bill Financial Program For Energy Cost Savings
96. SB-35 Prohibit Severance Related Revenue Going to General Fund
97. SB-38 Prohibit Employee Partnership Agreements
98. SB-41 Efficiencies In State Executive Departments
99. SB-49 Ban on Use of Prone Restraints
100. SB-59 Prohibited Ads For Elected State Officials
101. SB-67 Interior Designer regulation
102. SB-70 Spec Ed Students Higher Ed Transitions
103. SB-72 Civil Rights
104. SB-74 Option To Change PERA Contribution Rates
105. SB-97 Optional Posting Of Pub Notice On-line
106. SB-112 No Collective Bargaining By Gov Entity
107. SB-126 Unsubsidized In-state Tuition
108. SB-127 PERA Defined Contribution Plan
109. SB-130 Transparency Bldg Energy Performance
110. SB-131 Smart Grid Task Force bill
111. SB-185 Notice Of Outsourced Jobs In State Contract
112. SB-205 APN Participating Provider Status
113. SB-220 Personal Vehicle Mileage Allowance
114. SB-233 Video Lottery Terminals
115. SB-236 Approve Scenario 5B Air Quality Plan
116. SB-237 Disapprove Hayden Emission Control SIP
117. SB-258 Local Foods To Local Markets

Bills reviewed but removed from tracking list because of a lack of relevancy

118. HB-1013 Exempt Active Military Professional Regulation

119. HB-1019 Exempt School-based Clinics Co-pay
120. HB-1123 Prohibit Severance Related Revenue To General Fund
121. HB-1175 Health Care Prof Transparency Act
122. HB-1212 Lean Gov Principle & Performance Budgets
123. HB-1228 Renewable energy
124. HB-1286 Clarify State Engineer Nontributary Rule Auth
125. SB-005 Benefit corporations
126. SB-166 Uniform Disclaimer Property Interest Act
127. SB-168 Health care cooperatives
128. SB-179 Worker Identification Off-site Work

House Bills

**HOUSE BILL 11-1015
CONCERNING THE LICENSURE OF CERTIFIED PUBLIC ACCOUNTANTS.**

BY REPRESENTATIVE(S) Jones, Court, Duran, Fields, Fischer, McCann, Pace, Schafer S., Solano, Todd, Vigil, Wilson; also SENATOR(S) Tochtrop, Williams S.

Section 2 of the bill specifies that to become licensed pursuant to the applicant's educational and experience qualifications, a certified public accountant (CPA) must take an ethics course and have either one year's experience or 30 hours of additional study. Section 2 also clarifies and reorganizes provisions relating to initial licensure of CPAs.

Sections 1 and 3 remove obsolete language and revise the authority of the state board of accountancy (board) to take disciplinary action.

Section 4 adds registered CPA firms to the persons against whom the board may issue cease-and-desist orders.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/5E993C393E64D3DE872578010060362D?Open&file=1005_enr.pdf

Action Item: Review and be aware that accountants have new educational requirements as listed in 12-2-109 C.R.S.

**HOUSE BILL 11-1026
CONCERNING THE DESIGNATION OF STORM WATER MANAGEMENT SYSTEM ADMINISTRATORS, AND
MAKING AN APPROPRIATION THEREFOR.**

BY REPRESENTATIVE(S) Gerou, Fischer, Gardner B., Looper, Schafer S., Wilson, Waller; also SENATOR(S) Jahn.

For purposes of facilitating compliance with the federal national pollutant discharge elimination system (NPDES) by construction project owners and contractors, the bill:

- Authorizes a nonprofit entity to apply to be a storm water management system administrator by completing an application in such form as the water quality control division may require;
- Establishes criteria for designation and revocation of designation as a storm water management administrator, which must operate as a nonprofit entity;
- Specifies that the department may consider third-party audits conducted pursuant to a storm water management system administrator's program to be part of the MS4 permittee's compliance oversight program required by its CDPS MS4 permit if the MS4 permittee formally utilizes the storm water management system administrator's program that conducted the
- Makes participation in a storm water management system administrator's program strictly voluntary;
- Specifies that the bill does not give a storm water management system administrator regulatory authority or the authority to impose any fine. Also specifies that the bill does not limit the authority of an MS4 to implement an MS4's permit or otherwise supersede the MS4's requirements.
- Authorizes the department of public health and environment to expend moneys in the water quality improvement fund for providing grants for storm water management best practices training.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/1E9F57D2EEAD74F08725780100603292?Open&file=1026_enr.pdf

Action Item: Review the revised law as listed in 25-8-802 and 803 C.R.S. to ascertain if on a voluntary basis each campus with a MS4 designation wants to follow the new requirements of this section of law.

HOUSE BILL 11-1030

CONCERNING MODIFICATIONS TO THE SET ASIDE PROGRAM THAT REQUIRES A STATE AGENCY TO FIRST SOLICIT BIDS FOR CERTAIN SERVICES FROM NONPROFIT AGENCIES THAT EMPLOY PERSONS WITH SEVERE DISABILITIES.

BY REPRESENTATIVE(S) Gardner B., Fields, Kefalas, Kerr J., Labuda, Lee, Liston, Looper, Peniston, Priola, Soper, Stephens, Todd, Vigil, Waller; also SENATOR(S) Boyd, Aguilar, Carroll, Foster, Heath, Morse, Newell, Spence, Williams S.

Pursuant to a set aside program (program) enacted in 2008, a state agency is required to first solicit bids from nonprofit agencies that employ persons with severe disabilities when the agency issues solicitations for certain types of services. The bill makes the following modifications to the program:

- A nonprofit agency must operate in Colorado to be eligible to participate as a vendor in the program; and
- A state agency that awards a solicitation for services to a nonprofit agency pursuant to the program is required to include in the contract with the agency the requirement that the agency must maintain the requirements to participate as a vendor through the program for the entire term of the contract.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/1E9F57D2EEAD74F08725780100603292?Open&file=1026_enr.pdf

Action Item: No action is required for CSU and CSU System office, as both have opted out of the state procurement code and this new legislation does not apply. However, CSU-Pueblo and maybe CSU Global Campus either need to opt out of the state procurement code or comply with the provisions of 24-103, part 8 of C.R.S.

HOUSE BILL 11-1115

CONCERNING THE PAYMENT OF RETAINAGE IN CONSTRUCTION CONTRACTS INVOLVING PUBLIC ENTITIES.

BY REPRESENTATIVE(S) Priola and Soper, Brown, Casso, Gardner B., Kerr A., Liston, Looper, Peniston, Ramirez, Riesberg, Scott, Solano, Swalm, Swerdfeger, Szabo, Wilson; also SENATOR(S) Tochtrop, Cadman, Jahn, Kopp, Renfroe

Currently, a public entity is allowed to withhold payment for up to 10% of the value of completed work on the first half of a construction project to ensure that the work meets specification. The bill changes that amount to 5% of the value of the entire project. A public entity must make a final settlement within 60 days after the contract is completed satisfactorily and finally accepted by the public entity.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/1E9F57D2EEAD74F08725780100603292?Open&file=1026_enr.pdf

[Open&file=1026 enr.pdf](#)

Action Item: Make sure on all projects that compliance is maintained with the new requirements in 24-91-103 C.R.S.

HOUSE BILL 11-1201

CONCERNING MEASURES TO FACILITATE THE ISSUANCE OF EDUCATOR LICENSES.

BY REPRESENTATIVE(S) Hamner, Todd, Massey, Fischer, Kerr A., Peniston, Scott, Solano, Beezley, Brown, Conti, Court, DelGrosso, Duran, Fields, Hullinghorst, Labuda, Nikkel, Pabon, Pace, Priola, Ramirez, Schafer S., Stephens, Summers, Tyler, Wilson; also SENATOR(S) Nicholson and White, Aguilar, Bacon, Boyd, Giron, Guzman, Heath, Hodge, Hudak, Jahn, Kopp, Morse, Newell, Spence, Steadman, Tochtrop, Williams S.

To renew a professional educator license, a licensee must show that he or she completed certain professional development activities. In the process of renewing the license, the department of education (department) checks to ensure that the licensee actually completed the activities and that he or she meets the statutory and regulatory requirements for professional development activities. The bill creates an affidavit of completion of ongoing professional development activities that a licensee seeking renewal will submit with the renewal application. In the affidavit, the licensee affirms under oath that he or she completed the specified activities within the required time frame and that, to the best of the licensee's knowledge; the activities meet the statutory and regulatory requirements. The department is not required to verify the information in the affidavit.

Under current law, the department collects a fee from each person who seeks issuance or renewal of an educator license or endorsement. The money received as fees is annually appropriated to the department to offset the costs of issuing and renewing licenses and endorsements. Under the bill, the money received as fees is continuously appropriated to the department for the next 3 fiscal years. During that time, the department will report annually to the education committees and the joint budget committee concerning its progress in reducing the time for issuing and renewing educator licenses. Any persons the department hires during these 3 years to assist in reducing the backlog of educator licenses must be independent contractors, and the contracts cannot extend beyond June 30, 2014. The bill exempts the renewal of educator licenses from the list of benefits for which a person must demonstrate lawful presence in the state.

Bill Link

[http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/402C1F8F8BD538B68725781C007AA828?
Open&file=1201 enr.pdf](http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/402C1F8F8BD538B68725781C007AA828?Open&file=1201 enr.pdf)

Action Item: This is for informational purposes only to share with affected students and no specific action is required at this time.

HOUSE BILL 11-1202

CONCERNING A REQUIREMENT THAT A PUBLIC ENTITY HAVE APPROPRIATIONS AVAILABLE TO IT PRIOR TO THE PERFORMANCE OF ANY WORK CONDUCTED BY A CONTRACTOR PURSUANT TO A CHANGE ORDER.

BY REPRESENTATIVE(S) Labuda, Casso, Soper, Brown, Fields, Fischer, Schafer S., Wilson; also SENATOR(S) Tochtrop.

The bill requires a clause to be added in all public works contracts to state that appropriations must be available to a public entity prior to the performance of any work conducted by a contractor pursuant to a change order.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/5B52FE7E3764E86787257816007BA677?open&file=1202_enr.pdf

Action Item: Pass this information on to the facility contracting/purchasing department on each campus that there is a new requirement as listed in 24-91-103.6 C.R.S.

HOUSE BILL 11-1211

CONCERNING RESTRICTIONS ON TRAVEL-RELATED EXPENDITURES BY STATE-CHARTERED ENTITIES ON BEHALF OF PERSONS AFFILIATED WITH SUCH ENTITIES.

BY REPRESENTATIVE(S) Pace; also SENATOR(S) Tochtrop, Carroll

The bill prohibits any public entity from making travel-related expenditures on behalf of a board member, officer, or employee of the entity (covered person) in an amount that would exceed, on a daily basis, 2 times the maximum allowable federal per diem rate that governs the location in which the person is traveling, rounded up to the nearest whole dollar, as determined by the United States general services administration, as of October 1 of the calendar year immediately preceding the fiscal year in which the per diem rate is to be used. The bill defines "travel-related expenditures" to mean expenditures made by a public entity to cover expenses incurred by a covered person for lodging, meals, and incidental expenses in connection with travel undertaken by the covered person for business-related purposes. The bill excludes from the definition of this term the actual costs of travel undertaken by the covered person for business-related purposes including, without limitation, airline fares, taxicab fares, automobile rentals, or reimbursement for automobile mileage expenses.

The bill permits a public entity to make:

- Lodging expenditures that are above 2 times the federal per diem for an educational conference where the hotel is hosting the conference and the person or entity organizing the conference selected the hotel; or
- Travel expenditures that are directly related to a program or a business purpose of a state institution of higher education or a state hospital authority.

In connection with these 2 exceptions to the general restrictions required by the bill, the bill requires the public entity to make available for review by its governing body or for public inspection, upon the provision of reasonable notice, itemization of any expenditure satisfying such exceptions to the requirements of the bill.

If the public entity expends moneys on travel-related expenses on behalf of a covered person in excess of the amount authorized, the bill requires the covered person to reimburse the fund of the public entity for the entire sum in excess of the authorized amount.

The bill also prohibits a public entity from making travel-related expenditures on behalf of the spouse or a member of the immediate family of a covered person. In the event a public entity makes travel-related expenditures on behalf of the spouse or a member of the immediate family of a covered person, the covered person is required to reimburse the fund of the public entity for the entire sum spent by the entity on such expenditures.

The bill authorizes any person who believes that a violation of its terms has occurred to file a complaint with the secretary of state. The bill establishes procedures for the adjudication of the complaint. The bill establishes penalties for a violation of its terms, including an order directing the covered person, or the spouse or a member of the immediate family of a covered person, as applicable, on whose behalf illegal travel-related expenditures were made to reimburse the fund of the public entity for some or all of the expenditures in accordance with the requirements of the bill.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/D0455DA4526FCDBB872578160059B53E?open&file=1211_enr.pdf

Action Item: In accordance with the new requirements of 24-19.9-102. C.R.S. concerning restrictions on travel-related expenditures the new requirements do not apply except that the campuses and system office have two obligations. First, to be aware of the fact that if so requested a list of itemized items supporting and expenditure may be required and second, spousal or family member travel is no longer reimbursable.

HOUSE BILL 11-1236

CONCERNING A REPEAL OF THE REQUIREMENT THAT A CERTAIN NUMBER OF GROUP SPECIAL LICENSE PLATES BE ISSUED.

BY REPRESENTATIVE(S) Todd, Court, Fields, McCann, McKinley, Miklosi, Hamner, Labuda, Looper, Ryden, Schafer S.; also SENATOR(S) Williams S.

The bill clarifies that special license plates may be continued to be used even though an organization has not met the threshold requirement that a certain number of people, usually 3,000, have asked for and been issued the special license plate for that organization.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/7E588387D8CBB1A48725780800800E0C?Open&file=1236_enr.pdf

Action Item: No action required but removes issues around license plates for CSU-Pueblo.

HOUSE BILL 11-1241

CONCERNING THE CIRCUMSTANCES IN WHICH A NONPROFIT HOUSING PROVIDER THAT SELLS LOW-COST HOUSING TO LOW-INCOME APPLICANTS WHO ASSIST IN THE CONSTRUCTION OF THE HOUSING IS ENTITLED TO THE PROPERTY TAX EXEMPTION FOR PROPERTY USED STRICTLY FOR CHARITABLE PURPOSES, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

BY REPRESENTATIVE(S) DelGrosso, Court, Fields, Hamner, Holbert, Kefalas, Labuda, Massey, Priola, Schafer S., Summers, Todd, Vigil, Waller; also SENATOR(S) Lundberg, Aguilar, Boyd, Giron, Guzman, Heath, Hodge, Newell, Steadman, Williams S.

For property tax years commencing on or after January 1, 2011

Section 1 of the bill:

- Allows a nonprofit housing provider (provider) to claim the property tax exemption for property used for strictly charitable purposes for a maximum of 5 consecutive property tax years for property upon which the provider intends to construct or rehabilitate housing to be sold to low-income applicants, regardless of whether or not there is actual physical use of the property;
- Allows the state property tax administrator to consider indicators of intent that show off-site progress towards construction or rehabilitation of housing on the property in determining whether a provider satisfies the intent requirement; and
- Requires a provider that is allowed an exemption for any property tax year and that subsequently sells, donates, or leases the property to any person other than a low-income applicant who has assisted in the construction of housing for the applicant's residential use on the property to pay all property taxes that the

provider did not previously pay due to the exemption.

Section 2 of the bill makes an appropriation for the 2011-12 fiscal year of \$845 from the general fund to the department of education, for allocation to assistance to public schools, public school finance for the state share of districts' total program funding.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/7A84D4FEEC86B3708725781D0000CCBF?open&file=1241_enr.pdf

Action Item: The CSU Foundation may want to review this legislation if they ever decide to move forward on student housing issues.

HOUSE BILL 11-1274

CONCERNING THE FUNDING OF COLORADO WATER CONSERVATION BOARD PROJECTS, AND MAKING APPROPRIATIONS IN CONNECTION THEREWITH.

BY REPRESENTATIVE(S) Sonnenberg, Baumgardner, Becker, Brown, Coram, Fischer, Holbert, Labuda, Looper, Nikkel, Pace, Priola, Ryden, Vigil, Wilson; also SENATOR(S) Schwartz, Guzman, King S., Kopp, Nicholson, White.

The bill appropriates the following amounts from the Colorado water conservation board construction fund for the following projects:

- \$300,000 for continuation of the satellite monitoring system maintenance;
- \$175,000 for continuation of the weather modification program;
- \$500,000 for continuation of the Colorado flood plain map modernization program;
- \$250,000 for continuation of the watershed restoration program;
- \$300,000 to restore the flood response fund balance;
- \$200,000 for a water conservation data tracking project;
- \$500,000 to begin implementation of the Arkansas River decision support system;
- \$700,000 to restore the litigation fund cash balance; and
- \$12 million for the second installment of the purchase of Colorado's allotment of Animas-La Plata project water.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/8B80E474455D8D3887257841006EE7DF?Open&file=1274_enr.pdf

Action Item: Pass on this information to the Colorado Water Institute if they do not already have it.

HOUSE BILL 11-1281

CONCERNING HEALTH CARE PROFESSIONAL LOAN FORGIVENESS PROGRAMS ADMINISTERED BY THE PRIMARY CARE OFFICE IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

BY REPRESENTATIVE(S) Joshi, Barker, Fields, Gardner B., Hamner, Kerr J., Labuda, Massey, Miklosi, Pabon, Peniston, Schafer S., Stephens, Todd, Vigil; also SENATOR(S) Boyd, Aguilar, Bacon, Carroll, Giron, Guzman, Heath, Hodge, Johnston, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Williams S.

Under current law, collegeinvest administers the nursing teacher loan forgiveness pilot program to assist nursing faculty in paying off student loans. Additionally, the Colorado commission on higher education (commission) administers the nursing faculty fellowship program, which funds fellowships for persons employed in a nursing school teaching position.

The bill retains the authority of collegeinvest to administer remaining obligations under the current nursing teacher loan forgiveness program, eliminates the authority of collegeinvest to enter into any new loan repayment obligations under the nursing teacher loan forgiveness program, repeals the nursing faculty fellowship program, and expands the health professional loan repayment program, known as the Colorado health service corps, which is administered by the primary care office (office) in the department of public health and environment, to allow nursing faculty and health care professional faculty members serving in qualified faculty positions at educational institutions with accredited nursing or health care professional training programs to obtain loan repayment through the Colorado health service corps.

The membership of the Colorado health service corps advisory council is adjusted to add at least 2 members representing professional nursing organizations, at least 2 advanced practice nurses who hold faculty positions at 2 different educational institutions, and one advanced practice nurse who holds a faculty position at a 2-year educational institution.

The bill retains \$227,000 of the balance in the nursing teacher loan forgiveness fund for purposes of paying outstanding loan repayment obligations and associated administrative costs and transfers the remaining balance in the nursing teacher loan forgiveness fund to the general fund. Additionally, starting July 1, 2011, \$250,000 of the second tier of tobacco settlement moneys are annually allocated to the Colorado health service corps fund and the current allocation to the short-term grants for innovative health program grant fund is reduced by a corresponding amount.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/406435E64A8D60E98725781500271382?Open&file=1281_enr.pdf

Action item: All campuses with healthcare faculty should inform them of this loan forgiveness program for healthcare educators.

House Bill 11-1283

CONCERNING THE EXTENSION OF THE BIOSCIENCE DISCOVERY EVALUATION GRANT PROGRAM.

BY REPRESENTATIVE(S) Gerou and Riesberg, Massey, Brown, Ferrandino, Fields, Fischer, Hamner, Hulinghorst, Jones, Joshi, Kefalas, Kerr J., Labuda, Miklosi, Pabon, Peniston, Ryden, Summers, Todd, Vigil, Wilson, McNulty; also SENATOR(S) Steadman, Aguilar, Bacon, Boyd, Heath, Hodge, Jahn, Morse, Newell, Nicholson, Schwartz, Williams S.

This bill extends the repeal date for the Bioscience Discovery Evaluation Grant program from July 1, 2013, to July 1, 2018.

Bill Link

<http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/C971C5F461D7C78B872578490058B8C7?>

Action Item: Ensure funding from the grant program continues to support CSU projects.

HOUSE BILL 11-1288

CONCERNING UNEMPLOYMENT INSURANCE SOLVENCY REFORM, AND, IN CONNECTION THEREWITH, ENACTING MEASURES TO ENHANCE THE SOLVENCY OF THE UNEMPLOYMENT COMPENSATION FUND, AND MAKING AN APPROPRIATION.

BY REPRESENTATIVE(S) Liston and Pabon, DelGrosso, Gardner D., Holbert, McNulty, Miklosi, Pace, Peniston, Priola, Soper, Swalm, Swerdfeger, Tyler, Williams A., Wilson, Brown, Casso, Duran, Fields, Fischer, Hullinghorst, Jones, Kefalas, Labuda, Lee, Schafer S., Todd, Vigil; also SENATOR(S) Morse, Aguilar, Shaffer B., Tochtrop, Jahn, Harvey, Giron, Newell, Nicholson, Steadman.

The bill makes the following changes to the financing of the unemployment compensation system:

- Increases the taxable wage base from the first \$10,000 to the first \$11,000 in calendar year 2012. Beginning in the first year after solvency of the unemployment compensation system, estimated to be 2014, the taxable wage base will be indexed annually to the percentage change in the state's unemployment insurance average weekly earnings.
- In the first year after solvency is achieved, consolidates 2 of the 3 current assessments (base premium and socialized surcharge) and part of the third (solvency surcharge) into one combined premium and a new solvency surcharge.
- In the first year after solvency is achieved, applies the consolidated premium to a new rate schedule based on employer experience and the balance of the unemployment compensation fund. Reduces the experience component of the new schedule from 50 to 26 intervals. The top and bottom experience factors remain intact and the 2 new employer standard rates are consolidated into one. Creates new unemployment compensation system fund balance intervals, adjusted annually based on a 1.4% solvency standard. Throughout the rate schedule, the stable and proportional increases in rates occur as the unemployment compensation system fund balance is reduced, thereby allowing the unemployment compensation system to generate more revenue during solvency and reducing the burden to employers during insolvency, which usually occurs in difficult economic times for employers.
- In the first calendar year after solvency is achieved, puts in place a premium credit based on a 1.6% solvency standard for employers with a positive experience history and that have paid more into the unemployment compensation system than was charged in benefits during the calendar year in which the 1.6% solvency standard is exceeded.
- Requires the division of employment and training to develop an internet self-service project to allow employers 24/7 access to their account information.
- Requires annual reports to the general assembly on the status of the unemployment compensation fund.
- Clarifies provisions relating to fraud and overpayments to claimants and requires notice to claimants of penalties for fraud and overpayments.

For the implementation of the bill, for the fiscal year beginning July 1, 2011, the bill appropriates \$62,900 from the employment support fund to the department of labor and employment for allocation to the division of employment and training.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/328AD84011835EC6872578410072D86D?open&file=1288_enr.pdf

Action Item: Share this bill with human resources divisions to ensure they understand and have reviewed these reforms to the unemployment compensation system.

HOUSE BILL 11-1289

CONCERNING THE MANNER IN WHICH THE STATE HISTORICAL SOCIETY ACTS WITH REGARD TO WATER SUPPLY STRUCTURES.

BY REPRESENTATIVE(S) Sonnenberg, Acree, Barker, Baumgardner, Becker, Bradford, Brown, Coram, Gerou, Holbert, Joshi, Kerr J., Looper, Massey, McKinley, Murray, Nikkel, Priola, Ramirez, Scott, Summers, Swalm, Vaad, McNulty; also SENATOR(S) Hodge, Guzman, King S., Roberts, White.

Currently, a state agency is prohibited from taking action that may adversely affect a property included or nominated for inclusion in the state register of historic properties (state register) unless the agency first apprises the state historical society (society) of its proposed action. The society may then make recommendations to the agency to modify the proposed action in order to preserve the potentially affected property. Section 2 of the bill creates an exception to this process for the department of natural resources, the department of public health and environment, and their subdivisions when acting with regard to water supply structures.

Under federal law, states with federally approved historic preservation programs (such as Colorado) are responsible for nominating eligible properties to the national register of historic places (national register) and may also request approval from the keeper of the national register (keeper) of documents describing the historical significance of categories of properties by submitting to the keeper multiple property documentation forms. In Colorado, the entity with such nominating and requesting authority is the society. Section 3 requires the society to provide notice to and obtain the consent of every person having a property interest, including an interest in water, in a water supply structure prior to nominating the structure for inclusion in either the state register or the national register. If, within a specified period of time after receiving the notice, such a person objects to the inclusion, the society is prohibited from proceeding with the nomination. Section 3 also requires the society to obtain the approval of the state engineer in the division of water resources under the department of natural resources before requesting approval from the keeper of a document describing the historical significance of a water supply structure.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/4B7D3CC0DAFB7AE3872578420063ABB7?Open&file=1289_enr.pdf

Action Item: Pass along to employees across the system that handle water issues for the various campuses, auxiliary entities and CSU Agencies.

HOUSE BILL 11-1297

CONCERNING THE STATEWIDE INTERNET PORTAL AUTHORITY.

BY REPRESENTATIVE(S) Murray; also SENATOR(S) Cadman

The bill adds state agencies and local governments to the interests to be served by the statewide internet portal authority (authority), in addition to members of the general public. The bill also:

- Directs the authority to enable access to products and services as well as information;
- Allows the authority to fund its activities using revenue derived from the sale of services, products, or information; and
- Strikes current language subjecting the authority to performance audits.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/D6628B9C4AE9BD1B8725786800666407?Open&file=1297_rer.pdf

(final Act not yet available) – I think the final Act is now online.

Action Item: Pass along to IT departments for review.

HOUSE BILL 11-1301

CONCERNING STATUTORY CHANGES TO INCREASE EFFICIENCY IN THE OPERATIONS OF PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

BY REPRESENTATIVE(S) Waller, Gardner B., Murray, Priola, Todd, Fields, Levy, Casso, Schafer S., Stephens, Duran, Fischer, Gerou, Hamner, Hulinghorst, Kerr J., Labuda, Summers, Tyler, Vigil, Wilson, Lee, Massey, Nikkel, Williams A.; also SENATOR(S) Schwartz, Williams S., Aguilar, Guzman, Heath, Newell, Tochtrop.

The first 9 sections of the bill address provisions that directly impact students enrolled at state institutions of higher education (institutions):

- Under current law, an institution may enter into a contract with a student that guarantees the tuition and fee rate that the student will pay for the full time he or she is enrolled in the institution. Section 1 of the bill limits the contracts to addressing only tuition and clarifies that the contracts will take into account the factors addressed in an institution's financial accountability plan.
- Sections 2 through 9 of the bill address student fees. Under existing law, the Colorado commission on higher education (commission) establishes fee policies that the governing boards must follow in setting student fees. These sections of the bill direct the governing boards to adopt fee policies for their respective institutions and specify the minimum requirements for the policies. The commission will still adopt some policies pertaining to the use of student fees and will report annually to the education committees concerning the governing boards' fee policies and the collection and use of student fees. Fees collected by the institutions will not be subject to appropriation. Sections 4 through 9 are conforming amendments.

The next 9 sections of the bill address administrative provisions that increase the institutions' operational flexibility:

- Under current law, an institution must obtain approval from the commission to create certain nonprofit entities. Under section 10 of the bill, the institution may create a nonprofit entity if the institution's governing board finds that creating the nonprofit entity would be in the institution's best interests, and the institution need not obtain the commission's approval.
- Section 11 of the bill authorizes the governing board of an institution that is an enterprise to contract to indemnify and hold harmless a contractor if the contract serves a valid public purpose, the institution's risk is limited, and the benefits of the contract outweigh the risks. The state risk management fund will not be responsible for any liability claims or expenses that may arise as a result of one of these indemnification contracts, and any claims or expenses must be paid solely from institutional revenues.
- Sections 12 and 13 of the bill clarify the responsibilities of each institution in adopting and implementing an information security program. The changes remove the requirements that each program be submitted to the

commission and the state's chief information security officer for comment, but the institutions will annually report to the department of higher education (department) their compliance with the requirements pertaining to the information security program. The department will review and forward the reports to the chief information security officer.

- Sections 14 and 15 of the bill specify that an institution may qualify for a special event liquor permit.
- The current law requires state agencies, including institutions, to use the division of correctional industries in the department of corrections (division) when disposing of surplus state property. Sections 16 and 17 remove institutions from this requirement.
- Under current law, state agencies are required to purchase certain goods and services from the division. Section 18 allows, but does not require, the institutions and the Auraria higher education center to purchase goods and services from the division. In purchasing furniture and office systems, an institution must request a bid from the division and consider the bid on a competitive basis, but the institution is not required to engage in competitive bidding if it chooses to use the division as the sole source supplier for the items.

The next 6 sections of the bill address employee issues:

- Section 19 of the bill amends the list of positions that the president of an institution may exempt from the state personnel system, including adding positions funded by gifts and auxiliary fees. The bill also codifies the regulatory definition of professional employee or staff.
- Current statutes specify limitations on certain contracts for personnel services. Section 20 of the bill exempts from these limitations contracts entered into by an institution so long as the chief executive officer of the institution, or a designee, determines that certain conditions are met for contracts that implicate the state personnel system.
- Section 21 of the bill exempts employees of institutions from the program that recognizes state employees' ideas that improve state government operations.
- Section 22 of the bill authorizes an institution or group of institutions to offer group benefit plans to their classified employees, which plans would be in addition to or in lieu of the group benefit plans approved by the state personnel director.
- Section 23 of the bill authorizes the chief executive officer of an institution to offer an employee incentive program for the institution's employees, including classified employees, as an alternative to the general employee incentive plan offered for state classified employees. An institution's employee incentive program must include most of the elements required for the state plan.
- Section 24 of the bill adds Fort Lewis college to the list of institutions that are exempt from the requirement of having due process procedures for faculty members who are exempt from the state personnel system.

The last 7 sections of the bill address issues pertaining to capital construction and facilities:

- Sections 25 and 26 of the bill clarify that the streamlined review process for cash-funded capital construction projects for institutions applies to projects approved prior to January 1, 2010, and that the 2-year capital improvements project projection that includes the project may be amended and is not subject to additional review or approval.
- Sections 27 and 28 of the bill provide that, for cash-funded capital construction or acquisition projects that are subject to the streamlined review process, the governing board is required to submit only an annual expenditure report to the state controller and not quarterly reports.
- Section 29 of the bill clarifies that, if an institution funds a capital construction project using a combination of nonstate moneys and state appropriations, the institution, at any time prior to or after receiving the nonstate

moneys, may receive the moneys appropriated from the capital construction fund.

- The current statutes assign certain duties to the department of personnel with regard to state capital construction projects, including the purchase of land and the purchase of scientific equipment. Section 30 of the bill exempts from these duties purchases of scientific equipment by an institution or by the Auraria higher education center if the purchases do not involve state-appropriated capital construction moneys.
- Section 31 of the bill removes the limits on how an institution may use any surplus of income, fees, and revenues that were pledged as security for repayment of an advance of moneys to build or equip an auxiliary facility, which surplus exists after the advance of moneys is repaid; except that the governing board must go through the capital construction review process if it uses the surplus on a project that exceeds \$2 million.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/3DF6454C7E1E0EF187257808008011E6?open&file=1301_enr.pdf

Action Item: The CSU System office will lead a group of campus representatives to start to work through each of these issues and determine how best to implement them.

House Joint Resolution 11-1010

CONCERNING RECOGNITION OF AND APPRECIATION FOR 141 YEARS OF EDUCATION, RESEARCH, AND SERVICE BY THE COLORADO STATE UNIVERSITY SYSTEM.

BY REPRESENTATIVE(S) Nikkel, Fischer, Kefalas, DelGrosso, Acree, Balmer, Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, Court, Duran, Ferrandino, Gardner B., Gardner D., Gerou, Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kerr A., Kerr J., Labuda, Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray, Pabon, Pace, Peniston, Priola, Ramirez, Riesberg, Ryden, Schafer S., Scott, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, McNulty; also SENATOR(S) Bacon, Lundberg, Aguilar, Boyd, Brophy, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Kopp, Lambert, Mitchell, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Shaffer B. Spence, Steadman, Tochtrop, White, Williams S.

WHEREAS, The Colorado State University System consists of three campuses with distinct roles and missions to serve the people of Colorado; and

WHEREAS, Those campuses are joined in their commitment to provide Coloradans with affordable access to an exceptional education; and

WHEREAS, The system's flagship school, Colorado State University in Fort Collins, was founded in 1870 as the Agricultural College of Colorado, six years before the Colorado Territory achieved statehood; and

WHEREAS, On February 11, 2011, Colorado State University celebrates 141 years of providing life-changing educational experiences to nearly 230,000 graduates; and

WHEREAS, The university first opened its doors to students with just three faculty members, including President Elijah Edwards, and, from these humble origins, has developed into a world-class university system;
And

WHEREAS, The Colorado State University System was created in 1985 under the leadership of the Board of Governors (originally the State Board of Agriculture) and today includes Colorado State University in Fort Collins, Colorado State University - Pueblo, and the Colorado State University Global Campus; and

WHEREAS, As Colorado's only land-grant institution and the largest employer in northern Colorado, Colorado State University in Fort Collins consistently ranks among the top public universities in the United States in terms of educational quality and affordability and stands as one of the nation's premier research universities, maintaining world-leading programs in fields such as veterinary medicine, natural resources, agricultural science, and engineering; and

WHEREAS, Colorado State University in Fort Collins serves the state's many natural resource needs through its service agencies, which include the Colorado State Forest Service, Colorado State University Extension, the Colorado Agricultural Experiment Station, and the Colorado Water Institute; and

WHEREAS, Colorado State University - Pueblo, founded in 1933, has had an extraordinary impact on the social, cultural, and economic development of southern Colorado for nearly 80 years, and has transformed the city of Pueblo; and

WHEREAS, Forty percent of the more than 5,000 students currently taking classes at Colorado State University - Pueblo are members of minority populations; further, the campus landscape has changed dramatically in recent years serving more resident students with new facilities; and

WHEREAS, Colorado State University - Pueblo is the only university in the state that bears the Hispanic-serving Institution designation by the United States Department of Education, meaning that 25% of its student body is of Hispanic descent, and the school's student body is one of the fastest-growing in the state, having achieved its third straight year of welcoming more than 1,000 incoming freshmen; and

WHEREAS, Colorado State University - Global Campus is the first statutorily independent, fully on-line public university in the country, providing nontraditional adult students with an affordable opportunity to complete bachelor's and master's degrees in fields that address changing workforce needs while allowing those students flexibility and convenience that fits their varied lifestyles; and

WHEREAS, The Colorado State University campuses and their respective Colorado-based graduates are economic drivers that account for more than \$4.2 billion in statewide household income; and

WHEREAS, Colorado State University campuses excel in workforce education, with total research activity exceeding \$315 million in funding, resulting in 30 new start-up businesses employing more than 2,500 Coloradans, most notably in the fields of clean and renewable energy and infectious disease; and

WHEREAS, The Colorado State University System is unlike any other university system in the nation, offering different learning environments, a range of educational opportunities, diverse student populations, and an emphasis on innovative, hands-on learning experiences, which attract more than 37,000 new and returning, undergraduate and graduate scholars annually; and

WHEREAS, The Colorado State University campuses graduate more than 6,800 highly skilled students a year, and more than 200,000 alumni contribute to their communities around the world, including nearly 115,000 alumni who live and work in the state of Colorado; now, therefore,

Be It Resolved by the House of Representatives of the Sixty-eighth General Assembly of the State of Colorado, the Senate concurring herein:

That we, the members of the Sixty-eighth General Assembly, acknowledge the remarkable contributions Colorado State University in Fort Collins, Colorado State University - Pueblo, and Colorado State University - Global Campus make every day to Coloradans and to societies around the nation and world; and

That, in appreciation of Colorado State University's 141 years of outstanding work in education, research, and service, we hereby declare February 11, 2011, to be Colorado State University Founders Day.

Be It Further Resolved, That copies of this Joint Resolution be sent to the members of the Colorado State University System Board of Governors; Joe Blake, Chancellor, Colorado State University System; Dr. Tony Frank, President, Colorado State University in Fort Collins; Dr. Julio Leon, Interim President, Colorado State University - Pueblo; and Dr. Becky Takeda-Tinker, President, Colorado State University - Global Campus.

Resolution Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/B45DB601D9898F2A8725781600585DE1?Open&file=HJR1010_enr.pdf

SENATE BILLS

SENATE BILL 11-040

CONCERNING THE REQUIREMENT THAT A COACH OF AN ORGANIZED YOUTH ATHLETIC ACTIVITY FOLLOW CONCUSSION GUIDELINES, AND, IN CONNECTION THEREWITH, CREATING THE "JAKE SNAKENBERG YOUTH CONCUSSION ACT".

BY SENATOR(S) Spence and Newell, Aguilar, Boyd, Guzman, Heath, Hudak, Johnston, Nicholson, Schwartz, Shaffer B., Tochtrop, White, Giron, King S.; also REPRESENTATIVE(S) Summers and Todd, Casso, Fields, Fischer, Hamner, Hullinghorst, Labuda, Peniston, Ryden, Solano, Soper, Vigil, Williams A.

The bill creates the "Jake Snakenberg Youth Concussion Act". Each public and private middle school, junior high school, or high school, and each private club or recreation facility is directed to require each coach with primary supervisory responsibility for a youth athletic activity to complete an annual concussion recognition education course. The education course must include:

- Information on how to recognize the signs and symptoms of a concussion;
- The means of obtaining proper medical attention for a person suspected of having a concussion; and
- Information on the nature and risk of concussions.

If the coach suspects that a youth athlete has sustained a concussion, the bill requires the coach to immediately remove the youth athlete from a game, competition, or practice. Unless the signs or symptoms of a concussion can be readily explained by another condition, the youth athlete is not permitted to return any supervised team activities involving physical exertion, including games, competitions, or practices unless the youth athlete has been evaluated by a health care provider and has received written clearance to return to play from the health care provider. A registered athletic trainer may be permitted to manage the graduated return to play and provide clearance to the return to play after the concussed athlete has been evaluated by a health care provider and has been released to the care of the athletic trainer.

The bill provides limited immunity to public entities and public employees, volunteers and board members, and ski operators.

A youth athletic activity includes an organized athletic activity where the majority of the participants are 11 years of age or older and under 19 years of age.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/A9CE9CEE12645CAA8725780800800D80?Open&file=040_enr.pdf

Action Item: Make sure appropriate staffs in student life and athletics are aware of this new law and the requirements surrounding it.

SENATE BILL 11-047

CONCERNING FUNDING TO SUPPORT INNOVATIVE INDUSTRIES, AND, IN CONNECTION THEREWITH, CREATING THE "COLORADO BIOSCIENCE AND CLEAN TECHNOLOGY INNOVATION REINVESTMENT ACT".

BY SENATOR(S) Heath, Aguilar, Bacon, Boyd, Foster, Giron, Guzman, Jahn, Newell, Nicholson, Schwartz, Steadman, Williams S., Johnston; also REPRESENTATIVE(S) Gerou and Riesberg, Fischer, Kefalas, Labuda, Miklosi, Pace, Ryden, Schafer S., Todd, Vigil, Williams A., Wilson.

This bill redirects 50 percent of the growth of state income tax withholdings from specific Colorado businesses toward a cash fund dedicated to the clean technology industry. It also extends until 2024 the grant program related to this industry.

Under this bill, the program and corresponding cash fund will receive revenue generated by the tax withholding. The fund is operated under the Office of Economic Development and International Trade (OEDIT) and is summarized below:

Clean Technology Research Program. The program, created in 2009, dispenses grant money to companies in renewable energy, electric motors, and lighting, among other related areas. Grants can be awarded up to \$50,000 to an office of technology transfer, and up to \$150,000 for an early stage clean technology company.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/991BA86680154EE68725780100603481?open&file=047_enr.pdf

Action Item: Work closely with the OEDIT to ensure maximum funding for eligible clean technology programs at CSU.

SENATE BILL 11-052

CONCERNING EXPECTATIONS FOR HIGHER EDUCATION INSTITUTIONS IN COLORADO, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

BY SENATOR(S) Heath, Bacon, King K., Nicholson, Williams S.; also REPRESENTATIVE(S) Massey and Ferrandino, Casso, Court, Duran, Fields, Hamner, Kefalas, Kerr A., Labuda, Lee, McCann, Miklosi, Pace, Peniston, Riesberg, Schafer S., Stephens, Summers, Todd, Tyler, Vigil, Williams A.

The bill includes a legislative declaration concerning the areas of focus for the statewide system of higher education and the intent of the general assembly to provide rewards for institutions of higher education that make progress in these areas.

The bill extends to September 1, 2012, the deadline for the Colorado commission on higher education (commission) to develop and submit to the governor and the general assembly the new master plan for the state system of higher education. The bill adds consideration of the importance of private and proprietary institutions with regard to higher education in the state to the existing list of issues to be considered in the master plan. The bill also adds to the list of minimum goals to be addressed in the master plan, increasing the overall number of degrees and certificates issued and addressing opportunities for students with disabilities to participate in postsecondary education.

When the commission finishes the draft master plan, the governing boards will have 30 days, rather than 14, to review it and suggest revisions. The commission is required to discuss and consider any suggested revisions it receives.

The commission will implement the master plan by renegotiating with the governing boards the performance contract for each institution of higher education (institution) to include goals and expectations that are individualized for the institution. The renegotiated contracts must be completed by December 1, 2012. The commission will work with the department of higher education (department), the governing boards, and the institutions to collect state and national data to inform the master plan.

By December 1, 2013, the commission will create a performance-based funding plan (funding plan) by which to appropriate to each governing board, including those of the junior colleges and area vocational schools, a portion of the performance funding amount for the applicable state fiscal year based on the demonstrated success of the institutions controlled by the governing board in meeting the goals and expectations in their performance contracts. The funding plan must specifically address how it will affect the college opportunity fund stipends and the fee-for-service contracts and must ensure that the performance funding is based solely on performance and does not take into account an institution's other funding sources. The commission will recommend to the education committees the necessary statutory changes to implement the funding plan.

After the 2015-16 state fiscal year, in each year in which the general assembly appropriates at least \$706 million in general fund moneys to the state system of higher education, the general assembly will appropriate 25% of the amount by which said general fund appropriation exceeds \$650 million to the governing boards based on the performance of the boards' respective institutions in meeting their goals and expectations. The commission will recommend to the joint budget committee the portion of performance-based funding that each governing board should receive.

Beginning with the new performance contracts, the department will negotiate performance contracts with the junior colleges and the area vocational schools to serve as a basis for performance funding.

The bill repeals the "Higher Education Quality Assurance Act". Sections 6 through 9 of the bill make conforming amendments. For the 2011-12 fiscal year, the bill adjusts the annual appropriations act by transferring from the line item for financial aid, need-based grants to the line item for the department \$251,769 and 2.0 FTE.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/63B087D7A1DC83D687257801006051AC?open&file=052_enr.pdf

Action Item: The CSU System Office working closely with each campus will participate in multiple committees at the Department of Higher Education drafting the numerous plans required by current and reorganized law under this bill. System staff will ensure adequate input from the campus community and Board of Governors on issues

which arise.

**SENATE BILL 11-060
CONCERNING THE ALCOHOL CONTENT OF ALCOHOL BEVERAGES THAT ARE AVAILABLE FOR
CONSUMPTION ON A LICENSED PREMISES.**

BY SENATOR(S) Boyd and White, Aguilar, Foster, Heath, Kopp, Schwartz, Williams S.;
also REPRESENTATIVE(S) Gardner B. and Kerr A., Balmer, Duran, Fischer, Gerou, Hamner, Holbert, Kerr J.,
Labuda, Liston, McCann, Murray, Nikkel, Pace, Tyler, Vigil, Waller, Williams A., Wilson.

Under current law, persons licensed under the "Colorado Liquor Code" to sell malt, vinous, or spirituous liquors for on-premises consumption are not permitted, pursuant to that license, to sell fermented malt beverages, also referred to as "low-alcohol-content beer" or "3.2 beer".

The bill would permit all persons licensed to sell malt, vinous, or spirituous liquors for on-premises consumption to also sell low-alcohol-content beer for consumption on the licensed premises.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/E087600AACBA15E487257808008004D6?Open&file=060_enr.pdf

Action Item: Ensure that affected employees and vendors are aware of this new law at each physical campus.

**SENATE BILL 11-062
CONCERNING THE ADMINISTRATIVE DUTIES OF THE OFFICE OF INFORMATION TECHNOLOGY.**

BY SENATOR(S) Cadman, Lambert, Newell, Schwartz, Williams S.; also REPRESENTATIVE(S) Murray, Fields, Holbert, Kerr J., Labuda, Nikkel, Ramirez, Stephens, Wilson.

This bill modifies several statutes related to the Governor's Office of Information Technology (OIT). It allows the OIT to approve all information technology (IT) procurements for state agencies, and to acquire and manage statewide communication and IT infrastructure. The chief information security officer (CIO) of the OIT will develop standards for teleconferencing facilities and services, and must be notified in the event of a security breach.

State agencies, the Department of Higher Education, and institutions of higher education are required to develop annual IT security plans and submit them to the CIO for approval. The OIT may suspend IT resources if a security plan is not submitted or approved. The legislative branch is directed to develop a separate IT security plan each year and submit it to the legislative service agency directors for review and comment before it is submitted to the CIO. Information about information security risks and the IT security plan is to be shared with legislative employees, administrators, and users on a regular basis.

The bill also modifies several provisions concerning OIT funding. The Telecommunications Revolving Fund and Computer Services Revolving Fund are eliminated, with their fund balances and revenue redirected to the Information Technology Revolving Fund.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/066E24FAF5A2D51A8725780800800991?Open&file=062_enr.pdf

Action Item: IT departments need to be aware of the new requirements around an "IT security plan" contained in 24-37.5-404.5. C.R.S. and develop or update current plans to be in compliance. Other requirements in the bill should also be noted.

SENATE BILL 11-076

CONCERNING THE CONTINUATION OF A TEMPORARY MODIFICATION TO THE CONTRIBUTION RATES FOR CERTAIN DIVISIONS OF THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION, AND MAKING AN APPROPRIATION THEREFOR.

BY REPRESENTATIVE(S) Becker, Gerou, Ferrandino, Brown, Holbert, Joshi, Kerr J., Liston, Murray, Stephens, Swalm, Waller. ; also SENATOR(S) Steadman, Hodge, Lambert.

The employer and member contribution rates for the public employees' retirement association (PERA) are specified in statute. For the 2010-11 state fiscal year, the general assembly decreased the employer contribution rate for employers in the state and judicial divisions of PERA by 2.5% and increased the member contribution rate for employees in the state and judicial divisions of PERA by 2.5%. The bill extends these changes to the employer and member contribution rates for the 2011-12 state fiscal year. For the 2011-12 state fiscal year, the contribution rates will remain changed as follows:

- For the state division, except state troopers, the employer contribution rate is decreased from 10.15% to 7.65% of salary and the member contribution is increased from 8% to 10.5% of salary.
- For state troopers, the employer contribution rate is decreased from 12.85% to 10.35% of salary and the member contribution rate is increased from 10% to 12.5% of salary.
- For the judicial division, the employer contribution rate is decreased from 13.66% to 11.16% of salary and the member contribution rate is increased from 8% to 10.5% of salary.

The bill does not impact the employer or member contribution rates for any of the other divisions of PERA.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/12EFFCC387624EE187257816005ECC55?open&file=076_enr.pdf

Action Item: Ensure that all classified state employees are aware of the fact that once again they must pay the increase in the statutorily required PERA contribution themselves instead of the employer covering this increased contribution rate.

SENATE BILL 11-082

CONCERNING THE AUTHORITY OF THE STATE AUDITOR TO CONDUCT AUDITS OF SECURITY SYSTEMS USED FOR INFORMATION TECHNOLOGY OPERATED BY THE STATE.

BY SENATOR(S) King S., Carroll, Renfroe, Tochtrop, Foster, Giron, Guzman, Heath, Kopp, Newell, Nicholson, Schwartz, Steadman, White; also REPRESENTATIVE(S) Acree, Gardner D., Kerr J., Miklosi, Conti, Labuda, Pace, Stephens, Summers, Wilson.

In addition to any other duties granted by law, section 1 of the bill authorizes the state auditor (auditor) to assess, confirm, and report on the security practices of all of the information technology systems maintained or administered by all departments, institutions, and agencies of state government, including educational institutions and the judicial and legislative branches. The bill also authorizes the auditor to perform similar or related duties with respect to political subdivisions of the state where the auditor has been granted authority to perform financial

or performance audits with respect to such political subdivisions. In order to perform such duties, the bill authorizes the auditor to conduct penetration or similar testing of computer networks or information systems of the state or a political subdivision, as applicable, assess network or information system vulnerability, or conduct similar or related procedures to promote best practices with respect to the confidentiality, integrity, or availability of information systems technology as the auditor deems necessary in his or her discretion. In conducting such testing, the bill authorizes the state auditor to contract with auditors or information technology security specialists, or both, that possess the necessary specialized knowledge and experience to perform the required work. The bill specifies that the authority of the state auditor, with respect to such information technology system audits, shall be coextensive with the auditor's existing authority. Section 1 of the bill also imposes certain requirements applicable to any testing or assessment of security practices and procedures concerning information technology conducted or caused to be conducted by the auditor.

Section 2 of the bill prohibits the results of any audit or evaluation of information technology systems that are precluded from disclosure under the open meetings law from being released to the public in connection with any such audit or evaluation.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/60E0E3C46A215AEE87257808008048EF?Open&file=082_enr.pdf

Action Item: Campuses and internal auditing need to be aware of the expansion of the State Auditor's Office duties contained in this bill and be ready for audits of this type.

SENATE BILL 11-090

CONCERNING THE CONTINUATION OF THE ISSUANCE OF PERMITS FOR WEATHER MODIFICATION OPERATIONS, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE SUNSET REVIEW RECOMMENDATIONS OF THE DEPARTMENT OF REGULATORY AGENCIES.

BY SENATOR(S) Schwartz, Giron, Guzman; also REPRESENTATIVE(S) Baumgardner, Coram, Fields, Fischer, Hamner, Kerr J., Wilson.

The bill implements one of the recommendations made by the department of regulatory agencies (DORA) in DORA's 2010 sunset review of the "Weather Modification Act of 1972" (act) by requiring the executive director of the department of natural resources to adopt rules by June 30, 2012. The bill also continues the act until September, 2018.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/04EB7509B6B3DA958725781F00617607?Open&file=090_enr.pdf

Action Item: No action required

SENATE BILL 11-091

CONCERNING CONTINUATION OF THE STATE BOARD OF VETERINARY MEDICINE, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE SUNSET REVIEW OF THE BOARD AND ITS FUNCTIONS.

BY SENATOR(S) Brophy, Guzman, Jahn, Aguilar, Giron, Hodge, Schwartz, Tochtrop; also REPRESENTATIVE(S) McKinley, Fields, Fischer, Hamner, Labuda, Pace, Todd, Tyler, Vigil, Wilson.

The bill implements the recommendations contained in the sunset review and report of the state board of veterinary medicine (board) as follows:

Sections 1, 2, and 3 of the bill continue the board and its functions for 11 years, until September 1, 2022.

Sections 4, 5, and 6 create an exemption to the veterinarian-client-patient relationship requirement for the dispensing of prescription drugs in emergency situations when the veterinarian who has the relationship with the animal and its owner does not have access to the prescription drug needed. The bill would allow, in limited circumstances and subject to board rules, a 2nd veterinarian who has access to the prescription drug to dispense the drug for the animal, even though that veterinarian lacks a veterinarian-client-patient relationship with the animal and its owner. The 2nd veterinarian would not be subject to discipline for administering the drug without a veterinarian-client-patient relationship if the drug is administered pursuant to the limited exception.

Section 4 also exempts from the licensing requirements of the "Colorado Veterinary Practice Act" the practice of animal physical therapy by a licensed physical therapist in accordance with the "Physical Therapy Practice Act" and specifies that an unlicensed person may assist in a surgical procedure if the person is under the immediate supervision of a licensed veterinarian who is responsible for the person's performance.

Sections 7 and 8 relocate, recodify, and simplify the provision authorizing a licensed veterinarian to establish or own shares in a corporation for the practice of veterinary medicine. The practice of veterinary medicine by a corporation must be performed by or under the supervision of a licensed veterinarian, and the corporation and its lay directors, officers, and shareholders cannot exercise any authority over the independent medical judgment of licensed veterinarians practicing veterinary medicine by or on behalf of the corporation.

Section 8 also creates a requirement that all veterinary clinics have a Colorado-licensed veterinarian designated as responsible for veterinary medical decisions and care provided to a patient present in the facility and designated as responsible for the veterinary premises. Additionally, the board is authorized to impose a fine on a corporate veterinary practice for failing to designate a licensed veterinarian as responsible for the veterinary premises at all times when a patient is present on the premises. Finally, section 8 establishes a peer assistance program for veterinarians to allow those veterinarians impaired by a physical, emotional, or psychological condition to obtain assistance and intervention to correct the condition and continue their practice.

Section 9 directs the board to develop a uniform system and schedule of fines that it may impose for violations of the practice act regulating veterinarians.

Section 10 modifies the grounds for discipline as follows:

- Eliminates failure to display a license as grounds for disciplining a licensed veterinarian;
- Removes the reference to addiction or dependence on alcohol or drugs and instead allows discipline based on one's use or abuse of those substances;
- Permits discipline if a person engages in the practice of veterinary medicine while his or her license is expired; and
- Adds failure to respond to a complaint, failure to update contact information, and failure to properly supervise staff or students as grounds for discipline.

Section 11 modifies the definition of "veterinarian-client-patient relationship" (VCPR) to allow the veterinarian in the relationship to arrange for emergency coverage by another veterinarian to provide follow-up evaluation in the event the primary veterinarian is not available for the follow-up care. Section 11 also defines the terms "client", "direct supervision", "immediate supervision", and "patient" for purposes of further clarifying the VCPR and a licensed veterinarian's responsibilities when supervising unlicensed persons.

Section 13 imposes a 2-year waiting period for a veterinarian whose license has been revoked. Section 12 allows

the board to suspend the license of a veterinarian for failure to comply with an order of the board and to continue the suspension until the veterinarian complies.

Section 14 repeals the requirement for notice and hearing before the governor may remove a board member.

Sections 15 through 27 implement technical changes recommended in the sunset report and by the board, including the following:

- Clarifying the process for applying and the qualifications for licensure, the authority of the board to deny a license or grant a license subject to probation, and the ability of an applicant to seek review of the board's decision on the license application;
- Modifying provisions governing inactive status of a license;
- Prohibiting a veterinary student from participating in the operation of a branch office, clinic, or allied establishment unless he or she is under the direct supervision of a licensed veterinarian.

Technical amendments also appear in numerous other sections of the bill.

Section 28 appropriates the following amounts from the division of registrations cash fund:

- \$7,673 to the division of registration in the department of regulatory agencies (department) for personal services and operating expenses necessary for the implementation of the bill; and
- \$4,402 to the executive director's office and administrative services in the department for legal services, and such moneys are reappropriated to the department of law for the provision of legal services to the department of regulatory agencies.

The bill takes effect July 1, 2011.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/26B89AA74EAC4F518725781E00835AC5?open&file=091_enr.pdf

Action item: Campus staff should send to appropriate staff to ensure they understand the numerous changes implemented in this new legislation.

SENATE BILL 11-100

CONCERNING CONTINUATION OF THE COUNCIL OF HIGHER EDUCATION.

BY SENATOR(S) Hudak and King K., Schwartz, Williams S.; also REPRESENTATIVE(S) Murray, Conti, Fields, Fischer, Hamner, Holbert, Labuda, Massey, Priola, Stephens, Summers, Todd, Wilson.

This bill implements the recommendations of the Department of Regulatory Agencies' (DORA) 2010 Sunset Review of the Council of Higher Education Representatives. The bill continues the program until July 1, 2016.

The bill removes the requirement that student representatives be included in the council's membership and instead requires that the Colorado Commission on Higher Education (CCHE) consult with the governing boards when convening representatives to the council. The council is required to establish a process through which it will seek input from and consult student organizations when considering articulation agreements, or reviewing general education courses common to all institutions of higher education. The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/5DE5FB6257B3A0B1872578250079E00E?Open&file=100_enr.pdf

Action Item: The bill was amended to address concerns by CSU on the make-up of those serving on the Council. With that correction no further action should be required.

**SENATE BILL 11-101
CONCERNING THE CONTINUATION OF THE FIXED TUITION AND FEE RATE
PROGRAM.**

BY SENATOR(S) Spence, Bacon, Heath, Johnston, King K.; also REPRESENTATIVE(S) Swalm, Casso, Gerou, Jones, Kerr J., Labuda, Ramirez, Summers.

Pursuant to the recommendations of the department of regulatory agencies, the bill continues the fixed tuition and fee rate program without a future sunset review date.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/A964133F6415DE59872578250075D933?open&file=101_enr.pdf

Action Item: No action required unless CSU or CSU Pueblo want to establish such a program.

**SENATE BILL 11-109
CONCERNING THE CREATION OF A VOLUNTARY CONTRIBUTION DESIGNATION BENEFITING THE
PUBLIC EDUCATION FUND TO APPEAR ON THE STATE INDIVIDUAL INCOME TAX RETURN FORMS.**

BY SENATOR(S) Shaffer B., Aguilar, Bacon, Giron, Guzman, Heath, Hudak, Newell, Nicholson, Schwartz, Steadman, Williams S.; also REPRESENTATIVE(S) Solano, Duran, Fields, Fischer, Hamner, Jones, Kerr A., Labuda, Massey, Miklosi, Pabon, Pace, Ryden, Schafer S., Todd, Vigil, Williams A.

For income tax years commencing on or after January 1, 2011, but before January 1, 2021, the bill allows a voluntary contribution designation line for the public education fund (fund) to appear on the individual state income tax form if a line becomes available.

The department of revenue must determine annually the total amount designated to the fund and report that amount to the state treasurer and the general assembly. The state treasurer shall credit that amount to the fund.

Finally, the general assembly must appropriate annually from the fund to the department of revenue its costs of administering contributions to the fund. All moneys remaining in the fund at the end of a fiscal year shall be appropriated to the department of education and the department of higher education as specified.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/3311C7596869A9FD87257808008009AC?open&file=109_enr.pdf

Action Item: The CSU System office will work closely with the Department of Higher Education on a distribution formula for money, if any, deposited in the fund as a result of the income tax checkoff. It may however end up

supplementing financial aid.

**SENATE BILL 11-110
CONCERNING A REQUIREMENT THAT CERTAIN BOARDS OF COUNTY COMMISSIONERS DEVELOP AN
OPEN BURNING PERMIT SYSTEM FOR THE PURPOSE OF SAFELY DISPOSING OF SLASH.**

BY SENATOR(S) Nicholson, Foster, Guzman, Schwartz; also REPRESENTATIVE(S) Coram, Fischer, Gerou, Hamner, Jones, Kerr J., Labuda, Levy, Peniston, Stephens, Todd, Wilson.

The bill requires counties with substantial forested area, as determined by the State Forester, to develop an open burning permits system for unincorporated areas of the county by January 1, 2012. A conforming open burning permit system accommodates the disposal of slash, as defined by the bill. The bill requires affected county governments to collaborate with local jurisdictions, sheriffs, and other agencies and to develop an education plan concerning slash pile burning. Counties developing a permit system must consider existing laws and scientific and applied knowledge of safe burning conditions, and include mechanisms to notify neighbors and individuals with respiratory conditions of permitted burns.

Counties with an existing open burning permit system are exempt from the bill's requirements until the board of county commissioners alters the existing permit system. The bill also exempts prescribed burns that follow federal and state guidelines and preserves the existing rights of agricultural producers to conduct burning on their property.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/A14F132395894866872578010060488E?Open&file=110_enr.pdf

Action Item: Pass along this information to the State Forest Service and other interested parties.

**SENATE BILL 11-111
CONCERNING CREATION OF A TASK FORCE TO ADDRESS THE PROVISION OF EDUCATIONAL
SERVICES TO SUPPORT STUDENTS' ACADEMIC SUCCESS.**

BY SENATOR(S) King K., Heath, Johnston, Nicholson, Renfroe, Spence, Aguilar, Jahn, Lambert, Schwartz, White, Williams S., Bacon; also REPRESENTATIVE(S) Massey, Fields, Fischer, Hamner, Jones, Labuda, Lee, Nikkel, Pace, Schafer S., Solano, Stephens, Todd, Vigil, Wilson.

The bill creates the educational success task force (task force). The task force will include legislative members appointed by leadership in the senate and the house of representatives and members from the education sector appointed jointly by the state board of education (state board) and the Colorado commission on higher education (commission). In addition to members of the general assembly, the task force will consist of experts in education, especially in intervention strategies and remedial education, parents, teachers, and other representatives of school districts, public schools, and institutions of higher education.

The task force will review the junctures within a student's academic career at which intervention education services are critical to the student's success; best practices and strategies for providing intervention education services at the elementary and secondary education levels and remedial education at the postsecondary level; the use of the individual career and academic plans; alternative strategies to social promotion; and potential changes to rules, guidelines, and statutes to improve the use of intervention education services to ensure students graduate from high school, demonstrating postsecondary and workforce readiness, and to improve remedial

education at the postsecondary level. In fulfilling its duties, the task force will work with the education leadership council created by the governor and may respond to the council's requests for information, findings, and reports on topics that are complementary to those assigned to the task force.

The task force will submit a first report of its findings and recommendations to the state board and the commission by July 1, 2012, and may submit a second report prior to July 1, 2013. The state board and the commission will publish the reports on their respective web sites and publicize the reports to the school districts, public schools, and institutions of higher education in the state. The task force will report to the education committees prior to January 31 in both the 2012 and the 2013 regular legislative sessions. In addition, the task force may recommend legislation to the legislative council for consideration as interim committee bills. The task force is repealed, effective July 1, 2013.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/0216DB5B1A8D04D9872578250057DEF1?open&file=111_enr.pdf

Action Item: CSU System office will monitor and attend meetings and call on campus support for ideas and input as needed

SENATE BILL 11-115

CONCERNING THE AUTHORITY OF THE STATE AUDITOR TO AUDIT STATE GOVERNMENTAL ENTITIES.

BY SENATOR(S) Carroll, Aguilar, Bacon, Boyd, Foster, Giron, Guzman, Heath, Morse, Newell, Nicholson, Schwartz, Steadman, Tochtrop; also REPRESENTATIVE(S) Miklosi, Fields, Jones, Labuda, Pabon, Pace, Peniston, Ryden, Todd, Wilson.

The bill gives the state auditor authority to conduct, or cause to be conducted, post audits of financial transactions and accounts as well as performance post audits of any state special purpose authority and any state entity designated as an enterprise as defined in the state constitution. Some specific authorities and entities of these types already have laws concerning audit review; however, the bill gives the auditor authority to audit all such authorities and entities, except any special purpose authority or state entity whose governing body includes the state auditor as an ex officio member or any hospital that is subject to audit under the "Colorado Medical Assistance Act" or Medicare.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/2B7BEA9D3F1FADCB8725780800804150?Open&file=115_enr.pdf

Action Item: No immediate action necessary just want campus representatives aware of this law.

SENATE BILL 11-159

CONCERNING THE DISTRIBUTION OF FIFTY PERCENT OF THE BALANCE REMAINING IN THE LIMITED GAMING FUND THAT IS ALLOCATED TO THE STATE GENERAL FUND OR SUCH OTHER FUND AS THE GENERAL ASSEMBLY PROVIDES AS SPECIFIED IN SECTION 9 (5) (b) (II) OF ARTICLE XVIII OF THE STATE CONSTITUTION, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

BY SENATOR(S) Steadman, Hodge, Lambert; also REPRESENTATIVE(S) Ferrandino, Becker, Gerou, Murray.

The 2010-11 budget balancing bill. Section 1 of the bill repeals and reenacts the statute related to the distribution

of 50% of the balance remaining in the limited gaming fund that is allocated to the state general fund or such other fund as the general assembly provides as specified in section 9 (5) (b) (II) of article XVIII of the state constitution.

The effects and intentions of the repeal and reenactment are:

- To remove certain triggers and exceptions related to the distributions for the Colorado travel and tourism promotion fund, creative industries cash fund, new jobs incentives cash fund, and innovative higher education research fund;
- To remove and update several obsolete provisions;
- That former recipients of moneys, such as the clean energy fund and the state highway fund, are no longer listed in the statute; and
- To move statutory language for clarity and organization.

Sections 2 to 11 make conforming amendments.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/F77B34A82850650C87257816005DB1C2?Open&file=159_enr.pdf

Action Item: Should ensure that CSU receives the appropriate amount of the Innovative Higher Education Research Fund portion of this money.

SENATE BILL 11-169

CONCERNING THE REGULATION OF PEOPLE WORKING WITHIN A PHYSICAL THERAPIST'S SCOPE OF PRACTICE, AND MAKING AN APPROPRIATION THEREFOR.

BY SENATOR(S) Boyd; also REPRESENTATIVE(S) Summers, Fields, Hamner, Labuda, Riesberg, Ryden, Todd, Vigil, Wilson.

The bill implements the following recommendations of the department of regulatory agencies in its sunset review of the regulation of physical therapists:

- The regulation of physical therapists is continued until 2018.
- The board of physical therapy (board) is reestablished and the physical therapy advisory committee is repealed.
- Physical therapists are permitted to use an automated external defibrillator.
- The program of "All-inclusive Care for the Elderly" is added to the list of physical therapy work settings that are exempt from the corporate practice law.
- A physical therapist's failure to properly address a physical or mental condition is established as grounds for discipline, and the board is authorized to create confidential agreements with physical therapists to address these conditions.
- Physical therapists are required to maintain professional liability insurance.
- The standard for discipline for inappropriate drug use is changed to be triggered by acts, not status.
- Physical therapists who have had their licenses revoked or who have surrendered their licenses, in lieu of disciplinary action, are required to wait 2 years to reapply.
- Failure to respond to a complaint is established as grounds for discipline.

- The provision denying renewal of an existing physical therapist license is repealed.

In addition, the scope of a physical therapist's practice is expanded to include wound care, and a physical therapist may elect to have an inactive license.

The bill authorizes the heir of a shareholder of a physical therapy practice to own the practice for up to 2 years even if the heir is not a physical therapist. The physical therapy board is directed to promulgate rules covering the supervision of assistants and nurse aides but the physical therapist may not supervise more than 4 people. A physical therapist who maintains patient records is required to ensure information security.

The bill authorizes the physical therapy board to certify physical therapist assistants. Certification is needed to hold oneself out to be a physical therapist assistant or to practice as a physical therapist assistant. In order to qualify to be certified as a physical therapist assistant, an applicant must pass an examination and complete a training program. Alternatively, the applicant must have qualified to take the examination or qualified for certification by endorsement. Current physical therapist assistants with at least five years experience qualify for certification. Grounds for withholding or denial of a certificate are established.

An applicant for licensure must submit an application and pay a fee established by the board.

A physical therapist assistant must be under the supervision of a physical therapist to assist in the clinical practice of physical therapy. Grounds for discipline and discipline procedures are established.

The bill establishes standards for mental and physical competency and for judicial review of board actions resulting in the surrender of a physical therapist assistant's certificate. A person who violates the qualification standards for physical therapist assistants is subject to penalties. The board may initiate injunction proceedings against a person practicing in violation of the certification requirements.

The functions of the board are subject to review and potential repeal under the sunset law.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/F70E94AC0F576426872578250080BEAB?Open&file=169_enr.pdf

Action Item: The bill was amended to address concerns from CSU but should be reviewed by affected parties to ensure no further action is required.

SENATE BILL 11-187

CONCERNING THE CONTINUATION OF THE REGULATION OF MENTAL HEALTH PROFESSIONALS, AND, IN CONNECTION THEREWITH, CONTINUING THE STATE BOARDS OF PSYCHOLOGIST EXAMINERS, SOCIAL WORK EXAMINERS, MARRIAGE AND FAMILY THERAPIST EXAMINERS, AND LICENSED PROFESSIONAL COUNSELOR EXAMINERS, CONTINUING THE STATE GRIEVANCE BOARD, RENAMED AS THE STATE BOARD OF REGISTERED PSYCHOTHERAPISTS, CREATING THE STATE BOARD OF ADDICTION COUNSELOR EXAMINERS, IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE SUNSET REVIEW AND REPORT OF STATE-REGULATED MENTAL HEALTH PROFESSIONALS, AND MAKING AN APPROPRIATION.

BY SENATOR(S) Newell, Boyd, Carroll, Williams S.; also REPRESENTATIVE(S) Fields, Summers, Fischer, Labuda, Miklosi, Pace, Schafer S., Todd, Vigil, Williams A., Wilson.

The bill implements the recommendations of the sunset review and report on state-regulated mental health professionals as follows:

- Sections 1, 2, and 3 of the bill continue the boards of psychologist examiners, social work examiners,

marriage and family therapist examiners, and licensed professional counselor examiners, and the regulation of psychologists, social workers, marriage and family therapists, licensed professional counselors, psychotherapists, and addiction counselors through September 1, 2020.

- Section 4 defines terms relevant to the practice of addiction counseling.
- Section 5 creates the state board of addiction counselor examiners to regulate addiction counselors, thereby eliminating the authority of the director of the division of registrations to regulate addiction counselors 3 months after the board is appointed.
- Sections 6 and 7 continue indefinitely the ability of the oversight boards to issue a provisional license to a candidate for a mental health professional license or certification if the candidate has satisfied the education requirements for a license or certification but has not yet satisfied the experience requirements. Section 7 also adds the newly created state board of addiction counselor examiners to the definition of "board", changes the name of "unlicensed psychotherapists" to "registered psychotherapists" in recognition of the fact that psychotherapists are required to register with, and are regulated by, board of registered psychotherapists, repeals unnecessary definitions, and makes other technical modifications to definitions.
- Sections 8 and 9 create a registry for marriage and family therapy and licensed professional counselor licensure candidates who are working toward full licensure, consistent with candidate registries currently available for psychologist, social worker, and addiction counselor licensure candidates. The sections also eliminate the requirement that the oversight boards for marriage and family therapists and licensed professional counselors administer written, mail-in examinations to determine an applicant's competency in the particular practice area, thereby allowing the boards the flexibility to determine the format of the examinations.
- Section 10 repeals a duplicate definition of "psychotherapy" to avoid confusion with another broader definition of that term in another provision of the article and repeals the definition of "unlicensed psychotherapist" to comport with the change, per section 7 of the bill, to "registered psychotherapists".
- Section 11 makes further, conforming changes related to the name change for psychotherapists and allows the state board of registered psychotherapists flexibility to determine the format to use for examinations that psychotherapists applying for registration must pass.
- Sections 12 and 13 permit the oversight boards for psychologists and social workers to determine the format for jurisprudence examinations for license, certification, or registration applicants to increase efficiency in the administration of examinations. These sections also contain technical corrections to the statutes as recommended in the sunset report. Section 13 also clarifies the training and work experience required to obtain a license as a clinical social worker.
- Section 14 amends the statute outlining activities that are prohibited for persons regulated under the act as follows:
 - Eliminates the requirement that a person who has been convicted of a felony can be disciplined only if the felony relates to the ability to practice the person's mental health profession and permits discipline when the person receives a deferred sentence to a felony charge;
 - Restates the grounds for discipline regarding use or abuse of alcohol or drugs to eliminate the term "intemperate";
 - Eliminates the ability of a board to discipline a licensee, registrant, or certificate holder simply for having a mental or physical illness or condition that impairs the person's ability to practice his or her profession and instead allows the applicable board to discipline the licensee, registrant, or certificate holder for failing to notify the board of the limitation, failing to act within the limitations of the illness or condition, or failing to comply with

the conditions in a confidential agreement with the board related to the person's mental or physical illness or condition;

- For purposes of determining whether a person has acted or failed to act in a manner consistent with generally accepted standards of the professional discipline under which the person practices, adds a reference to the standards of practice generally recognized by state and national associations of practitioners in the field of the person's professional discipline;
- Eliminates the requirement that repeated ordering of unnecessary laboratory tests or studies must be willful in order to be grounds for disciplining the person; and
- Adds as a ground for discipline the failure to respond to a complaint.
- Section 15 authorizes the oversight boards to impose an administrative fine on a licensee, registrant, or certificate holder who violates an administrative requirement of the statutes or rules. The boards are required to adopt rules setting up a schedule of fines, and the administrative fines cannot exceed \$5,000 per violation.
- Section 16 authorizes the oversight boards to enter into confidential agreements to restrict the practice of a licensee, registrant, or certificate holder who has a mental or physical illness or condition that affects his or her ability to practice the profession with reasonable skill and safety to clients. Section 16 also authorizes the director, in consultation with the oversight boards, to develop and select a designated provider to operate a peer health assistance program to provide education and offer assistance to mental health professionals who have a physical, emotional, or psychological condition. The peer health assistance program is to be funded by an increase in new and renewal fees, starting July 1, 2012.
- Section 18 clarifies that psychotherapy is one area of practice for mental health professionals, other than registered psychotherapists, but may not be the only or primary practice of a psychologist, social worker, marriage and family therapist, licensed professional counselor, or addiction counselor licensed, registered, or certified by the respective oversight boards.
- Section 30 requires mental health professionals to provide the mandatory disclosure of information to clients both verbally and in writing and expands the information required to be disclosed, including an explanation of the levels of regulation applicable to the particular mental health professional and the differences between those various regulatory levels, as well as the educational, experience, and training requirements applicable to the mental health professional. Section 30 also requires a registered psychotherapist to include a statement indicating that he or she is a psychotherapist listed in the state's database and is authorized to practice psychotherapy but is not licensed by the state and is not required to satisfy any standardized educational or testing requirements to obtain a registration from the state.
- Section 31 repeals the exemption from board jurisdiction for mental health professionals while acting within the scope of a court appointment to undertake custodial evaluations in domestic relations cases or to undertake domestic and child abuse evaluations in legal proceedings. Additionally, the exemption from board oversight for professional coaches is limited to professional coaches who are not engaged in the practice of a mental health profession.
- Section 39 repeals obsolete and redundant definitions contained in various sections of the mental health practice act.
- Sections 40, 44, 51, 54, and 57 modify the membership on the oversight boards to eliminate one public member on each board and replace that member with a person engaged in or authorized to practice the particular profession. Section 44 also permits the state board of social work examiners to appoint an advisory committee of clinical practitioners to assist with the operations of the board.
- Sections 41, 53, 55, and 60 modify the definitions of "practice of psychology", "practice of licensed

professional counseling", and "practice of addiction counseling", respectively, to conform to model practice act language adopted by the applicable national professional associations.

- Section 44 45 adds counseling to the list of permissible practices of a social worker.
- Sections 61 and 62 recodify laws pertaining to the licensure and certification of addiction counselors to specify qualifications for licensure as an addiction counselor and certification as either a level I, II or III certified addiction counselor and the particular activities in which addiction counselors are permitted to engage based on whether the addiction counselor is licensed or has a level I, II or III certification.
- Sections 17 through 38, 42, 43, and 46 through 50, 52, 56, 58, 59, and 63 through 73 make technical and conforming changes to the mental health professional practice act statutes.
- Section 74 appropriates the following amounts from the division of registrations cash fund:
 - \$271,088 to the department of regulatory agencies, for allocation to the executive director's office, to implement the bill, with \$176,088 allocated for legal services and reappropriated to the department of law and \$80,000 allocated for information technology asset maintenance; and
 - \$261,540 to the department of regulatory agencies, for allocation to the division of registrations for personal services and operating expenses.

The bill takes effect July 1, 2011.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/E497E8CB9606811D8725782C0002042D?open&file=187_enr.pdf

Action Item: These new regulations and statutory requirements should be disseminated to affected parties.

**SENATE BILL 11-199
CONCERNING WORKERS' COMPENSATION.**

BY SENATOR(S) Tochtrop, Boyd, Guzman; also REPRESENTATIVE(S) Riesberg, Fields, Pace, Solano.

The bill makes various changes to the laws regarding workers' compensation.

Section 1 of the bill requires an employer to admit liability for reasonable and necessary medical benefits in claims in which an authorized treating physician recommends medical benefits after maximum medical improvement, if there is no contrary medical opinion in the record.

Currently, when all parties are represented by an attorney and agree to engage in discovery, the parties are exempt from the requirement to obtain permission to engage in discovery in connection with a controversy arising under the "Workers' Compensation Act of Colorado" (act).

Section 2 repeals the condition that the represented parties all agree to engage in discovery, with the result that if all parties are represented, discovery is available.

If requested by a claimant, section 3 requires employers or insurers to pay the claimant's costs of attending an examination requested by the employer or insurer at least 3 business days in advance of the examination.

Section 4 states that the requirement, added by Senate Bill 10-187, that lump-sum compensation not be conditioned on a claimant waiving the right to pursue permanent total disability payments applies to all requests for lump-sum payments, regardless of the date of a claimant's injury.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/F04C71A84A1441C987257834005E2AC4?open&file=199_enr.pdf

Action item: Send to Human Resource departments and other affected parties for review and notice of these changes.

SENATE BILL 11-204

CONCERNING THE ROLE OF CERTAIN SOUTHERN COLORADO UNIVERSITY CAMPUSES.

BY SENATOR(S) Giron and Morse, King K., Lambert; also REPRESENTATIVE(S) Swerdfeger and Stephens, Barker, Gardner B., Lee, Duran, Hamner, Labuda, Massey, Nikkel, Pace, Ramirez, Summers, Todd, Vigil, Wilson.

Currently, Colorado State University - Pueblo may offer selected master's-level graduate programs. The bill would allow the university to offer selected graduate programs instead and opens the opportunity for the campus to offer a Doctorate of Nursing Practice. The bill also clarifies the role and mission of the Colorado Springs campus of the University of Colorado.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/E6E2DE2839A236C88725783E006F8C69?open&file=204_enr.pdf

Action item: CSU-Pueblo needs to begin to implement the new DNP program after receiving board and Colorado Commission on Higher Education authorization.

SENATE BILL 11-209

LONG APPROPRIATIONS BILL.

BY SENATOR(S) Hodge, Steadman, Lambert; also REPRESENTATIVE(S) Gerou, Becker, Ferrandino, Barker, Bradford, Liston, Murray, Nikkel, Sonnenberg, Stephens, Waller, McNulty, Acree, Kerr J.

Provides for the payment of expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2011, except as otherwise noted.

Bill Link

[http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/lbcontainer/913CB6597C987B648725786A00028043/\\$FILE/hed_act.pdf](http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/lbcontainer/913CB6597C987B648725786A00028043/$FILE/hed_act.pdf)

Action Item: Make sure Long-bill is booked properly into appropriate accounting systems.

SENATE BILL 11-235

CONCERNING METHODS TO REDUCE THE AIR QUALITY PERMIT APPLICATION BACKLOG, AND, IN CONNECTION THEREWITH, AUTHORIZING THE USE OF NONGOVERNMENTAL AIR QUALITY MODELING ENGINEERS FOR PURPOSES OF PERMIT APPLICATION APPROVALS AND MAKING AN APPROPRIATION.

BY SENATOR(S) Giron, Boyd, Foster, Grantham, Guzman, Hodge, Jahn, Williams S.; also REPRESENTATIVE(S) Pace and Swerdfeger, Brown, Liston, Looper, Massey, Murray, Priola, Swalm, Todd, Vigil, Wilson, McNulty.

Authorizes the division of administration in the department of public health and environment to give permit applicants the option to have the air quality modeling for their permit performed by nongovernmental air quality modeling engineers when the division expects that the backlog will prevent permits from being issued pursuant to statutory deadlines. The option is not available to major sources subject to the prevention of significant deterioration program. The applicant pays the costs of the contract engineer and the division must use the results of the modeling for purposes of the division's permit application analysis

The bill appropriates \$194,377 from the stationary sources control fund and 0.2 FTE for implementation of the act.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/F5DE9F57C2E709328725786A006375D7?open&file=235_enr.pdf

Action item: No action required.

SENATE BILL 11-238

CONCERNING THE EXTENSION OF THE ANNUAL TRANSFERS OF FEDERAL MINERAL LEASE REVENUES TO THE WILDFIRE PREPAREDNESS FUND.

BY SENATOR(S) Nicholson, Aguilar, Bacon, Boyd, Brophy, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Morse, Newell, Roberts, Schwartz, Spence, Steadman, Tochtrop, White, Williams S.; also REPRESENTATIVE(S) Coram and Wilson, Fields, Fischer, Hamner, Jones, Kerr J., Labuda, Vigil.

The bill:

- Extends for 2 fiscal years, beginning on July 1, 2012, the annual \$3.25 million transfer of federal mineral lease revenues to the wildfire preparedness fund;
- Requires the Colorado state forest service to annually report on the use of these revenues to the department of local affairs, the office of state planning and budgeting, and the general assembly; and
- Repeals obsolete provisions of law.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/555E9A6946963CD1872578080080E326?open&file=238_enr.pdf

Action Item: Share this information with the State Forest Service.

SENATE BILL 11-266

CONCERNING BACKGROUND CHECKS FOR EMPLOYEES OF ENTITIES THAT CONTRACT TO PERFORM SERVICES FOR PUBLIC SCHOOLS, AND MAKING AN APPROPRIATION THEREFOR.

BY SENATOR(S) Bacon and King K., Grantham, Guzman, Heath, Jahn, King S., Mitchell, Newell, Roberts, White, Williams S.; also REPRESENTATIVE(S) Ramirez and Kerr A., Casso, Conti, Fields, Gardner B., Labuda, Lee, Massey, Miklosi, Murray, Pabon, Schafer S., Summers, Todd, Williams A.

The bill requires entities that contract with a school district for services performed for a public school to perform background checks on those employees who will be working on-site at the public school at any time during the provision of the contracted services.

Bill Link:

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/67F9E1DC764543C587257879007BFB36?open&file=266_enr.pdf

Action item: Make sure affected contracting entities are aware of these requirements.

SENATE BILL 11-267

CONCERNING MEASURES TO PROMOTE FOREST HEALTH, AND, IN CONNECTION THEREWITH, CREATING THE COLORADO FOREST BIOMASS USE WORK GROUP AND PROMOTING THE CREATION OF SUSTAINABLE MARKET-BASED MODELS FOR ACTIVE FOREST MANAGEMENT AND WOODY BIOMASS ENERGY DEVELOPMENT.

BY SENATOR(S) Schwartz, Shaffer B., Bacon, Foster, Giron, Guzman, Heath, Hodge, Jahn, Johnston, King S., Nicholson, Roberts, Tochtrop, White, Williams S., Aguilar, Boyd, Morse, Newell; also REPRESENTATIVE(S) Coram and Hamner, Court, Baumgardner, Fischer, Gerou, Hullinghorst, Jones, Kefalas, Labuda, Lee, McCann, Nikkel, Pace, Schafer S., Todd, Wilson.

The bill creates the "Forest Health Act of 2011". Section 2 of the bill creates the Colorado forest biomass use work group. The work group is directed to prioritize its efforts to address critical forested areas of the state, including the wild land-urban interface, electric utility infrastructure, transportation corridors, and water supply and quality. The purpose of the work group is to:

- Identify:
 - Barriers to the creation of a sustainable, market-based model for active forest management and ecosystem health for Colorado's forests;
 - Ways to support Colorado's forest products industry through effective forest management;
 - Ways to promote the use of biomass to reduce the risk of severe insect and disease outbreaks and catastrophic wildfires;
 - The air quality benefits of using the cogeneration of heat and electricity from biomass as a fuel mitigation strategy versus using open burning of biomass; and
 - Currently available and potential public and private sources of funding for the development of biomass markets;
- Recommend ways to maximize the Colorado state forest service's effectiveness with regard to:
 - The service acting as an information resource for persons seeking to utilize woody biomass for energy development and the service's participation in the development of federal forest policies; and
 - The use of:
 - Stewardship contracts to achieve land management goals for the national forests and the public lands that support the forest products industry and meet local and rural community needs without competing with the private forest management industry; and
 - Colorado's good neighbor authority under federal law, including pursuant to stewardship contracts; and

- Promoting projects to facilitate the cogeneration of heat and electricity at publicly owned facilities from the combustion of biomass harvested from a forest in Colorado that is located within a reasonable radius of the facilities; and
- Create an initial report by November 1, 2011, and submit a final report to the general assembly by January 1, 2012, that summarizes the work and findings of the work group and includes recommendations for the private sector, regulators, the Colorado state forest service, and the general assembly.

Section 3 requires the state board of land commissioners, when it contracts with the Colorado state forest service, to direct the service to use the appropriate methods necessary to ensure proper management of state trust lands whenever it contracts for the disposition from state lands of timber that has been infested with bark beetles or is harvested from a forest whose health is otherwise in decline or from which the board anticipates declining revenues due to forest health factors.

Section 4 requests the public utilities commission to explore all aspects of biomass heat, electric, and gas energy production and to report its findings by January 1, 2012, to the general assembly.

Bill Link

http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/4D858F70B5305F608725785000762937?open&file=267_enr.pdf

Action Item: Pass along to the State Forest Service and other affected parties.

Senate Joint Resolution 11-008

CONCERNING THE DESIGNATION OF JANUARY 31, 2011, AS "COLORADO 4-H DAY".

BY SENATOR(S) Schwartz, Aguilar, Bacon, Boyd, Brophy, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Kopp, Lambert, Lundberg, Mitchell, Morse, Newell, Nicholson, Renfroe, Roberts, Scheffel, Shaffer

B., Spence, Steadman, Tochtrop, White, Williams S.; also REPRESENTATIVE(S) Todd, Acree, Balmer, Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gardner D., Gerou, Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Riesberg, Ryden, Schafer S., Scott, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, McNulty.

The resolution honors the work and contributions that 4-H provides to the citizens of the State of Colorado

Resolution Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/B2E758CBB5B07DE38725781F00661C1B?Open&file=SJR008_enr.pdf

Senate Joint Resolution 11-020

CONCERNING THE RECOGNITION OF THE PEACE CORPS ON THE OCCASION OF ITS 50TH ANNIVERSARY.

BY SENATOR(S) Bacon, Aguilar, Boyd, Brophy, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Harvey, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Kopp, Lambert, Lundberg, Mitchell, Morse, Newell,

Nicholson, Renfroe, Roberts, Scheffel, Schwartz, Shaffer B., Spence, Steadman, Tochtrop, White, Williams S.; also REPRESENTATIVE(S) Kefalas and Labuda, Acree, Balmer, Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gardner D., Gerou, Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kerr A., Kerr J., Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Riesberg, Ryden, Schafer S., Scott, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, McNulty.

The resolution honors the Peace Corps and the work the entity has done around the world on its 50th anniversary. The resolution also notes the contributions and accomplishments of Colorado State University professor(s) Maurice Albertson, Andrew Rice and Pauline Birky-Kreutzer toward this cause.

Resolution Link

http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/fsbillcont3/03FA04E705DE837C8725784500649E42?Open&file=SJR020_enr.pdf