



COLORADO STATE UNIVERSITY

S Y S T E M

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

LEGISLATIVE DIGEST

2012 SESSION OF THE

COLORADO GENERAL ASSEMBLY

June 1, 2012

The second regular session of the 68th Colorado General Assembly adjourned on May 9th. There were over 545 pieces of legislation in the regular session and 7 in the special session. This is about 50 to 100 bills less than have been introduced in previous sessions.

The CSU System legislative team was very effective this year. The team tracked, monitored, or actively worked approximately 118 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. One notable piece of legislation was the passage of the CSU System/Global Campus legislation in HB-12-1220 that deleted or changed obsolete provisions in our board's statutes and moved Global Campus to its own Article in law.

Through this legislative digest we have summarized each piece of relevant legislation that was successfully passed and signed, or is 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.

In regards to funding for higher education we started with a proposed budget from the Governor in November, 2011 that sought a \$60 million funding reduction for higher education because of a bleak fiscal situation for the state. By the end of the session in May, 2012 revenues had improved and the funding reduction for higher education was reduced to \$6.0 million. Here are the facts:

- SB12-1335 the Long-appropriations bill has been signed by the Governor, the Long Bill provides \$513M for all of higher education. That amount is \$6 million below current year funding, and \$193 million less than the most recent high of \$706M in FY2008-2009, representing a 29% reduction.

Funding to Colorado's Public Higher Education Institutions

FY08-09 \$706 million

FY10-11 \$644 million

FY11-12 \$519 million

FY12-13 \$513 million

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>

We have included an overview provided by Colorado Concern that summarizes the legislative session and provides many great facts and figures on what occurred this year. It was a lively session and the numerous pieces of legislation provide a lot of debate on various issues

2012 COLORADO GENERAL ASSEMBLY

WHAT HAPPENED AT THE CAPITOL THIS YEAR?

WHAT LIES AHEAD?

PREPARED BY TAMRA WARD, COLORADO CONCERN
& DANNY TOMLINSON AND ED BOWDITCH,
TOMLINSON & ASSOCIATES

MAY, 2012

“THE TABLE”

11-Year Comparison				
	<i>FY 00-01</i>	<i>FY 11-12</i>	<i>Change</i>	<i>% Change</i>
Colorado Population	4,458,000	5,118,800	660,800	14.8%
K-12 Enrollment	724,508	854,285	129,757	17.8%
Higher Ed Resident Enrollment (FTE)	123,258	168,703	43,447	35.2%
Prison Population	18,833	22,810	5,777	34.3%
Medicaid Recipients	275,388	632,511	357,112	128.7% (Increase 5,000/month in 2011)
Colorado General Fund (in millions)	\$8,553	\$7,478	\$928	14.1%
CU-Boulder Resident Tuition	\$2,514	\$7,672	\$5,158	205.2%
CU-System General Fund	\$208,884,144	\$145,775,732	(\$60,888,412)	-29.5%

MAY, 2012

PER CAPITA COMPARISON

	<i>FY 00-01</i>	<i>FY 11-12</i>	<i>Change</i>	<i>% Change</i>
GF Collected Per Person	\$1,470	\$1,461	(\$9)	
Percent of Population in Prison	0.38%	0.44%	NA	17.0%
Percent of Population on Medicaid	8.2%	12.4%	NA	100%
Total Excise Tax Collected/ Per Capita	\$2,008,300,000 \$450	\$2,323,100,000 \$454	\$318,800,000 \$4	0.8%
Personal Income Tax Collected/ Per Capita	\$4,017,800,000 \$902	\$4,406,100,000 \$879	\$478,300,000 (\$23)	-2.5%
Corporate Income Tax Collected/ Per Capita	\$329,700,000 \$74	\$393,900,000 \$77	\$64,200,000 \$3	4.0%
Other GF Sources/ Per Capita	\$383,000,000 \$81	\$243,300,000 \$48	(\$119,700,000) (\$34)	-41.8%

MAY, 2012

WHAT DO THE VOTERS THINK?

Direction of things in your part of the state today?

- Right track - 44%
- Wrong track - 43%
- Unsure - 12%
- Refused - 1%

Economic Slowdown

- Major problem - 75%
- Minor problem - 18%
- Not much problem - 5%
- Unsure - 2%

State Budget Crisis

- Major problem - 73%
- Minor problem - 19%
- Not much problem - 5%
- Unsure - 3%

Growth in the size and scope of government

- Major problem - 44%
- Minor problem - 31%
- Not much problem - 20%
- Unsure - 5%

Source: Center for Public Policy Research
Survey of Penn State Harrisburg

MAY, 2012

WOW

What happened in the last 3 days???

Civil unions (SB12-002) turned the General Assembly into a decidedly uncivil body for a few hours and caused chaos with more than 30 bills that were scheduled to pass with little or no controversy. *These bills "died on the calendar."*

Governor Hickenlooper got involved – met with Speaker McNulty to no avail. Governor called a *Special Session*.

Several of the bills that failed were successfully amended onto other legislation and ultimately passed, but two very important bills –and UI Trust Fund (SB 12-177) – which would save Colorado businesses as much as \$20 million per year on UI and Water Projects (SB 12-165) were not. Both were on the Special Session call and both passed – HB 12S-1102, UI Revenue Bonds and SB 12S-002, CWCB water projects. Also, SB 12S-001, special mobile machinery registration passed.



MAY, 2012

“BIG” ISSUES

Split Control of the Houses = Moderation

Single party control 2006-2010 (Democrat majority in both houses and Governor's office) = more bills

Fewer bills in 2012 (538) than in 2011 (586); 2010 (642); 2009 (664); 2008 (659); 2007 (642); 2006 (650)



MAY, 2012

“BIG” ISSUES-CONTINUED

Budget- \$75 billion GF (6.6% increase over FY 2011-12)

- Senior Homestead Property Tax Exemption restored (Approximately \$100 million)
- Cuts to K-12 and higher education largely avoided - though 111 of 178 K-12 districts are receiving less because of declining enrollments
- Caseload increase in Medicaid - nearly 5,000 added per month in 2011
- Aging population and services for seniors - funding increased
- Closed a prison - CSP II - \$4.5 million and 71 FTE
- Restored PERA 2.5 percent shift to state employees from past years
- Anticipated \$5 million for State Strategic Fund and \$3 million for film incentives

Election Year

- Impact of reapportionment of legislative district boundaries
 - At least 33 new legislators next year because of term limits, decisions not to run for re-election or reapportionment ([Denver Post](#), May 8, 2012)
 - Changes in leadership - Senate President and four committee chairs; seven committee chairs in the House

Republicans want to keep the House and seize the Senate, Democrats want to keep the Senate and pick up a seat in the House, giving them majority control in the House

MAY, 2012

“BIG” ISSUES - CONTINUED

Medicaid Pilot - HB 1281 - passed (establishes “global payment” pilot project in Department of Health Care Policy & Financing)

HIRE - SB 1 - preference in hiring and cornerstone of Senate Democrats “JOBS” package, but opposed by business community - failed

Transparency in Litigation - SB 153 - possibly the most “hated” bill of the session by the business community, but loved by the trial lawyers - failed

Prompt pay - SB 181 - seemingly an annual attempt - generally opposed by business and local & state government - failed

Unemployment Insurance Bond - SB 177 - would have saved business community about \$20 million/year in cost of UI by being able to bond the UI Trust Fund debt - failed - later passed in the Special Session.

Enterprise Zones - HB 1241 - will create a task force at OEDIT to take an objective look at EZ’s and make recommendations by November 1, 2013 - strongly supported by business and economic developers - “Do No Harm” - passed

Civil unions - SB 2 - Several key Republicans supported - failed. Also failed in special session.

Repeal of SB 11-200 (implementation of Affordable Care and Patient Protection Act) - SB 12-063 - failed

MAY, 2012

“BIG” ISSUES - CONTINUED

Commercial Space Flight – SB 35, limitation on liability for space flight – passed 35-0 and 65-0 and signed by Governor at National Space Symposium

- Colorado has the 2nd largest aerospace workforce in the country – average annual salary of \$110,000 +
- Eight of the nation's top aerospace contractors have significant operations in Colorado
- Governor Hickenlooper has endorsed the application by Front Range Airport in Watkins to the FAA for designation as a spaceport
- DIA and FTG are geographically ideal for commercial space-related activities

HB 1238 – Early childhood literacy – passed (with additional funding of \$20 million)

PERA

- **No PERA legislation passed** this year – several bills were introduced
- Can we feel confident that PERA will continue to generate 8% returns?

Constitutional Reform

- **HCR 1001 – personnel system reform passed** (hiring rules, residency requirements and testing of prospective employees) – will appear on November ballot
- **HCR 1003 – initiative reform died**
- **HCR 1002 – senior property tax reform (means testing) died**

MAY, 2012

“BIG” ISSUES - CONTINUED

Pinnacol Assurance Privatization – high priority for Pinnacol Board and Governor Hickenlooper – cool reception from the business community and organized labor resulted in no legislation being introduced. Sizeable amounts of money spent by Pinnacol on lobbyists, consultants and attorneys.

HB 1360 – additional \$4 million for Strategic Fund in OEDIT – based on June, 2012 revenue forecasts – along with \$1 million in Long Bill – total of \$5 million

More than 180 appointments to various boards and commissions by Governor Hickenlooper but were not assigned to committees for confirmation hearings until mid-March.

MAY, 2012

“BIG” ISSUES - CONTINUED

ASSET bill – SB 15 – tuition assistance for undocumented students - failed

Fracking – Rules and regulations adopted by the Colorado Oil & Gas Commission in December, 2011 are being hailed as model regulations for every state. No significant legislation passed.

Colorado Parks & Wildlife – legislation passed in 2011 combined the Division of Wildlife and the Division of Parks. HB 12-1317 restructures the CPW Board – but not without controversy. Passed in the final hours of the session.

Personnel system reform – high priority for Governor Hickenlooper and HCR 1001 and HB 1321 passed. HCR 1001 will be on the November ballot.

MAY, 2012

“BIG” ISSUES - CONTINUED

Telecom Reform – SB 157 – Rural phone companies loved it, CenturyLink opposed it – lots of discussion and dialogue and ultimately killed at the sponsor’s request. Issue was about the “High Cost Fund” and the subsidy to rural areas.

Governor’s Energy Office (GEO) – was set to sunset on June 30, 2012. HB 1315 reorganized the office, included focus on renewable energy and oil & gas and the bill passed on the final day.

MAY, 2012

NEXT YEAR?

Revenues – will they continue to climb?

Who will be in charge? With balance, we seem to have more control of our future.

Did the civil unions bill help or hurt either party? Does the public know? Dueling polls. What about the impact of the special session?

HB 12-1360 – OEDIT funding for Strategic Fund hangs in the balance – need a continuing increase in revenue forecasts

Higher education has dropped from 10.3% of the GF spending in FY 07-08 (\$746.2 million) at a time when we were coming out of an economic downturn to about 8.2% for FY 12-13 (\$619.6 million). Are we defaulting to a system of private higher education?

K-12 – what will happen with Lobato?

Transportation – basically no HUTF money...again?

Economic Development/Jobs - ???

MAY, 2012

BALLOT ISSUES - 2012

Approved:

- **Amendment 64** - would make Colorado the first state to legalize possession and consumption of up to **one ounce of marijuana**. Also allows growing, manufacturing, testing and retail marijuana facilities across Colorado.

In process:

- **Twenty-six measures have had titles set.** Some are duplicative.
- **Those to watch** in coming months:
 - **Water law reform** (Initiatives #3 and #45) - Constitutional measures rewriting Colorado's system of water right allocation from one based on the prior appropriation doctrine to one based on a public trust doctrine, whereby the state's public interest supersedes any particular water right.
 - **Banking reform** (Initiatives #84, #94 and #95) - Constitutional measures focused on authorizing state and local government banks, as well as changes that would require additional steps by financial institutions prior to foreclosing on a property. Other proposed changes include publication of documents that note personal information such as Social Security numbers.

MAY, 2012

BALLOT ISSUES - 2012

- **Ballot Access Reform** (Initiatives #67, #68 and #69) - Constitutional proposals to make it easier to place statutory initiatives on the ballot by lowering the signature threshold and prohibiting the legislature from repealing or amending a statutory measure unless three-fourths of the legislature votes to do so.
- **Local Control of Subdivision** (Initiatives #87 and #88) - Statutory proposals to change the minimum acreage for application of local subdivision law from the current 35 acres to 160 acres (#87) or to 640 acres (#88).
- **Personhood Amendment** (Initiative #46) - Similar to the measure defeated in 2008.

Colorado has the easiest, least restrictive process for placing initiatives on the ballot of the 24 states that have an initiative process.

Costs of (generally) fighting ballot initiatives – At least \$18 million since 2005!

MAY, 2012

TERM LIMITS

Impact?

- Loss of leadership, institutional knowledge
- Steep learning curve every two years for a significant number of legislators
- Partisan staff are more influential

Fifteen states have term limits

- Passed in 21 states
 - Repealed in two - Idaho and Utah
 - Thrown out by State Supreme Courts in four - Massachusetts, Oregon, Washington, and Wyoming
 - Fifteen states currently have term limits - Maine, California, Colorado, Arkansas, Michigan, Florida, Ohio, South Dakota, Montana, Missouri, Oklahoma, Nebraska, Louisiana, Nevada

MAY, 2012

COLORADO TERM LIMITS

Eight years – Two 4-year Senate terms or four 2-year House terms, but may run for other house

	1998	2000	2002	2004	2006	2008	2010	2012
Colorado House – 65 members	18	10	7	7	11	8	8	8
Colorado Senate – 35 members	9	11	5	5	4	7	4	6

MAY, 2012

REAPPORTIONMENT, ELECTIONS

Occurs every 10 years after the federal census

Colorado losing additional three state Senators and nine Representatives due to reapportionment

Three Representatives (not term limited) are running for the state Senate

Two Representatives (not term limited) are running for the U.S. Congress

Three Representatives (not term limited) have chosen not to run for re-election

One Senator and one Representative have already resigned mid-term

Unknown number of incumbents will be defeated

At least thirty-three of 100 Colorado legislators will be “new” in 2013! More likely, this number could be 40+

NCSL estimates that in January, 2013 over 40% of all legislators across the 50 states will be “new”

MAY, 2012

REASONS?

Legislative pay

- \$30,000 per year
- Per diem
 - \$45/day for legislators in Denver Metro area
 - \$150/day for those outside Denver Metro area

Campaign costs

- According to www.followthemoney.org in **2010** -
 - Colorado House of Representatives
 - Total of 139 candidates
 - \$5,085,353 total contributions
 - **\$36,585 average cost of House campaign**
 - Colorado Senate
 - Total of 49 candidates
 - \$2,498,355 total contributions
 - **\$50,987 average cost of Senate campaign**
- These amounts do not reflect 527 spending

Personal sacrifice – Huge time commitment, your entire personal and professional life are open to review as a candidate or legislator

MAY, 2012

Bills of Interest

Successful Legislation – Bills/resolutions that have been passed and were tracked or actively worked on by the CSU System

1. HB-1001 Rule Review Evaluation Of Educator Effectiveness
2. HB-1005 Legal Investments For Public Funds
3. HB-1009 Federal Funds Transparency Act
4. HB-1032 Continue Forest Restoration Programs 5 Years
5. HB-1036 Open Records Act Clarification
6. HB-1042 Income Tax Credit for Estate Taxes on Agricultural Land
7. HB-1043 Concurrent Enrollment for Early High School Grads
8. HB-1045 Spruce Beetle Kill Wood Products Tax Exemption
9. HB-1061 The Skills for Jobs Act
10. HB-1072 Higher Education Prior Learning Assessments
11. HB-1105 Wind Energy Property Rights
12. HB-1124 Study Digital Learning in Colorado
13. HB-1126 On-Site Wastewater Treatment Systems
14. HB-1144 Employment Contracts Non-tenure-track Professors
15. HB-1146 Funding for Recovery Dropout Programs
16. HB-1155 Improvements in College Completion
17. HB-1185 Supplemental Appropriation Department of Higher Education
18. HB-1220 CSU Global Campus and CSU Board of Governors
19. HB-1229 Publication Requirements Legal Notification in Newspaper
20. HB-1236 Modify Regulations Charitable Solicitations
21. HB-1238 Ensuring K-3 Literacy Education
22. HB-1240 Statutory Changes to K-12 Education
23. HB-1241 Review Enterprise Zone Designations
24. HB-1246 Reverse Payday Shift State Employees Bi-weekly
25. HB-1261 Effective Educators Low-performing Schools
26. HB-1268 Health Facility Safety Inspection Transfer to CDPS
27. HB-1270 Alcohol Purchase by On-premise Licensee
28. HB-1276 Child Care Licensure Materials Waiver
29. HB-1278 South Platte Groundwater Study Augmentation
30. HB-1283 Consolidate Homeland Security Functions under CDPS
31. HB-1285 Intergovernmental Cooperation Wildlife Fire Mitigation
32. HB-1286 Film Production Activities in Colorado
33. HB-1294 CDPHE Authority Health Care Facilities
34. HB-1311 Sunset Continue Pharmacy Board
35. HB-1315 Reorganization of Governor's Energy Office
36. HB-1318 Guidelines for Controlled Maintenance Funding
37. HB-1321 Modernization of the State Personnel System Act
38. HB-1331 Name Change Western State College of Colorado
39. HB-1335 Long Appropriations Bill
40. HB-1350 In-state Status Dependents Armed Forces Members
41. HB-1352 Lower North Fork Fire Commission

42. HB-1361 Claims Against State Under CGIA
43. HCR-1001 Amend State Constitution State Personnel System
44. SB-05 Office Economic Development Business & Retention Expansion Program
45. SB-09 Consolidate Division of Water Resources Funds
46. SB-40 Higher Ed Facilities Eligible for Controlled Maintenance
47. SB-43 Increase Age to Attend Children's Resident Camp
48. SB-45 Higher Ed Associate Degree Transfer Students
49. SB-48 Locally Foods Local Jobs
50. SB-97 Streamline Change of Diversion Water Point
51. SB-111 Full-time Equivalent Employees Department Reporting
52. SB-112 Full-time Equivalent Employees Definition
53. SB-146 Limit Acceptance Benefits
54. SB-150 State Treasurer Authority to Manage State Financing
55. SJR-002 Use Severance Tax Water Infrastructure
56. SJR-003 Water Projects Eligibility Lists

Bills/Resolutions that failed but were tracked or actively worked on by the CSU System

57. HB-1003 Authorize Grey Water Use
58. HB-1011 15-year Rule for State Controlled Maintenance Funding
59. HB-1060 Registered Dietitian
60. HB-1064 Firearm Possession During State Of Emergency
61. HB-1082 Prevailing Compensation on Public Works Projects
62. HB-1112 State Economic Impact as Procurement Factor
63. HB-1113 Preferences in State Public Contracts
64. HB-1135 Teacher Involvement Teacher Preparation Programs
65. HB-1145 State Personnel Total Compensation Policies
66. HB-1150 PERA Seven Year Highest Average Salary Calculation
67. HB-1152 Economic Opportunity Poverty Reduction Task Force
68. HB-1166 Track Utility Data High Performance State Building
69. HB-1219 Funding Emerging Medical Discoveries
70. HB-1227 Integrated Basic Education & Skills Training Certification Program
71. HB-1243 Appointment Process State Boards & Commissions
72. HB-1245 Health Care Options Government Employees
73. HB-1250 PERA Health Care Trust Fund Employer Contributions
74. HB-1251 Reforms to Urban & Rural Enterprise Zone Act
75. HB-1252 Transparency of Higher Ed Financial Information
76. HB-1257 Health Care Consumer & Provider Protections
77. HB-1260 Limit Enterprise Zone Investment Income Tax Credit
78. HB-1264 Facilitate Distributed Energy Generation in CO
79. SB-003 Permissible Use Of Credit Information By Employers
80. SB-17 Prohibit Water Quality Standards Regs Nutrients
81. SB-21 Financial Literacy Program For County Residents
82. SB-25 Concealed Handgun Carry With No Permit
83. SB-63 Severance Tax Revenues for Rural Institutions of Higher Education
84. SB-82 PERA same age as SS
85. SB-84 PERA Transparency

86. SB-119 PERA Fiscal Sustainability
87. SB-140 Generally Accepted Accounting Principles State Government
88. SB-142 Pilot Projects Reduce Augmentation Requirements
89. SB-153 Sunshine In Litigation Act

Bills that were reviewed and analyzed but not tracked due to a lack of relevancy to the CSU System

90. HB-1002 the CLEAR Act & Application Permit Rules
91. HB-1042 Income Tax Credit for Estate Taxes on Ag Land
92. HB-1078 Exempt Drink Water cert designation
93. HB 1080 Adams State College Name Change
94. HB-1083 Continue Environmental Agriculture Program Fees
95. HB-1087 On-line Animal Abusers Registry
96. HB-1091 Reduce Student Assessments to federal Requirements
97. HB-1127 Unemployment Ins Rate Reduction New Employers
98. HB1158 Commercial Livestock Feed Reg. By Comm. Of Ag
99. HB-1169 Open Meetings & Secret Ballot Leadership Elections
100. HB 1173 Protect Pub Health Oil & Gas Hydraulic Fracturing
101. HB1176 Oil Gas Surface Owner Horizontal Drilling Setbacks
102. HB-1204 Sunset Regulation Hemodialysis Technicians
103. HB-1214 Community College Two-year Degree Programs
104. HB-1217 Owner-user Organization Boiler Inspections
105. HB-1259 Waive Confidentiality Unemployment Benefits
106. HB-1261 Effective Educators Low-performing Schools
107. HB-1288 Administration of IT Projects In State Government
108. HB-1290 Create Colorado Healthy Landscapes Tax Check off
109. HB-1300 Sunset Continue Professional Review Committees
110. HB-1303 DORA Certify Speech-language Pathologists
111. SB-003 Permissible Use of Credit Information by Employers
112. SB-008 Postpone Repeal Denver Basin Aquifers
113. SB 016 Local Government Option To Change PERA Contribution Rates
114. SB-043 Increase Age to Attend Children's Resident Camp
115. SB 047 Basic Skills Testing In High School
116. SB-058 Venture Capital Advisory Board
117. SB 083 Dynamic Modeling for Fiscal Impact of Bills
118. SB-145 Cap 2011-12 School Land Revenues Transfer

Failed legislation and legislation that was analyzed but not tracked can be found in a searchable format at the Colorado General Assemblies website at the following link:

<http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/BillFoldersAll?OpenFrameSet>

House Bills and Resolutions

HOUSE BILL 12-1001

CONCERNING LEGISLATIVE REVIEW OF RULES OF THE STATE BOARD OF EDUCATION TO IMPLEMENT THE STATEWIDE SYSTEM TO EVALUATE THE EFFECTIVENESS OF LICENSED EDUCATORS.

BY REPRESENTATIVE(S) Murray and Gardner B., Labuda, Levy, Waller, Baumgardner, Beezley, Conti, DelGrosso, Fields, Gerou, Hamner, Holbert, Kerr A., Kerr J., Massey, McCann, Nikkel, Pabon, Pace, Priola, Ramirez, Stephens, Summers, Swerdfeger, Todd, Vaad, Vigil, Young, McNulty;
also SENATOR(S) Johnston and Spence, Brophy, Carroll, Morse, Roberts, Schwartz, Aguilar, Bacon, Boyd, Guzman, Heath, King K., Lambert, Newell, White, Williams S.

Committee on Legal Services. Senate Bill 10-191, enacted in 2010, requires the general assembly to review and approve the rules adopted by the state board of education implementing a statewide system to evaluate the effectiveness of licensed personnel employed by school districts and boards of cooperative services (statewide system). The bill contains the recommendations of the committee on legal services to approve the rules of the state board of education, department of education, adopted on November 9, 2011, to implement the statewide system.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/7DA622E1E23231E387257981007F53B2?Open&file=1001_enr.pdf

HOUSE BILL 12-1005

CONCERNING INVESTMENT OF PUBLIC FUNDS.

BY REPRESENTATIVE(S) Pabon, Becker, Brown, Casso, Ferrandino, Fischer, Gerou, Holbert, Hulinghorst, Jones, Kefalas, Kerr A., Kerr J., Labuda, Levy, Massey, McCann, Miklosi, Pace, Ryden, Schafer S., Solano, Soper, Summers, Todd, Vigil, Williams A., Wilson, Young;
also SENATOR(S) Harvey, Aguilar, Boyd, Foster, Guzman, Morse, Schwartz.

The bill clarifies that it is legal to invest public funds in any nonsubordinated corporate or bank security that:

- Is denominated in United States dollars;
- Matures within 3 years from the date of settlement;

- At the time of purchase carries at least 2 credit ratings from any of the nationally recognized statistical rating organizations; and
- Is not rated below "A1, P1, or F1" or their equivalents by either rating if the security is a money market instrument such as commercial paper or bankers' acceptance or is not rated below "AA- or Aa3" or their equivalents by either rating if the security is any other kind of security.

The bill also prohibits the investment of public funds in a subordinated security issued by or guaranteed by one of several specified federally created and controlled entities and prohibits investment in a security issued by a corporation or bank that is not organized and operated within the United States unless the governing body of the public entity authorizes investment in such securities.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/0FBE0CD377EEF60E87257981007F3476?Open&file=1005_enr.pdf

**HOUSE BILL 12-1009
CONCERNING A REPORT RELATED TO THE FEDERAL MONEYS RECEIVED BY THE EXECUTIVE
BRANCH.**

BY REPRESENTATIVE(S) Gerou, Barker, Becker, Brown, Conti, DelGrosso, Kerr A., Liston, Looper, Murray, Nikkel, Priola, Sonnenberg, Summers, McNulty;
also SENATOR(S) Lambert, Cadman, Hodge, Mitchell, Steadman.

Currently, each department and agency of the executive branch is required to submit to the state controller a report of all federal moneys received by the department or agency, and the state controller is required to submit a report on all federal moneys to the general assembly.

The bill modifies the information that is required to be included in the reports, but excludes a state institution of higher education from the new reporting requirements.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/47DA66FAD49DB7C687257981007DAC80?Open&file=1009_enr.pdf

**HOUSE BILL 12-1032
CONCERNING CONTINUATION OF FORESTRY-RELATED PROGRAMS, AND, IN CONNECTION
THEREWITH, MAKING AN APPROPRIATION.**

BY REPRESENTATIVE(S) Hamner, Fields, Fischer, Gerou, Hullinghorst, Kerr A., Kerr J., Pace, Todd, Wilson, Young, Labuda, Schafer S., Solano;

also SENATOR(S) Nicholson, Foster, Guzman, Heath, Williams S.

The bill continues the forest restoration program and its associated funding from severance taxes, for 5 years and specifies that the program is no longer a pilot program. The bill also extends for 5 years the annual transfers from the operational account of the severance tax trust fund of \$1.45 million to the healthy forests and vibrant communities fund and \$50,000 to the wild land-urban interface training fund, and the \$50,000 is appropriated to the department of public safety.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/7C67927EC7EF02D887257981007E07DB?Open&file=1032_enr.pdf

**HOUSE BILL 12-1036
CONCERNING CLARIFICATION OF THE EXEMPTION FROM THE "COLORADO OPEN RECORDS ACT" FOR INVESTIGATIVE FILES.**

BY REPRESENTATIVE Kerr J.;
also SENATOR Boyd.

The bill clarifies that the current exemption from the "Colorado Open Records Act" for investigative files applies to those files compiled for any civil or administrative investigation in furtherance of an agency's statutory authority to protect the public health, welfare, or safety unless the investigation focuses on a person inside of the investigative agency.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/F910975289BD2B1D87257981007F3A47?Open&file=1036_enr.pdf

**HOUSE BILL 12-1042
CONCERNING A STATE INCOME TAX CREDIT RELATED TO THE PORTION OF COLORADO ESTATE TAXES PAID THAT ARE ATTRIBUTABLE TO AGRICULTURAL LAND.**

BY REPRESENTATIVE Pace;
also Senator Schwarz.

The bill establishes an income tax credit for a person who inherits agricultural land located within the state that is equal to the portion of Colorado estate taxes attributable to the transfer of the land. The tax credit is subject to the following requirements:

- If the credit exceeds the income taxes owed, the excess is refundable to the taxpayer; and
- If the land is reclassified in the 10 years after the credit is claimed, the taxpayer is required to repay the credit, with interest, to the state as part of an amended income tax return.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/F910975289BD2B1D87257981007F3A47?Open&file=1036_enr.pdf

**HOUSE BILL 12-1043
CONCERNING CONCURRENT ENROLLMENT FOR STUDENTS WHO MAY COMPLETE HIGH SCHOOL GRADUATION REQUIREMENTS BEFORE THE END OF TWELFTH GRADE.**

BY REPRESENTATIVE Conti;
also SENATOR King K.

Under current law, each public school must assist students and parents in developing an individual career and academic plan (ICAP) for each student. Under the bill, each public school, in working on the student's ICAP, will inform the student and the student's parent or legal guardian concerning concurrent enrollment and, at the student's or parent's or legal guardian's request, assist the student in course planning to enable him or her to concurrently enroll.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/E62B63499128E95387257981007DC5F7?Open&file=1043_enr.pdf

**HOUSE BILL 12-1045
CONCERNING SALES AND USE TAX EXEMPTIONS FOR THE SALE AND USE OF WOOD FROM TREES HARVESTED IN COLORADO DAMAGED BY BEETLES.**

BY REPRESENTATIVE Bradford;
also SENATOR King S.

Wood and wood products from trees killed or infested in Colorado by the mountain pine beetle are currently exempt from sales and use tax, which expires on July 1, 2013. The bill specifies that the current exemption includes trees killed or infested in Colorado by the spruce beetle and extends the expiration of the exemption to July 1, 2020.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/52C95257764A428B87257981007F68D5?Open&file=1045_enr.pdf

HOUSE BILL 12-1061

CONCERNING REQUIRING A REPORT OF THE CORRELATION BETWEEN THE EDUCATIONAL CREDENTIALS ISSUED AND THE STATE'S WORKFORCE NEEDS.

BY REPRESENTATIVE(S) Kagan, Casso, Court, Duran, Ferrandino, Fields, Hamner, Hullinghorst, Jones, Kefalas, Kerr A., Labuda, Lee, Levy, Miklosi, Pabon, Pace, Peniston, Ryden, Schafer S., Singer, Solano, Todd, Tyler, Vigil, Williams A., Wilson, Young;
also SENATOR(S) Newell, Aguilar, Bacon, Boyd, Foster, Heath, Hodge, Hudak, Schwartz, Steadman, Tochtrop, Williams S., Shaffer B.

The bill requires the department of higher education (department), in consultation with the department of labor, the department of regulatory agencies, and any other entity the department deems appropriate, to produce, within the limits of available resources and data, an annual report regarding state workforce projections and education credential production. The report will show the workforce needs that are not being met by state degree and certificate production and identify institutions, public or private, that may be able to address those workforce needs through new programs or expansion of existing ones. The department will send the report to every public postsecondary governing board in the state and will work with the department of education to provide the report to the state's public school districts, the Colorado charter school institute, and Colorado private elementary, middle, and high schools. The bill repeals July 1, 2016.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/76D69C40F5D0891387257981007DB71F?Open&file=1061_enr.pdf

HOUSE BILL 12-1072

CONCERNING CREDIT FOR PRIOR LEARNING IN HIGHER EDUCATION.

BY REPRESENTATIVE(S) Massey and Fields, Holbert, Becker, Beezley, Casso, Court, Duran, Fischer, Gerou, Hamner, Jones, Kefalas, Kerr A., Labuda, Looper, Murray, Nikkel, Pabon, Pace, Schafer S., Solano, Stephens, Summers, Todd, Williams A., Wilson, Young;
also SENATOR(S) Bacon and King K., Hudak, Aguilar, Boyd, Cadman, Giron, Grantham, Guzman, Heath, Hodge, Jahn, Johnston, King S., Lambert, Neville, Newell, Renfro, Roberts, Schwartz, Spence, Tochtrop, White, Williams S., Shaffer B.

Educational Success Task Force. Beginning with the 2013-14 academic year, each public institution of higher education will adopt and make public a policy or program to determine academic credit for a student's prior learning. The bill permits a nonpublic institution of higher education that is accredited by an accrediting agency or association approved by the United States department of education to participate.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/845EEEEEA117B030387257981007E03A0?Open&file=1072_enr.pdf

**HOUSE BILL 12-1105
CONCERNING WIND ENERGY PROPERTY RIGHTS.**

BY REPRESENTATIVE Becker;
also SENATOR Tochtrop.

The bill establishes a non-severable wind energy right in real property.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/DD27838CF592266487257981007F166B?Open&file=1105_enr.pdf

**HB 12-1124
CONCERNING A STUDY OF DIGITAL LEARNING IN COLORADO.**

BY REPRESENTATIVE(S) Massey, Fields, Hamner, Holbert, Levy, Peniston;
also SENATOR Johnston.

The bill directs the department of education (department) to commission a study of the issues surrounding integration of digital learning into the statewide system of public education in Colorado. The department will select a Colorado-based entity to complete the study. The study is funded by gifts, grants, or donations. The study will be completed and submitted to the state board of education, the governor, and the education committees of the general assembly by January 31, 2013.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/1F0EB7942C7D50B687257981007DB493?Open&file=1124_enr.pdf

**HOUSE BILL 12-1126
CONCERNING ON-SITE WASTEWATER TREATMENT SYSTEMS, AND, IN CONNECTION
THEREWITH, MAKING AN APPROPRIATION.**

BY REPRESENTATIVE(S) Gerou, Fischer, Kerr J., Wilson;
also SENATOR(S) Roberts, Boyd, Newell, Nicholson.

The bill modernizes and simplifies the laws related to individual sewage treatment systems. The bill:

- Replaces the terms "individual sewage disposal system" (or "ISDS") with "on-site wastewater treatment system" (or "OWTS") and updates other OWTS-related terms and definitions;

- Eliminates references to disposal of sewage to more accurately convey that sewage is treated;
- Explicitly authorizes performance-based approaches to the regulation of OWTSS;
- Removes specific topics and parameters for which the water quality control commission (commission) and local boards of health are required to promulgate rules, thus allowing those entities greater regulatory flexibility to regulate OWTSS;
- Reorganizes existing law for increased clarity, including relocating provisions pertaining to the issuance of variances from OWTS rules;
- Withdraws from local boards of health, and places within the purview of the commission, the authority to specify by rule mandatory tests that must be performed on OWTSS and allows local boards of health to adopt rules requiring additional studies;
- Strikes references to a distinct "emergency use permit" and instead incorporates the ability of a local public health agency to allow use of a malfunctioning OWTS under the terms of, and concurrent with, a repair permit;
- Defines "cesspool", allows existing cesspools to continue to be used, and prohibits the construction of new cesspools;
- Condenses language pertaining to fees that a local board of health may collect for OWTS-related services, and allows the amount of such fees to be sufficient to offset the indirect costs (in addition to direct costs) incurred; and
- Repeals specific provisions relating to, while reaffirming, the authority of a local board of health to prohibit permits for an OWTS when the OWTS will constitute a hazard to public health or water quality.

The bill appropriates 0.1 FTE and \$8,530 from the water quality control fund to the department of public health and environment for the implementation of the bill.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/A83E9DA30CD7BC5987257981007F0DD6?Open&file=1126_enr.pdf

HOUSE BILL 12-1144

CONCERNING AUTHORIZING INSTITUTIONS OF HIGHER EDUCATION TO ENTER INTO EMPLOYMENT CONTRACTS FOR NON-TENURE-TRACK CLASSROOM TEACHERS.

BY REPRESENTATIVE(S) Fischer, Duran, Hamner, Hullinghorst, Kefalas, Kerr A., Peniston, Ryden, Schafer S., Solano, Tyler, Young, Casso, Fields, Singer, Todd, Vigil, Wilson;

also SENATOR(S) Bacon, Guzman, Heath, Hodge, Hudak, Morse, Steadman.

The bill authorizes each system of higher education and each campus of each state institution of higher education to employ, with the approval of its chief executive officer, an unlimited number of non-tenure-track, half-time or longer classroom teachers under renewable 3-year employment contracts. The employment contract must include a provision that renders the contract unenforceable if the employing system or campus ceases to be an enterprise and does not have sufficient financial reserves to satisfy the contract.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/7820234AB393E07D87257981007E0D50?Open&file=1144_enr.pdf

HOUSE BILL 12-1146

CONCERNING PROGRAMS TO ALLOW STUDENTS TO ENROLL IN POSTSECONDARY INSTITUTIONS TO COMPLETE HIGH SCHOOL GRADUATION REQUIREMENTS.

BY REPRESENTATIVE(S) Nikkel, Todd, Massey, Beezley, Murray, Solano, Summers, Barker, Brown, Casso, Duran, Fields, Fischer, Gerou, Hamner, Hullinghorst, Kerr A., Kerr J., Labuda, Ryden, Schafer S., Vigil, Young, Court, Holbert, Kefalas, Priola, Singer, Williams A.;
also SENATOR(S) Giron, Aguilar, Bacon, Boyd, Carroll, Foster, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Lambert, Lundberg, Morse, Newell, Roberts, Schwartz, Spence, Steadman, Tochtrop, White, Williams S.

The bill authorizes a community college, including a junior district college, to agree with a local education provider to create a dropout recovery program through which a student who has dropped out of high school or who is at risk of dropping out of high school can concurrently enroll in the community college and the local education provider to complete his or her high school graduation requirements. The student attends classes exclusively at the community college, and all of the credits he or she earns count toward high school graduation. The dropout recovery program differs from the usual concurrent enrollment program with regard to the student's age and the number and type of course credits authorized.

The community college and the local education provider enter into an agreement that specifies many aspects of the dropout recovery program, including the tuition rate the local education provider will pay on the student's behalf, which rate cannot exceed the student's share of tuition at a community college. The local education provider will include the student in its pupil enrollment, and the community college, and the local education provider may include additional financial provisions in the agreement.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/C36A199A8DBC555487257981007F33B2?Open&file=1146_enr.pdf

HB 12-1155

CONCERNING MEASURES TO INCREASE THE TIMELY COMPLETION OF POSTSECONDARY DEGREES.

BY REPRESENTATIVE(S) Massey, Fields, Hamner, Casso, Conti, Court, Fischer, Jones, Kefalas, Kerr J., Labuda, Nikkel, Pabon, Schafer S., Summers, Todd, Williams A., Young, Vigil, Wilson;
also SENATOR(S) Bacon, Heath, Hudak, King K., Newell, Schwartz, Williams S.

Under current law, the Colorado commission on higher education (commission) establishes academic admission standards for state institutions of higher education (institutions). In establishing those standards, the commission, under the bill, may take into account the rigor of a student's high school courses.

The bill clarifies the commission's authority to adopt a policy concerning basic skills courses (policy) and directs the commission to ensure the policy is aligned with the academic admission standards. The policy sets the procedures for identifying students who need basic skills courses and procedures by which institutions offer those courses. In setting the standards for basic skills requirements, the commission may differentiate the mathematics requirements based on a student's chosen area of study. While only certain institutions may provide basic skills courses, the commission may authorize other institutions to provide supplemental academic instruction for students who enroll in general education, college-level courses but are identified as having limited skill deficiencies. A student who requires basic skills courses must complete the courses by the time the student completes 30 college-level credit hours. The commission will ensure that the student receives written notice identifying the state institutions that offer the basic skills courses and the approximate cost and availability of the courses.

The department of higher education (department) currently prepares an annual report concerning higher education student enrollment and persistence. The department distributes the report to the education committees and the state board of education and posts it to the department's web site. The department will also provide the report to the department of education, which will post it on its web site, and the department will distribute student records to the appropriate school districts.

The commission has existing authority to establish each institution's role and mission and to enter into performance contracts with each institution. The bill clarifies that the commission must refer to an institution's role and mission and service area as necessary to interpret, with the institution's governing board, the implications of the role and mission and service area for the institution's performance contract.

Under current law, the commission is charged with recommending a performance funding model for institutions. The bill directs the commission, in preparing its recommendations, to analyze the effects of differentiated Colorado opportunity fund (COF) stipend amounts and of limiting the funding for credit hours taken in excess of a certain limit.

The performance contract for the Colorado school of mines (contract) currently expires on November 30, 2012. Current law requires the commission and the school of mines to renegotiate the contract and requires the general assembly to approve the new contract by a joint resolution passed during the 2012 regular session. The bill extends the contract expiration date to the date on which the governor signs a joint resolution passed during the 2013 legislative session to approve a renegotiated contract. The new contract will take effect the day after the joint resolution is signed and will continue in effect until the date on which

the governor signs a joint resolution passed during the 2023 legislative session to approve the next contract.

Under current law, the commission must adopt guidelines for general education courses for all public institutions of higher education in the state. The bill allows the department and the commission, in consultation with the institutions, to make allowances for baccalaureate programs that have additional degree requirements.

The bill makes several changes to the existing statutes concerning authorization of private colleges and universities and seminaries and bible colleges (private institutions) in the state, including changing the term "bible college" to "religious training institution". The changes generally clarify the types of institutions that are subject to authorization and specifically require the Colorado commission on higher education (commission) and the department of higher education (department) to set procedures for authorizing, renewing, and revoking the authorizations for private institutions. The commission must also set the amount of the fees that a private institution pays for the administration of the authorization process, including a separate fee if a private institution seeks approval of an educator preparation program. Each private institution must also report specified student information.

Each private institution must obtain authorization for each campus, branch, or site that is separately accredited and operates in Colorado. Authorizations for private colleges and universities are based on the institution's accreditation and are subject to renewal every 3 years or on the same schedule that applies for renewing the institution's accreditation, whichever is longer. Authorizations for seminaries and religious training institutions are based on whether the institution continues to meet the definition for seminary or religious training institution. The bill clarifies the process and standards for renewing authorizations and the conditions and procedures under which the commission may revoke a private institution's authorization or place the authorization on probationary status.

Under current law, a private institution that ceases operations must tell the department where it will store its records. The bill requires the private institution to turn its records over to the department, authorizes the commission to seek a court order to seize the records in certain circumstances, and makes the records subject to the open records statutes. The department must keep the records for specified periods.

Private colleges or universities that meet specified criteria are not required to file a surety or to otherwise demonstrate financial integrity. Each private college or university that does not meet the criteria must demonstrate financial integrity based on evidence that it meets other criteria. If the private college or university cannot demonstrate financial integrity, it must post surety in a specified amount, which surety may be in the form of a bond, that the commission can use to reimburse students for a loss of tuition or fees or to provide services if the institution ceases to operate in Colorado or a student files a claim against the institution. If a private college or university that does not post surety ceases operations in the state, the attorney general may file a claim on behalf of students to recover any unearned, prepaid tuition. Seminaries and religious training institutions are not required to meet any of the criteria, demonstrate financial integrity, or file a surety.

The department must maintain a list of authorized private institutions and establish a process for reviewing and acting on complaints against a private institution. The commission may negotiate reciprocal agreements with other states to assist in implementing authorizations for private institutions.

The bill changes the terms of members appointed to the proprietary postsecondary education board (board) so that fewer members will be appointed at one time. The current law authorizes a student enrolled in a private occupational school to file with the board a complaint against the school. Under the bill, the student must first exhaust any complaint procedures that the school has in place.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/64C3361BBB1CA6C187257981007DBE2F?Open&file=1155_enr.pdf

**HOUSE BILL 12-1185
CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HIGHER
EDUCATION.**

BY REPRESENTATIVE(S) Gerou, Becker, Levy, Casso, Fields, Hamner, Labuda, Peniston, Solano, Todd, Vigil, Williams A., Wilson, Young;
also SENATOR(S) Hodge, Steadman, Lambert, Brophy.

Makes supplemental appropriations to the department of higher education.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/ED4967AF0B8A66A287257981007F1427?Open&file=1185_enr.pdf

**HOUSE BILL 12-1220
CONCERNING CHANGES TO THE GOVERNANCE STRUCTURE OF THE BOARD OF GOVERNORS
OF THE COLORADO STATE UNIVERSITY SYSTEM, AND, IN CONNECTION THEREWITH,
ESTABLISHING THE GOVERNANCE STRUCTURE FOR COLORADO STATE UNIVERSITY - GLOBAL
CAMPUS.**

BY REPRESENTATIVE(S) Becker, Conti, Fields, Fischer, Gerou, Holbert, Kefalas, Liston, Massey, Nikkel, Pace, Priola, Schafer S., Todd, Vigil, Young, McNulty;
also SENATOR(S) Bacon, Boyd, Foster, Heath, King K., Lundberg, Newell, Schwartz, Spence, Williams S.

The bill establishes the governance structure for Colorado state university - global campus (CSU global campus), which will be a baccalaureate and graduate on-line university. CSU global campus will be governed by the CSU system board of governors, which is expanded by two advisory members to include one CSU global campus student and one CSU global campus professor.

The bill makes several clarifying and conforming changes to the Board of Governors statutes.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/4D98C2F7383E1B3F872579880055454E?Open&file=1220_enr.pdf

**HOUSE BILL 12-1229
CONCERNING PUBLICATION REQUIREMENTS FOR A NEWSPAPER IN WHICH A LEGAL NOTICE
OR ADVERTISEMENT IS PRINTED.**

BY REPRESENTATIVE(S) Murray, Kerr J., Ramirez, Stephens, Todd;
also SENATOR(S) Scheffel.

The bill defines the term "published" for purposes of publishing legal notices and specifies that, in circumstances where there is no newspaper published in a particular county or an adjoining county, a legal notice may be published in a newspaper having general circulation within the county.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/AC615B2F81703C5687257981007E0D07?Open&file=1229_enr.pdf

**HOUSE BILL 12-1236
CONCERNING THE REGULATION OF CHARITABLE SOLICITATIONS, AND, IN CONNECTION
THEREWITH, MAKING AN APPROPRIATION.**

BY REPRESENTATIVE(S) Summers, Holbert, Fields, Kerr A., Labuda, Young;
also SENATOR(S) Jahn, Boyd, Newell.

The bill makes several changes to the laws governing charitable solicitations.

Section 1 of the bill excludes grant writers from the definition of "paid solicitor" unless the grant writer's compensation is computed on the basis of funds raised from the grant. **Section 2** specifies that fundraising on behalf of a named individual is not a charitable appeal and therefore the fundraiser does not have to register with the secretary of state. In addition, section 2 eliminates the need for a charity to request a 3-month extension for the filing of its initial or annual financial report with the secretary of state if the charity has filed for an extension with the internal revenue service.

Section 3 clarifies that only monetary contributions must be deposited with a financial institution. **Section 4** requires paid solicitors, near the beginning of a telephone solicitation, to disclose that a contribution is not tax-deductible, if that are the case, before soliciting the donation and to state their full and complete name.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/78A74A56BC00356B87257981007F5549?Open&file=1236_enr.pdf

HB 12-1238**CONCERNING LITERACY EDUCATION FOR STUDENTS ENROLLED IN KINDERGARTEN THROUGH THIRD GRADE, AND, IN CONNECTION THEREWITH, CREATING THE "COLORADO EARLY LITERACY ACT" AND MAKING AND REDUCING APPROPRIATIONS.**

BY REPRESENTATIVE(S) Massey and Hamner, Fields, Pabon, Priola, Casso, Gerou, Lee, Murray, Pace, Sonnenberg, Swerdfeger;
also SENATOR(S) Johnston and Spence, Bacon, Giron, Jahn, Newell.

The bill adds a new part to be known as the "Colorado Reading to Ensure Academic Act" or "Colorado READ Act". Each school district, charter school, and board of cooperative services (local education provider) that enrolls students in kindergarten or first, second, or third grade (early grades) must provide instructional programs and support in reading to ensure to the greatest extent possible that, by the time a student finishes third grade, the student's reading skills are high enough to enable the student to achieve the standards and expectations for fourth grade and beyond.

The state board of education (state board) will promulgate rules that establish the grade-level reading competency skill level and the minimum reading competency skill level for each of the early grades. The department of education (department) will adopt a procedure to collect and review reading assessments, instructional programming in reading, and professional development programs. The department will review the assessments and recommend assessments that meet specified criteria to the state board for approval. The department will create and maintain a list of approved reading assessments that local education providers will use to measure students' reading skills and diagnose students' reading skill deficiencies. The department will also create a list of recommended instructional programming in reading that meets specified criteria and a list of recommended professional development programs.

Beginning no later than the 2013-14 school year, each local education provider will begin assessing students in each of the early grades and diagnosing students' specific reading skill deficiencies. If a student's reading skills are below grade level but above the minimum reading competency skill level for the student's grade level, the student has a reading deficiency. If a student's reading skills are below the minimum reading competency skill level, the student has a significant reading deficiency.

If a student has a reading deficiency or a significant reading deficiency, the student's teacher will notify the student's parent and invite the parent to participate with the teacher in creating a reading to ensure academic development plan (READ plan) for the student. For students who have a significant reading deficiency, the notice will also specify that, if the student still has a significant reading deficiency at the end of the school year, state law recommends that the student advance to the next grade level only if the student can continue to make academic progress despite the significant reading deficiency, and the teacher and parent and potentially other personnel of the local education provider will decide whether the student will advance.

A student's READ plan must include a description of the student's specific reading skill deficiencies, a discussion of the likely consequences to the student of not achieving reading competency, the specific intervention instruction the teacher will use to help the student progress, and the specific strategies the parent is encouraged to use at home to help the student progress. The READ plan and documentation

supporting the READ plan and the student's progress in implementing the plan will be included in the student's permanent academic record. The student's READ plan will include intervention instruction provided through the response to intervention framework.

If, at the end of a school year, a student has a significant reading deficiency, the statute recommends that the student advance to the next grade level only if the student can continue to make academic progress despite the significant reading deficiency. The student's teacher will send the student's parent written notice that the teacher, the parent, and other personnel from the local education provider must meet to decide whether the student will advance.

If there is a meeting, the student's parent and teacher and personnel from the local education provider will decide, based on the student's body of evidence and the likelihood that the student will be able to make academic progress, whether the student will advance to the next grade level. The teacher and the other personnel will again explain the likely consequences to the student if he or she does not achieve reading competency.

A student is not subject to a decision about whether to advance to the next grade level if the student enrolled in kindergarten before the 2013-14 school year; has an IEP and is eligible to take the alternative statewide assessment or has a disability that substantially impacts the student's progress in developing reading skills; is an English language learner, and the student's significant reading deficiency is due primarily to language; or has already been in the same grade for 2 years.

A student who does not advance to the next grade level must receive increased reading intervention instruction and supports to improve his or her reading competency during the year in which he or she does not advance.

Each local education provider will annually report to the department data that enables the department to determine whether students who receive READ plans achieve reading competency, how long it takes for them to do so, and whether prohibiting a student from advancing to the next grade level has a positive effect on the student's reading skill level. The department will report its analysis of the data to the state board, the governor, and the general assembly and will make it available on the department's web site.

The department will administer an early literacy grant program to provide money to applying local education providers to implement literacy support and intervention instruction programs, including professional development, to assist students in kindergarten and first through third grades to achieve reading competency. The grant program is funded through the early literacy fund, which consists of moneys previously appropriated to the read-to-achieve cash fund. The department is directed to use a portion of the moneys in the fund to provide technical support to local education providers on a regional basis to assist them in implementing the early grade literacy requirements; a portion to fund the early literacy grant program; a portion to reimburse school districts for services provided to juveniles held in adult jails; and a portion to reimburse local education providers for costs incurred in administering the reading assessments. In addition, the department may use a portion to offset the department's costs in administering the early literacy grant program. The read-to-achieve fund and program are repealed.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/BE80872E0CC93D2987257981007DC105?Open&file=1238_enr.pdf

**HB 12-1240
CONCERNING STATUTORY CHANGES TO K-12 EDUCATION.**

BY REPRESENTATIVE(S) Kerr A.;
also SENATOR(S) Bacon and King K.

The bill contains several statutory changes proposed by the department of education (department), including:

- A requirement will be placed on the office of legislative legal services to report any introduced legislation concerning education data to the education data advisory committee.
- The date for the adoption of graduation guidelines by the state board of education is extended from December 15, 2011, to May 15, 2013. The provision that the state board of education receive, maintain, and post copies of collective bargaining agreements are repealed.
- The pool of potential sources for gifts, grants, and donations for S.B. 10-191 is expanded by allowing the department to accept moneys outside of federal moneys.
- The date for the inclusion of diploma endorsements in performance indicators is extended.
- The criteria for awarding the John Irwin Schools of Excellence Award are changed to include those schools with the highest level of attainment on the performance indicator concerning student achievement levels.
- The difference between an "on-line program" and an "on-line school" is clarified.
- The number of charter school food authorities is increased from 6 to 10 and the deadline is extended to 2016.
- Ongoing deficit is defined.
- The department will notify a local board of education if it approves a letter of intent on emergency reserves.
- The requirement that a school district receiving an impact assistance grant must certify the amount of that grant to the state board of education is removed.
- Specifies that if a charter school or institute charter school offers a full-day kindergarten program, the supplemental funding should be passed to the charter school or institute charter school.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/A386D89EDA600136872579820026D8D7?Open&file=1240_enr.pdf

**HOUSE BILL 12-1241
CONCERNING ENTERPRISE ZONE DESIGNATIONS.**

BY REPRESENTATIVE(S) Ferrandino, Hullinghorst, Court, Fischer, Labuda, Levy, Pabon, Singer, Duran, Fields, Kagan, Kefalas, Kerr A., McCann, Miklosi, Pace, Peniston, Ryden, Schafer S., Soper, Todd, Vigil, Wilson, Young, McNulty;
also SENATOR(S) Heath, Boyd, Foster, Steadman, Tochtrop.

The bill creates an enterprise zone review task force to review the effectiveness of the "Urban and Rural Enterprise Zone Act". The 15 members of the task force are required to review the criteria for designation of an enterprise zone, the tax credits available in order to assess their effectiveness in achieving the purposes of the enterprise zones, and all other issues related to enterprise zones that the task force finds necessary. On or before November 1, 2013, the task force must report its progress, findings, and recommendations to the finance committees of the house of representatives and the senate, the economic and business development committee of the house of representatives, and the business, labor, and technology committee of the senate. The task force is subject to a sunset review of advisory committees on July 1, 2014. Additionally, the bill requires the director of the Colorado office of economic development (director) and the Colorado economic development commission (commission) to review the enterprise zone designations at least once every 5 years to ensure that the existing zones continue to meet one of the three criteria. The bill allows the director and the commission to modify existing enterprise zone designations based on the review. If it is determined that existing enterprise zone designations need to be modified, the modification shall not be undertaken in a high unemployment period. The bill also requires all enterprise zones to comply with the requirement to submit annual documentation of efforts to improve economic conditions.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/22FD9A14F20C3D198725798100F51EF?Open&file=1241_enr.pdf

HOUSE BILL 12-1246

CONCERNING A REVERSAL OF THE ANNUAL PAYDAY SHIFT AS IT APPLIES TO STATE EMPLOYEES PAID ON A BIWEEKLY BASIS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

BY REPRESENTATIVE(S) Becker, Gerou, Levy, Baumgardner, Conti, Fields, Fischer, Hullinghorst, Kefalas, Kerr A., Sonnenberg, Summers, Young;
also SENATOR(S) Hodge, Steadman, Lambert.

Joint Budget Committee. As a result of the payday shift affected by Senate Bill 03-197, payment to state employees who are paid on a biweekly basis is delayed from late June to the first working day in July each year. Commencing with the 2012-13 state fiscal year, the bill reverses the payday shift for state employees who are paid on a biweekly basis so that such employees will be paid in June in accordance with their regular 2-week payment schedule. To implement the payday shift reversal, the bill appropriates \$2,081,015 to various departments.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/1D940F07F192BB1287257984006F2E34?Open&file=1246_enr.pdf

HB 12-1261

CONCERNING EFFECTIVE EDUCATORS IN LOW-PERFORMING, HIGH-NEEDS SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY REPRESENTATIVE(S) Solano, Massey, Todd;
also SENATOR(S) Bacon.

The bill provides that highly effective and effective educators, as rated by the statewide performance evaluation system to be implemented, and satisfactory educators, as rated by the current system, are given the first opportunity to apply, interview, and be considered for available positions in low-performing, high-needs schools. The effective educators in low-performing, high-needs schools grant program (grant program) is created to help schools recruit and retain educators with highly effective, effective, and satisfactory performance evaluation ratings. The grant program will take effect with the 2013-14 school years. The state board of education is authorized to promulgate rules for the implementation and administration of the grant program. The effective educators in low-performing, high-needs schools compensation fund are established to fund the grant program. The department of education is authorized to accept gifts, grants, and donations to fund the grant program. Appropriates \$604,800 for the programs.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/58272B973D2FFFDE87257981007F39A1?Open&file=1261_enr.pdf

HB 12-1268

CONCERNING A TRANSFER OF FUNCTIONS PERTAINING TO HEALTH FACILITY COMPLIANCE WITH CERTAIN BUILDING SAFETY STANDARDS FROM THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO THE DIVISION OF FIRE SAFETY IN THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY WITHIN THE DEPARTMENT OF PUBLIC SAFETY, AND, IN CONNECTION THEREWITH, CREATING THE HEALTH FACILITY CONSTRUCTION AND INSPECTION SECTION IN THE DIVISION OF FIRE SAFETY.

BY REPRESENTATIVE(S) Acree, Beezley, Joshi, Kerr J., McCann, Ramirez, Gerou, Liston, Summers, Todd;
also SENATOR(S) Hudak, King S., Newell, Tochtrop, White, Williams S.

Currently, the division of fire safety (division) in the office of preparedness, security, and fire safety within the Colorado department of public safety conducts construction plan reviews and performs inspections of public school buildings to determine compliance with building and fire safety codes. The department of public health and environment (department) is responsible for such reviews and inspections for health facility buildings.

Effective July 1, 2013, and contingent upon the state receiving a modification of its agreement with the United States department of health and human services, the bill transfers to the division the department's functions, personnel, and property directed principally for inspections of health care facilities for conformity to building and fire safety standards. When there is no appropriate local building or fire department, or upon request from a local jurisdiction, and with the exception of certain health facilities for which there are no central buildings used to provide health services to individuals, the division will be responsible for adopting building and fire safety standards, reviewing plans for construction, performing inspections, issuing certificates of occupancy and compliance, and otherwise assessing and enforcing compliance with building and fire safety standards.

To administer its new functions, the health facility construction and inspection (section) is created under the division. The bill sets forth the administrative duties and processes of the division and the section.

The bill leaves intact the existing authority of a local jurisdiction to adopt and enforce concurrent building and fire safety codes, and describes the interaction between local and division oversight and regulations.

The department is prohibited from licensing a health facility unless the division issues to the department a certificate of compliance certifying that the health facility's buildings and structures conform to the building and fire safety standards adopted by the director of the division. Upon receipt of all required documentation, including such certificate, the department must take action regarding the pending application for licensure within 30 days.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/BDFA5CF2D035E1C1872579810082A6C0?Open&file=1268_enr.pdf

HB 12-1270

CONCERNING AN INCREASE IN THE LIMIT ON THE AMOUNT OF ALCOHOL BEVERAGES A PERSON LICENSED TO SELL ALCOHOL BEVERAGES FOR ON-PREMISES CONSUMPTION MAY PURCHASE FROM A LICENSED ALCOHOL BEVERAGE RETAILER.

BY REPRESENTATIVE(S) Ryden, Jones, Liston, Miklosi, Tyler, Wilson, Hullinghorst, Kerr A., Labuda, Pabon, Todd, Vigil, Kagan, Schafer S.;
also SENATOR(S) Heath, Aguilar, Boyd, Guzman, King S., Schwartz, White, Williams S.

Current law limits the amount of alcohol beverages persons licensed to sell alcohol beverages for consumption on licensed premises may purchase at retail, rather than from a licensed alcohol beverage wholesaler. For hotel and restaurant licensees, the limit is \$1,000 worth of alcohol beverages per year; for all other on-premises licensees, the limit is \$500 worth of alcohol beverages per year.

The bill increases the limit to \$2,000 worth of alcohol beverages per year for all persons licensed to sell alcohol beverages for on-premises consumption.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/BAD4D4C82A2E499D8725798800817DBB?Open&file=1270_enr.pdf

HOUSE BILL 12-1276

CONCERNING CHILD CARE LICENSURE WAIVERS FOR MATERIALS RELATED TO A CHILD CARE CENTER'S CURRICULUM.

BY REPRESENTATIVE(S) Duran, Summers, Fields, McCann, Casso, Hullinghorst, Massey, Swerdfeger, Vigil, Fischer, Hamner, Kefalas, Kerr A., Kerr J., Labuda, Peniston, Priola, Schafer S., Solano, Todd, Young, Tyler;
also SENATOR(S) Newell, Aguilar, Bacon, Boyd, Foster, Heath, King K., Lundberg, Mitchell, Morse, Neville, Schwartz, Spence, White, Williams S.

The bill allows child care centers (centers) that are subject to child care licensure regulations, including centers that are already licensed, to apply to the department of human services (department) for waivers to use certain materials in conjunction with their curricula (waiver). Centers are required to adopt policies concerning parental notification of possible safety risks of those materials and the training of instructors in the use of those materials. The state board of human services is directed to promulgate rules concerning the criteria for denying waiver requests, as well as an appeals process for centers to utilize if their waiver request is denied. Whenever practicable, the department shall use the same inspector for multiple visits to a center or a group of commonly owned centers seeking a waiver. The department shall not post a denial of a waiver related to a center's request for a waiver until the appeal is final.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/4165F8892CBB027A87257981007F388C?Open&file=1276_enr.pdf

HB 12-1278

CONCERNING THE AUTHORIZATION OF A STUDY OF THE SOUTH PLATTE RIVER ALLUVIAL AQUIFER, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY REPRESENTATIVE(S) Fischer, Becker, Brown, Casso, Coram, Duran, Fields, Kefalas, Labuda, Miklosi, Pabon, Pace, Priola, Ryden, Schafer S., Solano, Todd, Tyler, Vigil, Williams A., Wilson, Young, Nikkel, Sonnenberg, Summers;
also SENATOR(S) Renfroe, Brophy, Cadman, Grantham, Jahn, King K., Lambert, Lundberg, Neville, Scheffel, Shaffer B.

The bill requires the Colorado water conservation board, in consultation with the state engineer and the Colorado water institute, to conduct a comprehensive study to compile and evaluate available historical hydrologic data through water year 2011. The study's objectives are to evaluate whether current laws and

rules that guide water administration in the South Platte river basin achieve the dual goals of protecting senior water rights and maximizing the beneficial use of both surface water and groundwater within the basin. The board shall enter into a contract with the institute, using existing procurement mechanisms and agreements between the board and the institute, to conduct, oversee, and coordinate all aspects of the study. The institute shall conduct the study independently using relevant, available, current, and historical hydrologic data and documents. The study must examine water use in water districts 1, 2, and 64 within water division 1. In conducting the study, the institute shall consider the impacts to all water rights and interstate obligations in water division 1 and shall investigate, compile, and evaluate hydrologic variables and factors.

The institute shall evaluate and report its findings and conclusions to the board and the general assembly regarding specific issues including to what extent depletions caused by past pumping of wells have delayed impacts on surface streams and, if so, the most appropriate methods for quantifying the impacts. The board shall commission the study as soon as practicable. The institute shall prepare a final report, including its conclusions, and present it to the general assembly no later than December 31, 2013.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/305CE972C8F2F51D8725798400602A21?Open&file=1278_enr.pdf

HB 12-1283

CONCERNING THE DEPARTMENT OF PUBLIC SAFETY, AND, IN CONNECTION THEREWITH, RENAMING AND REORGANIZING CERTAIN EXISTING ENTITIES, AND MAKING AND REDUCING APPROPRIATIONS.

BY REPRESENTATIVE Barker;
also SENATOR(S) Giron.

The forestry functions of the Colorado State University board relating principally to fire and wildfire preparedness, response, suppression, coordination, or management are transferred to the wildland fire management section in the division of fire prevention and control in the department of public safety. Any and all claims, liabilities, and damages, including costs and attorneys' fees, relating in any way to the performance of duties that were performed by the board or its employees on or before June 30, 2012, are transferred to and assumed by the state exclusively through the division of fire prevention and control and no other public entity or agency, including the board and its employees, shall be responsible or liable for any claims, liabilities, or damages that arose before June 30, 2012. All interagency agreements regarding wildfire and prescribed fire management and control that are in effect as of July 1, 2012, to which the state forest service, or the board on its behalf, is a party, shall remain in full force and effect. The board's funds, moneys, positions of employment, personnel, and personal property that were, as of June 30, 2012, principally directed to fire and wildfire preparedness, response, suppression, coordination, or management and any and all claims and liabilities, relating in any way to fire and wildfire preparedness, response, suppression, coordination, or management by the board, the state forest services or its employees on or before June 30, 2012, are transferred to the division of fire prevention and control.

Transfers the Colorado Emergency Planning Commission from the Department of Local Affairs to the Department of Public Safety.

The bill consolidates homeland security functions under the department of public safety (department) by renaming the office of preparedness, security, and fire safety the division of homeland security and emergency management (new division). The new division is comprised of:

- The office of emergency management;
- The office of office of prevention and security, which previously was the office of anti-terrorism planning and training; and
- The new office of preparedness. The office of preparedness is charged with improving homeland security-related communication, identifying opportunities for training efficiencies, coordinating planning efforts, and administering federal grants for homeland security activities.

For the purpose of advising the homeland security advisor, the bill creates the homeland security and all-hazards senior advisory committee (advisory committee) and schedules the advisory committee for sunset review.

The division of fire safety, which is currently organized under the office of preparedness, security, and fire safety, is renamed the division of fire prevention and control and is relocated to be directly under the department. Establishes qualifications for the director of the division. Requires the division of fire prevention and control to execute, administer, perform, and enforce the rights, powers, duties, functions, and obligations relating to fire and wildfire preparedness, response, suppression, coordination, or management vested previously in the board of governors of the Colorado State University system or the state forest service.

The bill transfers the duties to develop a resource database and a statewide resource mobilization plan from the department of local affairs to the office of emergency management within the division of homeland security and emergency management of the department of local affairs. The scopes of the database and the plan are expanded to:

- Include all types of hazards, rather than fires alone; and
- Add participation from tribal entities and private sector organizations.

As a result of the above reorganization, the bill also makes conforming amendments to current law, which amendments include removing obsolete provisions, and updating statutory language. Further, the bill adds 2 members to the fire service training and certification advisory board to restore the board to its original composition.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/94F59E2AF3B48FA387257981007F4449?Open&file=1283_enr.pdf

**HOUSE BILL 12-1285
CONCERNING MODIFICATIONS TO STATUTORY PROVISIONS GOVERNING
INTERGOVERNMENTAL COOPERATION TO ADDRESS WILDLAND FIRE MITIGATION WHERE A
MUNICIPALITY OWNS LAND INSIDE A COUNTY FOR UTILITY PURPOSES.**

BY REPRESENTATIVE(S) Gerou, Conti, Gardner B., Hamner, Kerr J., Nikkel;
also SENATOR(S) Jahn, Boyd, King S., Newell, Nicholson, Schwartz.

Existing law requires each municipality that owns any land area either entirely or partially outside its own territorial boundaries and inside the territorial boundaries of a county and that contains at least 50% forest land or land that constitutes a wildland area to enter into an intergovernmental agreement by July 1, 2012, with the county for the purpose of mitigating forest land or wildland fires affecting the contiguous land areas of the municipality and county.

The bill sets up parallel requirements for municipalities that own any land area inside the county for utility purposes. If not, the existing statutory requirements apply. However, if the municipality owns land for utility purposes, then, on or before July 1, 2012, each municipality that owns any land area for utility purposes that is located either entirely or partially outside its own territorial boundaries and inside the territorial boundaries of a county and that contains at least 50% forest land or land that constitutes a wildland area shall either:

- Enter into an intergovernmental agreement with the county for the purpose of mitigating forest land or wildland fires affecting the contiguous land areas of the municipality and county; or
- Enter into an agreement with the Colorado state forest service for the purpose of mitigating forest land or wildland fires affecting the contiguous land areas of the municipality and county, and provide notification of the agreement to any county in which the municipality owns any land area.

In association with the governmental parties entering into any intergovernmental agreement or agreement with the Colorado state forest service, the bill requires the parties to the agreement to consult with any utility providers that have facilities in the areas subject to the agreement to the extent the provisions of the agreement will affect the providers.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/5BD9B0E306BD79D18725798800759660?Open&file=1285_enr.pdf

**HB 12-1286
CONCERNING FILM PRODUCTION ACTIVITIES IN COLORADO, AND, IN CONNECTION THEREWITH,
MAKING AN APPROPRIATION.**

BY REPRESENTATIVE(S) Massey and Ferrandino, Todd, Brown, Casso, Coram, Court, Duran, Fields, Fischer, Hamner, Hullinghorst, Kagan, Kefalas, Kerr A., Kerr J., Liston, McCann, Miklosi, Pabon, Pace,

Peniston, Priola, Ryden, Schafer S., Singer, Soper, Summers, Swerdfeger, Vigil, Williams A., Wilson, Young;

Also SENATOR(S) Newell and White, Aguilar, Bacon, Boyd, Foster, Heath, Jahn, Morse, Nicholson, Shaffer B., Steadman, Williams S.

The bill modifies provisions governing the Colorado office of film, television, and media (office). The bill:

- Moves the office to the office of economic development;
- Adds "television show" to the definition of "film";
- Clarifies that sound recording is included in allowable payments for qualified local expenditures;
- Reduces the payments allowed for each employee or contractor from \$3 million to \$1 million;
- Creates a loan guarantee program for production activities;
- Requires in-state production activities to be made up of at least 50% Colorado residents in order to claim a performance-based incentive for film production in Colorado (incentive), instead of the previous 25% requirement;
- Increases the amount of the incentive to 20% of the total amount of the production company's qualified local expenditures;
- Except for television commercials, increases the amount of qualified local expenditures for a production company that does not originate the film production activities in Colorado to \$1 million;
- Requires the Colorado economic development commission to approve all conditional approvals of the incentives;
- Requires a production company that has received conditional approval for an incentive to retain a certified public accountant licensed to practice in this state to conduct an audit of financial documents that detail the expenses incurred in the course of the film production activities in Colorado, and requires such certified public accountant to certify to the office that the requirements were met; and
- Creates the Colorado office of film, television, and media operational account cash fund.

The bill makes a \$3 million appropriation from the general fund to the Colorado office of film, television, and media operational account cash fund.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/C7612C556131464D8725798500062B10?Open&file=1286_enr.pdf

HB 12-1294

CONCERNING MODIFICATIONS TO THE SYSTEM OF REGULATION OF HEALTH FACILITIES CURRENTLY REGULATED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY REPRESENTATIVE(S) Liston, Todd, Acree, Gardner B., Kerr J., Massey, Miklosi, Murray, Priola, Ramirez, Soper, Swalm, Swerdfeger, Szabo;
also SENATOR(S) Tochtrop, Boyd, Mitchell, Neville, White

Under current law, the department of public health and environment (CDPHE) licenses and establishes, and enforces standards for the operation of, health facilities in the state. CDPHE conducts periodic, announced and unannounced inspections of licensed facilities to ensure compliance with the standards it develops. The state board of health (board) is required to establish by rule a schedule of fees to be assessed against health facilities that is sufficient to meet CDPHE's direct and indirect costs in regulating health facilities. Both CDPHE and the department of human services (DHS) jointly regulate community residential homes for persons with developmental disabilities.

Section 1 of the bill declares that the legislative intent of the bill is to eliminate duplication and unnecessary government oversight in the regulation of health facilities in Colorado.

Section 2 of the bill:

- Requires CDPHE to establish, by rule, a schedule for an extended survey cycle or a tiered inspection or survey system.
- Permits CDPHE to expand the scope of an inspection or survey to an extended or full survey if CDPHE finds deficient practice.
- Precludes CDPHE from citing a deficiency from an isolated event that can be effectively remedied during the survey or inspection as a deficiency in the survey or inspection report unless the deficiency caused harm, created a life- or limb-threatening emergency, or was caused by abuse or neglect;
- Restricts the ability of CDPHE, when considering a license application or a request to approve new construction or remodel of a health facility, to impose standards for construction that are more stringent than, or do not comply with, applicable national, state, and local building and fire codes;

Section 3 of the bill limits CDPHE's licensure authority over community clinics to those community clinics that:

- Provide health care services on an ambulatory basis;
- Are not licensed as an on-campus department or service of a hospital or listed as an off-campus location under a hospital's license; and
- Either operate inpatient beds or provide emergency services at the facility.

Under section 3, CDPHE retains authority to license prison clinics regulated by the department of corrections.

Section 4 of the bill:

- Requires CDPHE to determine an applicant's fitness to conduct and maintain a health facility based solely on specific fitness information or documentation submitted by the applicant or obtained by CDPHE through its own review or investigation of the applicant; and
- Permits CDPHE to conduct a fitness review of a new owner of a facility based on information compiled within 5 years of the date of applications.
- Restricts the ability of CDPHE to conduct a review of an existing owner to those circumstances where the department has new information not previously available or disclosed that bears on the owner's fitness to operate or maintain a health facility or entity.

Under **section 5** a licensed health facility that applies to renew its license may submit evidence of its accreditation an accrediting organization recognized by the federal centers for Medicare and Medicaid services (CMS), in which case CDPHE is to deem that accreditation as satisfaction of the state licensing requirements. Section 5 also permits CDPHE to revoke a facility's deemed status if CDPHE takes an enforcement activity against the facility.

Section 6 prohibits the board from increasing provisional fees above the levels set in rules as of the effective date of the sections. **Section 7** permits the board to increase licensure fees, but limits increases to an amount equal to the annual percentage change in the inflation rate. Section 7 further requires CDPHE to develop a performance incentive system to provide a reduction in license renewal fees for health facilities that have no significant deficiencies.

Section 8 establishes the health care facility stakeholder forum (stakeholder forum) in CDPHE consisting of representatives from various types of provider facilities licensed by CDPHE, consumers, consumer advocates, ombudsmen, and other interested parties. CDPHE is directed to meet with the stakeholder forum at least 4 times annually to discuss and take into consideration the concerns and issues of interest of forum members regarding matters that affect all licensed health facilities.

Section 9 modifies the criteria for appointments to the advisory committee on hospital-acquired infections to permit the appointment of 3 health care professionals, rather than 3 registered nurses, who are certified by the certification board of infection control and epidemiology.

Section 10 clarifies that home care placement agencies are not licensed or certified by CDPHE and prohibits home care placement agencies from making such a claim.

For purposes of board rules pertaining to the regulation of home care agencies, **section 11** requires the board to establish different requirements that are appropriate based on the type of facility or provider delivering the services to the home care consumer, requires CDPHE and the department of health care policy and financing (HCPF) to work jointly to resolve differing requirements, and requires the board to regulate PACE providers consistent with the federal requirements the PACE provider is subject .

Section 12 retains the joint licensure of community residential homes by CDPHE and DHS but requires those two departments and HCPF to develop an implementation plan by December 31, 2012, to resolve differing requirements and eliminate obsolete, redundant rules and reporting, monitoring, compliance,

auditing certification, licensing, and work processes pertaining to the regulation of community residential homes.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/3A318861E53C705187257981007F3D38?Open&file=1294_enr.pdf

HB 12-1311

CONCERNING CONTINUATION OF THE STATE BOARD OF PHARMACY, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE SUNSET REVIEW AND REPORT REGARDING THE BOARD AND RECODIFYING THE LAWS REGULATING PHARMACISTS, THE PRACTICE OF PHARMACY, AND THE MANUFACTURE, DISTRIBUTION, AND DISPENSING OF PRESCRIPTION DRUGS AND CONTROLLED SUBSTANCES, AND MAKING AN APPROPRIATION.

BY REPRESENTATIVE(S) Summers, Acree, Brown, Fields, Joshi, Kefalas, McCann, Schafer S., Young; Also SENATOR(S) Boyd.

Sunset Process - House Health and Environment Committee. The bill implements the recommendations of the sunset review and report on the Colorado state board of pharmacy as follows:

- The bill continues the state board of pharmacy (board) and its functions and the regulation of the practice of pharmacy through September 1, 2021.
- The bill repeals the rehabilitation evaluation committee. The functions of the rehabilitation evaluation committee are transferred to the board.
- The definition of an "other outlet" that registers with the board is expanded to include ambulatory surgical centers, medical clinics operated by hospitals, and licensed hospice that: Have facilities in Colorado that are registered by the board; and engage in the compounding, dispensing, and delivery of drugs or devices for administration to patients while being treated in the facility.
- Instead of adding long-term care facilities to the definition of "other outlet", the bill creates a specialized prescription drug outlet (PDO) registration, under which a registered PDO may engage in compounding, dispensing, and delivering drugs and devices to, and may provide pharmaceutical care to residents of, a long-term care facility.
- Currently, hospitals, which are registered as PDOs, are allowed to operate "satellite" pharmacies that are located in an area outside the PDO but at the same location as the PDO. If a satellite has an address that differs from the PDO, the satellite must obtain a separate registration from the federal drug enforcement agency (DEA), which requires, as a prerequisite, a state registration; however, current law does not permit a separate registration for a satellite that has a different address than the PDO. The bill establishes a

new hospital satellite pharmacy registration to require a satellite that is located in a facility that is under the same management and control as a registered PDO but that has a different address to obtain a separate registration from the board.

- Current law permits the board to exempt wholesalers who exclusively distribute veterinary prescription drugs from the requirements that otherwise apply to prescription drug wholesalers. The bill allows the board to exempt wholesalers that distribute veterinary prescription drugs from the pedigree requirement, regardless of whether the wholesaler exclusively distributes veterinary prescription drugs.
- Under current law, a licensed veterinarian may only issue a written prescription order to a wholesaler for a drug intended for veterinary use for an animal. The bill permits a licensed veterinarian to issue an oral prescription order to a wholesaler if the prescription order is for a drug that is not a controlled substance, in which case the veterinarian must provide a written prescription to the wholesaler within 3 business days after issuing the oral order.
- Under current law, the board may issue a letter of admonition to a licensee as a form of discipline, but the board is not authorized to issue letters of admonition to registrants. The bill permits the board to issue letters of admonition to registrants.
- PDOs are required to employ a pharmacist manager to ensure the PDO operates in accordance with applicable laws. If the pharmacist manager's employment is terminated the PDO must replace the former pharmacist manager and, within 14 days after termination, apply to transfer the registration to a new pharmacist manager, and pay a transfer fee. The bill extends the deadline for applying for the registration transfer and payment of the fee to 30 days after termination of the former pharmacist manager.
- Current law requires a pharmacist or pharmacy intern to actually experience impaired practice before he or she is allowed to apply to the board for participation in a pharmacy peer health assistance program. The requirement to experience impaired practice is repealed.
- When a practitioner determines that an equivalent drug should not be substituted for the prescribed drug, the practitioner must indicate that order by writing "dispense as written" on the prescription order or by initialing in his or her own handwriting a preprinted box labeled "dispense as written". The bill allows the practitioner, when issuing an electronically generated prescription order, to indicate the "dispense as written" by electronic means.
- Under current law, a pharmacist or pharmacy intern is subject to discipline if he or she is unfit to practice by reason of a physical or mental illness. The bill removes as grounds for discipline the mere existence of a physical or mental illness and instead authorizes discipline only if the pharmacist or pharmacy intern fails to notify the board of a physical or mental illness or condition that affects his or her ability to safely practice pharmacy; fails to act within the limitations of the illness or condition; or fails to comply with the limitations agreed to under a confidential agreement with the board.

In addition to implementing many of the sunset review recommendations, the bill also modifies statutes regulating the practice of pharmacy as follows:

- Current law permits interns to practice pharmacy under the direct and immediate supervision of a licensed pharmacist. The bill permits an intern engaged in the practice of pharmacy within the curriculum of a school or college of pharmacy to be supervised by a registered manufacturer or other regulated individual, as determined pursuant to board rule. The bill also modifies the definition of "intern".
- While current law specifies that only a PDO or other outlet may compound or dispense a prescription, the bill permits initial interpretation and final evaluation to be conducted at a location other than a PDO or other outlet if performed in accordance with board rules.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/89F0251C06EE696687257981007E05D0?Open&file=1311_enr.pdf

HB 12-1315

CONCERNING THE REORGANIZATION OF THE GOVERNOR'S ENERGY OFFICE, AND IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

BY REPRESENTATIVE(S) Becker, Baumgardner, Bradford, Brown, Conti, Coram, Gardner B., Kerr J., Priola, Ramirez, Summers, Acree, Beezley, Casso, Court, Duran, Ferrandino, Fields, Kerr A., Labuda, Looper, Miklosi, Pace, Scott, Sonnenberg, Szabo, Todd, Tyler, Vigil, Williams A., Young; also SENATOR(S) Steadman, Boyd, Grantham, Guzman, Hodge, Jahn, King S., Mitchell, Nicholson, Spence, Williams S.

The bill changes the name of the governor's energy office to the Colorado energy office (office). As part of the reorganization of the office, the bill changes the mission of the office to:

- Sustaining the Colorado energy economy and promoting all Colorado energy;
- Promoting economic development in Colorado through energy-market advances that create jobs;
- Encouraging Colorado-based clean and innovative energy solutions that include traditional and renewable energy sources;
- Promoting energy efficiency;
- Increasing energy security;
- Lowering long-term consumer costs; and

- Protecting the environment.

The bill aligns the duties of the office with the new mission of the office. The bill requires the state auditor to complete a performance audit of the office no later than January 15, 2017.

The bill requires the office to notify the general assembly when changes are made to office policies related to its strategic plan, the definition of "renewable energy", energy transmission, or any policy that could negatively impact the use of traditional energy sources.

The bill creates the clean and renewable energy fund and specifies that the fund be used by the office to work with communities, utilities, private and public organizations, and individuals to promote:

- The renewable energy standard;
- Renewable energy such as wind, solar, biogas, biomass, hydroelectricity, thermal gasification, and geothermal;
- Traditional energy sources such as oil and other petroleum products, coal, and natural gas;
- Energy efficiency technologies and practices;
- Cleaner technologies by utilizing traditional Colorado-sourced energy; and
- New energy technologies.

The bill changes references to the "new energy economy" to the "Colorado energy economy".

The bill changes the name of the clean energy fund to the innovative energy fund, aligns the purposes of that fund with the new mission of the office, limits the expenditures from the fund for those projects related to the severance of minerals subject to taxation under state law, and transfers moneys to the innovative energy fund from severance tax revenues. The bill creates the innovative energy fund the moneys of which are continuously appropriated to the Colorado energy office for the purposes of advancing innovative energy efficiency throughout the state.

The bill repeals:

- The Colorado clean energy development authority; and
- The green truck grant program.

The bill ends the office's role as a consultant to the geothermal resource leasing fund.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/50B1264101B1F43187257981007F17CE?Open&file=1315_enr.pdf

HOUSE BILL 12-1318

CONCERNING THE DEVELOPMENT OF GUIDELINES REGARDING THE ELIGIBILITY OF CONTROLLED MAINTENANCE FUNDING FOR STATE FACILITIES.

BY REPRESENTATIVE(S) Brown, Sonnenberg, Vigil, Coram, Gerou, Kerr J., Looper, Nikkel, Pace, Priola; also SENATOR(S) Schwartz, Bacon, Renfroe, Nicholson, Roberts.

Capital Development Committee. The bill requires the state architect to develop, subject to annual review and approval by the capital development committee, guidelines in order to establish when a state-owned, general-funded building or other physical facility is eligible for controlled maintenance funding. The bill requires the guidelines developed by the state architect to provide for a waiver of eligibility requirements that a state agency or state institution of higher education may request in writing. If the state architect determines that special consideration is appropriate, he or she shall seek approval from the capital development committee.

The bill allows the state architect to use moneys in a newly created emergency controlled maintenance account for emergency controlled maintenance funding when the need for such funding is communicated in writing to the state architect by a state agency or state institution of higher education. The state architect must annually provide a status report to the capital development committee that shows spending for emergency controlled maintenance projects from that account.

Bill Link

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HOUSE BILL 12-1321

CONCERNING THE STATE PERSONNEL SYSTEM, AND, IN CONNECTION THEREWITH, ENACTING THE "MODERNIZATION OF THE STATE PERSONNEL SYSTEM ACT".

BY REPRESENTATIVE(S) Ferrandino and Vaad, Bradford, Court, Fields, Fischer, Gardner B., Gerou, Hullinghorst, Kerr A., Kerr J., Labuda, Levy, Looper, Massey, Murray, Pabon, Pace, Priola, Ramirez, Ryden, Schafer S., Summers, Szabo, Todd, Vigil, Wilson, Young, McNulty, Jones, Kagan, Lee, Nikkel, Scott, Tyler; also SENATOR(S) Johnston and King K., Bacon, Boyd, Cadman, Foster, Giron, Harvey, Heath, Hudak, Jahn, King S., Lambert, Lundberg, Mitchell, Morse, Newell, Scheffel, Spence, Steadman, Shaffer B.

The state personnel system (system) is established in the state constitution. The following changes are contingent upon the voters approving an amendment to the constitutional provisions related to the system in 2012:

- **Merit principles.** The bill makes changes to reflect that appointments and promotions will be based on a comparative analysis of candidates based on objective criteria instead of competitive

tests of competence. **Section 9** of the bill requires the state personnel director (director) to develop evaluation and examination procedures, describes a comparative analysis and its acceptable forms, establishes a right to appeal certain decisions of the state personnel director relating to the selection and comparative analysis process to the state personnel board, and makes conforming amendments related to these changes.

- **Exemptions. Section 12** of the bill requires the director to establish procedures to approve the exemption of an employee from the state personnel system.
- **Rule of 6. Section 9** of the bill makes changes to reflect that the number of persons eligible for appointment within the system is increased from the 3 highest persons on the eligible list to the 6 highest.
- **State personnel board. Section 5** makes conforming amendments to reflect the constitutional changes related to the state personnel board.
- **Temporary employment. Section 10** of the bill reflects the new constitutional limit on the length of temporary employment and establishes a 4-month waiting period between temporary appointments for the same position.

For persons within the state personnel system, the bill replaces performance awards with merit pay.

Section 6 of the bill establishes the following features of the merit pay system:

- The purpose of the merit pay system is to provide salary increases for employees in the state personnel system based on performance evaluations and salary positions within the appropriate salary range;
- The initial system must include quartiles for the salary range distribution and 3 performance categories, but the director may change the number of distribution zones or performance categories based on a biennial review;
- The director shall establish one or more priority groups of employees that have priority to receive merit pay based on available moneys;
- An institution of higher education is permitted to enact its own merit pay system;
- Merit pay is subject to available appropriations;
- The general assembly is required to appropriate any moneys for merit pay in the personal services line item;
- The director must include information about merit pay in the annual compensation report and recommendations; and

- The state employee reserve fund is created with separate accounts for each principal department. If a department does not expend all of the moneys in its operating or personal services line item appropriation, the treasurer is required to transfer an amount equal to the unused appropriation to the department's account. Moneys in a department's account are continuously, but the director of the office of state planning and budgeting must approve such use.

In addition, **section 8** of the bill requires each department to include the costs of merit pay as part of the costs of personal services in the annual departmental budget requests.

Section 11 of the bill makes the following changes related to persons in the system that are separated from state service due to lack of work, lack of funds, or reorganization:

- Bumping rights, which allow a separated employee to take the job from a person with less seniority, are limited to those persons who, as of January 1, 2013, are within 5 years of being eligible for full retirement;
- The director is required to establish by rule procedures for the separation and demotion of certified employees who do not have bumping rights, which procedures give consideration to performance evaluations and seniority;
- All departments are required to consider placing an employee who would otherwise be separated into a funded, vacant position for which the employee is qualified; and
- The director is required to create a layoff plan that may be used by a department to provide postemployment compensation or other benefits to a separated employee, which may include a hiring preference, health benefits, educational training, and severance pay.

Section 3 of the bill establishes an exception for the postemployment compensation authorized by the layoff plan established by the director from the current prohibition on such compensation to any government-supported official or employee.

The changes related to merit pay, bumping rights, and severance awards are not contingent on the voters approving an amendment to the state constitution.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/0EB0DDD87604DD3D872579810082A610?Open&file=1321_enr.pdf

**HB 12-1331
CONCERNING CHANGING THE NAME OF WESTERN STATE COLLEGE OF COLORADO TO
WESTERN STATE COLORADO UNIVERSITY.**

BY REPRESENTATIVE(S) Brown, Wilson, Pace, Hamner, Kerr A., Massey, Murray, Ramirez, Schafer S., Summers, Todd;
Also SENATOR(S) Schwartz, Bacon, Heath, Johnston, King K., King S.

The bill changes the name of Western state college of Colorado to Western state Colorado university and makes conforming amendments.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/68F44DBC0330DCDE872579BB006CB707?Open&file=1331_enr.pdf

HB 12-1335

CONCERNING THE PROVISION FOR PAYMENT OF THE 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, 2012, EXCEPT AS OTHERWISE NOTED.

BY REPRESENTATIVE(S) Gerou, Becker, Levy, Barker, Brown, Casso, Coram, Ferrandino, Fields, Fischer, Gardner B., Hamner, Kefalas, Kerr J., Labuda, McCann, Murray, Nikkel, Pabon, Pace, Peniston, Schafer S., Stephens, Todd, Tyler, Vigil, Waller, Williams A., Wilson, Young, McNulty, Kagan;
also SENATOR(S) Hodge, Steadman, Lambert, Boyd, Guzman, Heath, Morse, Nicholson.

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, 2012, except as otherwise noted.

Bill Link

<http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/lbcontainer/HB12-1335?OpenDocument>

HB 12-1350

CONCERNING IN-STATE TUITION CLASSIFICATION FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES.

BY REPRESENTATIVE(S) Waller, Balmer, Barker, Casso, Court, Gerou, Hamner, Holbert, Hullinghorst, Jones, Joshi, Kerr A., Liston, Looper, Massey, Pabon, Priola, Ramirez, Soper, Stephens, Summers, Swerdfeger, Vigil;
Also SENATOR(S) Hodge, Heath, Guzman, Hudak, King K., Morse, Nicholson.

The bill allows an institution of higher education (institution) to establish a policy that grants in-state tuition classification to a dependent of an active duty member of the United States armed forces (dependent) if the dependent enrolls in the institution and graduated from a high school outside of Colorado, so long as the

dependent completed at least two years at a high school in Colorado within 5 years prior to enrollment in the institution.

Bill Link

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HB 12-1352

CONCERNING THE CREATION OF A STATE COMMISSION TO ADDRESS MATTERS ARISING OUT OF THE LOWER NORTH FORK WILDFIRE.

BY REPRESENTATIVE(S) Gardner B. and Gerou, Baumgardner, Beezley, Bradford, Holbert, Joshi, Kerr J., Liston, Looper, Miklosi, Murray, Nikkel, Pace, Priola, Ramirez, Scott, Stephens, Summers, Szabo, McNulty, Ferrandino, Kerr A., Peniston, Schafer S., Todd, Young;
also SENATOR(S) Cadman, Boyd, Foster, Giron, Heath, Jahn, King K., Lambert, Lundberg, Morse, Neville, Nicholson, Schwartz, Williams S.

The bill creates the lower north fork wildfire commission (commission), and declares that it is an appropriate use of the plenary power of the general assembly to empower the commission to investigate the causes of the lower north fork wildfire and to make recommendations for legislative or other action that would prevent the occurrence of a similar tragedy.

The bill specifies the 5 members of the commission to be:

- Two members of the house of representatives, one each appointed by the speaker of the house of representatives and the minority leader of the house of representatives;
- Two members of the senate, one each appointed by the president of the senate and the minority leader of the senate; and
- The executive director of the department of public safety, or his or her designee.

In connection with its investigative functions, the bill specifies additional procedures attendant to this power and further requires the commission, not later than December 31, 2012, to submit a written report of its findings and any recommendations for legislative or other action to the judiciary and local government committees of the senate and the house of representatives.

The commission shall investigate, report its findings, and make recommendations for legislative or other action on all matters relating to the wildfire, including, without limitation, causes of the wildfire, the impact on the affected community caused by the wildfire, the loss of life and financial devastation incurred by the community, the loss of confidence by the community in the response to the emergency by governmental bodies at all levels, and measures to prevent the occurrence of a similar tragedy. In connection with this duty, the commission shall solicit and accept reports and take testimony at one or more public hearings held for such purposes. The commission may solicit other sources, including, without limitation, representatives from state and local governments and organizations of citizens, to provide testimony, written comments, and other relevant information.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/0CB2835FFC855607872579EA0059E406?Open&file=1352_enr.pdf

HOUSE BILL 12-1361 CONCERNING CLAIMS AGAINST THE STATE ARISING UNDER THE "COLORADO GOVERNMENTAL IMMUNITY ACT".

BY REPRESENTATIVE(S) Gardner B. and Gerou, Barker, Casso, Ferrandino, Fischer, Hamner, Hullinghorst, Kagan, Kefalas, Kerr A., Kerr J., Looper, Pabon, Pace, Peniston, Priola, Scott, Solano, Summers, Todd, Williams A., Young;
also SENATOR(S) Cadman and Nicholson, Neville, Boyd, Heath, Jahn, Lambert, Lundberg, Morse, Newell, Schwartz.

In connection with the "Colorado Governmental Immunity Act" (CGIA):

- In addition to any other claims for which the state waives immunity under the CGIA, the bill waives sovereign immunity in connection with claims against the state in an action for injuries resulting from a dangerous condition caused by a prescribed fire started or maintained by the state or any of its employees on or after January 1, 2012.
- The bill specifies that it shall not be construed to constitute a waiver of sovereign immunity if the injury arises from any act, or failure to act, of a state employee if the act is the type of act for which the state employee would be or heretofore has been personally immune from liability.
- The bill also specifies that the state shall also have the same immunity as a state employee for any act or failure to act for which a state employee would be or heretofore has been personally immune from liability.
- Finally, the bill also precludes any rule of law imposing absolute or strict liability from being applied in any action against the state for any injury resulting from a prescribed fire started or maintained by the state or any of its employees. No liability is to be imposed in any such action unless negligence is proven.

Section 3 of the bill modifies existing law to clarify the requirements under which an amount may be recovered against the state in excess of the maximum liability amounts specified in the CGIA. The bill clarifies existing provisions to specify that the general assembly acting by bill may authorize payment of all or a portion of a judgment against the state that exceeds the maximum amounts.

Section 3 also establishes an alternate procedure under which the state claims board, after compromising or settling a claim on behalf of the state for the maximum liability limits under the CGIA, is empowered to determine, in its sole discretion, whether to recommend to the general assembly that the general assembly,

by bill, authorize all or any portion of an additional payment. In determining whether to make such recommendation, the claims board is required to consider interests of fairness, the public interest, and the interests of the state. A recommendation made by the claims board shall not include payment for noneconomic loss or injury and is to be reduced to the extent the claimant's loss is or will be covered by another source, including any insurance proceeds that have been paid or will be paid, and no insurer shall have a right of subrogation, assignment, or any other right against the claimant or the state for any additional payment or any portion of such payment that is approved by the general assembly. Any additional payment or any portion of such payment approved by the general assembly is to be paid from the general fund.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/77F8C0864A80FD54872579F30061DF67?Open&file=1361_enr.pdf

HOUSE CONCURRENT RESOLUTION 12-1001 SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION CONCERNING THE STATE PERSONNEL SYSTEM, AND, IN CONNECTION THEREWITH, EXPANDING THE VETERANS' PREFERENCE; INCREASING THE NUMBER OF CANDIDATES ELIGIBLE TO BE APPOINTED TO A POSITION; ADJUSTING THE DURATION OF ALLOWABLE TEMPORARY EMPLOYMENT; ALLOWING THE FLEXIBILITY TO REMOVE A LIMITED NUMBER OF POSITIONS FROM THE SYSTEM; MODIFYING THE RESIDENCY REQUIREMENT; ADJUSTING THE TERMS OF SERVICE FOR MEMBERS OF THE STATE PERSONNEL BOARD; AND REQUIRING MERIT-BASED APPOINTMENTS TO BE MADE THROUGH A COMPARATIVE ANALYSIS PROCESS.

BY REPRESENTATIVE(S) Ferrandino and Vaad, Court, Fields, Fischer, Gardner B., Gerou, Hullinghorst, Kerr A., Kerr J., Labuda, Lee, Liston, Murray, Nikkel, Pabon, Pace, Ramirez, Ryden, Schafer S., Scott, Summers, Todd, Tyler, Vigil, Williams A., Wilson, Young, McNulty, Looper;
also SENATOR(S) Johnston and King K., Aguilar, Bacon, Boyd, Brophy, Cadman, Foster, Giron, Grantham, Guzman, Harvey, Heath, Jahn, King S., Lambert, Lundberg, Mitchell, Morse, Neville, Newell, Renfroe, Roberts, Scheffel, Schwartz, Spence, White.

The concurrent resolution makes the following changes to the state personnel system (system):

- **Merit principles.** Currently, appointments and promotions in the system are made based on competitive tests of competence. Competitive tests of competence are replaced with the requirement that there be a comparative analysis of candidates based on objective criteria.
- **Exemptions.** Subject to the approval of the state personnel director, specified departmental positions and senior executive service employees are exempted from the system, but the total number of these new exemptions may not exceed 1% of the total number of persons in the system.
- **Rule of 3.** Currently, appointments within the system must be made to one of the 3 persons ranking highest on the eligible list for the position. The number of persons eligible for appointment is expanded from 3 to 6.
- **Residency requirement.** All appointees are currently required to reside in the state, but applications may be accepted for positions that the state personnel board determines cannot be readily

filled from among residents of this state based on training, education, or qualifications. The concurrent resolution allows the state personnel director to make exceptions and removes the criteria relating to that authority. It also creates an exception to the residency requirement for a position located at a work site that is within 30 miles of the state border.

- **Temporary employment.** Currently, the state personnel director may authorize the use of temporary employees for up to 6 months. This limit is changed to 9 months.
- **State personnel board.** Members of the state personnel board currently serve 5-year terms and may only be removed from the board for specified reasons. The concurrent resolution changes a board member's term to 3 years and limits each member to 2 terms, regardless of whether a term is a full term or a partial term filling a vacancy. In addition, 2 of the board members appointed by the governor will serve at the governor's pleasure.
- **Veterans' preference.** Currently, veterans receive additional points on a passing grade on a competitive examination. The concurrent resolution adapts the veterans' preference to the new comparative analysis system and eliminates the prohibition on a veteran using the preference more than once.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/A1BF411B75FBBA1A872579810082A370?Open&file=HCR1001_enr.pdf

Senate Bills

SB 12-009

CONCERNING THE CONSOLIDATION OF CASH FUNDS ADMINISTERED BY THE DIVISION OF WATER RESOURCES, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.

BY SENATOR(S) Hodge, Brophy, Giron, Roberts, Schwartz;
also REPRESENTATIVE(S) Swerdfeger, Baumgardner, Sonnenberg, Vigil, Wilson.

Water Resources Review Committee. The bill consolidates several funds administered by the division of water resources into a newly created water resources cash fund. **Section 1** of the bill creates the water resources cash fund and consolidates into a single section the laws governing the fund's allowable uses. **Section 2** repeals the water data bank cash fund, division of water resources publication cash fund, and division of water resources ground water management cash fund. **Section 3** repeals the ground water publication fund, **section 4** repeals the gravel pit lakes augmentation fund, and **section 5** repeals the well enforcement cash fund.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/2A77B411C89538AA87257981007DDAFB?Open&file=009_enr.pdf

**SENATE BILL 12-040
CONCERNING THE QUALIFICATION OF CERTAIN STATE HIGHER EDUCATION FACILITIES FOR
STATE CONTROLLED MAINTENANCE FUNDING.**

BY SENATOR(S) Bacon, Harvey, Renfroe, Schwartz, Boyd, Heath, Newell, Williams S.;
also REPRESENTATIVE(S) Vigil, Brown, Sonnenberg, Fields, Fischer, Hamner, Labuda, Pabon, Pace,
Schafer S., Todd.

Capital Development Committee. The bill establishes that all academic facilities acquired or constructed, or an auxiliary facility repurposed for use as an academic facility, solely from cash funds held by the institution and operated and maintained from such cash funds or from state moneys appropriated for such purpose that were not previously eligible for controlled maintenance funding will qualify for state controlled maintenance funding subject to specific limitations.

The bill specifies that eligibility for state controlled maintenance funding commences on the date of the acceptance of the construction or repurposing of the facility or the closing date of any acquisition. Such date of acceptance shall be determined by the office of the state architect.

The bill also requires the office of the state architect to collaborate with the department of higher education and the office of state planning and budgeting to develop guidelines regarding the classification of academic facilities and auxiliary facilities. The bill provides the two factors that must be considered in the classification and specifies definitions to be used in the guidelines.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/DE6E62B1C1A6F52887257981007E0669?Open&file=040_enr.pdf

**SENATE BILL 12-043
CONCERNING CLARIFICATION OF THE AGES OF CHILDREN WHO MAY ATTEND A CHILDREN'S
RESIDENT CAMP.**

BY SENATOR(S) King K., Boyd, Guzman;
also REPRESENTATIVE(S) Stephens, Fields, Hamner, Holbert, Kerr J., Labuda, Murray, Nikkel, Schafer
S., Summers, Todd, Wilson.

The child care licensing statute currently defines a children's resident camp as a camp that serves children who have completed kindergarten or who are 6 years of age or older but who are younger than 17 years of age. The bill changes the upper age limit to include children who are younger than 19 years of age and adds an exception to the upper age limit to include a person who is 19 or 20 years of age if, within 6 months prior to attending the children's resident camp, the person has attended or has graduated from high school.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/36DE8702D985425C87257981007D6E7?Open&file=043_enr.pdf

**SENATE BILL 12-045
CONCERNING GRANTING ASSOCIATE DEGREES TO STUDENTS WHO TRANSFER FROM A TWO-YEAR INSTITUTION.**

BY SENATOR(S) Hudak and King K., Bacon, Aguilar, Boyd, Cadman, Carroll, Foster, Giron, Grantham, Guzman, Heath, Hodge, Jahn, Johnston, Lambert, Lundberg, Morse, Neville, Newell, Roberts, Scheffel, Schwartz, Spence, Steadman, Tochtrop, White, Williams S., Shaffer B.;
also REPRESENTATIVE(S) Massey and Fields, Holbert, Beezley, Casso, Conti, Fischer, Hamner, Kefalas, Kerr A., Kerr J., Labuda, Murray, Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano, Summers, Todd, Tyler, Williams A., Wilson, Young.

Educational Success Task Force. The bill requires the commission on higher education to collaborate with a 4-year state institutions of higher education and 2-year institutions to develop and coordinate a process to notify a student enrolled at a 4-year institution that he or she may be eligible for an associate degree from a 2-year institution that the student attended prior to the transfer. The student must have met the residency requirements at the 2-year institution and must have subsequently accumulated 70 credits at the 4-year institution to receive the notification.

At a minimum, the process developed by the commission of higher education and the 2-year and 4-year institutions shall specify the roles of the student, the department of higher education, and the institutions in the process. The role of 4-year institutions is limited to providing contact information for eligible students. The two-year and four-year institutions shall agree upon the contents of the notification to eligible students. Nothing in the bill limits the ability of 2-year and 4-year institutions to develop reverse transfer agreements that are consistent with the bill.

The 2-year and 4-year institutions of higher education shall inform students about the program.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/479AA0B83425E2C287257981007E03F2?Open&file=045_enr.pdf

**SENATE BILL 12-048
CONCERNING THE CREATION OF THE "COLORADO COTTAGE FOODS ACT" FOR LOCALLY PRODUCED HOME FOODS SOLD DIRECTLY TO CONSUMERS.**

BY SENATOR(S) Schwartz, Aguilar, Bacon, Foster, Giron, Grantham, Guzman, Heath, Jahn, Johnston, King S., Newell, Roberts, White, Williams S.;
also REPRESENTATIVE(S) Coram, Brown, Fischer, Hamner, Kerr J., Labuda, Massey, Pabon, Pace, Vigil, Wilson.

The bill creates the "Colorado Cottage Foods Act", exempting small producers from the licensing requirements placed on retail food establishments and requiring producers to be certified in safe food handling and processing.

The bill limits the liability of food banks that distribute food produced pursuant to the "Colorado Cottage Foods Act". The bill also limits the liability of schools and nonprofit organizations when their kitchens are used by producers to prepare goods for sale directly to consumers.

The bill also exempts a person who produces and sells less than 250 dozen eggs per month on the premises at which the eggs are produced or at a farmer's market or similar venue from the licensing requirements for sellers of eggs.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/F8EA74C8447BB62387257981007D1AD?Open&file=048_enr.pdf

SENATE BILL 12-097 CONCERNING A SIMPLIFIED PROCEDURE FOR THE ADJUDICATION OF CERTAIN CHANGES OF THE POINTS OF DIVERSION OF WATER RIGHTS.

BY SENATOR(S) Hodge, Carroll, Guzman, Newell, Schwartz; also REPRESENTATIVE(S) Sonnenberg, Brown, Casso, Coram, Fischer, Nikkel, Pace, Schafer S., Scott.

Under current law, all changes of water rights, including changes in the point of diversion, must be adjudicated. The bill creates a simplified procedure for the adjudication of a simple change in a surface point of diversion, which is defined as a change in the point of diversion from a decreed surface diversion point to a new surface diversion point that is not combined with, and does not include, any other type of change of water right and for which there is no intervening surface diversion point or inflow between the new point of diversion and the diversion point from which a change is being made. The new procedure applies to a change of point of diversion that has already been physically accomplished or with respect to a requested future change of point of diversion.

There is a rebuttable presumption that a simple change in a surface point of diversion will not cause an enlargement of the historical use associated with the water rights being changed. The resulting decree must not requantify the water rights for which the point of diversion is being changed. The applicant is not required to prove:

- That the water diverted at the new point of diversion can and will be diverted and put to use within a reasonable period of time;
- Compliance with the anti-speculation doctrine; or
- Future need for the water imposed by case law or statute.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/699875D41C569D2187257981007DAE12?Open&file=097_enr.pdf

**SENATE BILL 12-111
CONCERNING DEPARTMENTAL REPORTING OF FULL-TIME EQUIVALENT EMPLOYEES.**

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

Joint Budget Committee. The bill makes the following changes to a departmental report related to full-time equivalent employees (FTEs):

- The report will be prepared on an annual basis;
- A department is not required to reconcile the number of positions authorized with the number of payroll warrants issued;
- The department of higher education is to report the number of positions authorized at each institution of higher education; and
- Each department will submit its reconciliation or report to the department of personnel, and the department of personnel will submit the report to the office of state planning and budgeting and the joint budget committee.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/550BBF825D9F326087257984006F2E1D?Open&file=111_enr.pdf

**SENATE BILL 12-112
CONCERNING THE HEADNOTE DEFINITION OF FULL-TIME EQUIVALENT EMPLOYEES USED IN THE ANNUAL GENERAL APPROPRIATION ACT.**

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

Joint Budget Committee. For purposes of the headnote definition used in the annual general appropriation act, the definition of full-time equivalent employee (FTE) generally means the budgetary equivalent of a permanent position that is filled for at least 2,080 hours per year. The bill allows the hours per year to be adjusted to account for the actual number of work hours in a given fiscal year.

Bill Link

**SENATE BILL 12-146
CONCERNING LIMITATIONS ON THE ACCEPTANCE OF CERTAIN BENEFITS BY SPECIFIED
GOVERNMENTAL ACTORS WHO ARE IN A POSITION TO REWARD PERSONS OFFERING SUCH
BENEFITS WITH OFFICIAL ACTION.**

BY SENATOR(S) Hodge, Aguilar, Bacon, Carroll, Foster, Giron, Guzman, Harvey, Heath, Johnston, Morse, Neville, Newell, Nicholson, Schwartz, Steadman, Williams S., Shaffer B.;
also REPRESENTATIVE(S) Peniston, Court, Ferrandino, Fields, Fischer, Hamner, Jones, Kerr A., Pabon, Pace, Schafer S., Solano, Todd, Tyler, Vigil, Young.

Section 1 of the bill amends the statutory rules of conduct for all public officers, members of the general assembly, local government officials, and employees (covered individual) to include, as an economic benefit tantamount to a gift of substantial value, used in the determination of whether a covered individual has accepted an unethical gift:

- The acceptance by the covered individual of goods or services for his or her own personal benefit offered by a person who is at the same time providing goods or services to the state or a local government, under a contract or other means, unless the totality of the circumstances attendant to the acceptance of the goods or services indicates a fair and legitimate transaction.

Section 2 of the bill adds to the existing list of ethical principles for public officers, local government officials, and employees the following principle:

- Public officers, local government officials, and employees are discouraged from assisting or enabling members of their immediate family in obtaining employment, a gift of substantial value, or an economic benefit tantamount to a gift of substantial value from a person whom the officer, official, or employee is in a position to reward with official action or has rewarded with official action in the past.

Section 3 of the bill amends the statutory rules of conduct for local government officials and employees to include:

- A prohibition on the acceptance by such officials and employees of goods or services for his or her own personal benefit offered by a person who is at the same time providing goods or services to the local government for which the official or employee serves, under a contract or other means, unless the totality of the circumstances attendant to the acceptance of the goods or services indicates a fair and legitimate transaction.

Bill Link

SENATE BILL 12-150

CONCERNING THE STATE TREASURER'S AUTHORITY TO MANAGE STATE PUBLIC FINANCING, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.

BY SENATOR(S) Schwartz, Bacon, Renfroe;
also REPRESENTATIVE(S) Sonnenberg, Brown, Vigil, Barker, Pabon, Pace, Scott.

Capital Development Committee. In order to provide more centralized management of the state's public financing structure, **section 1** of the bill requires the state treasurer to act as the issuing manager for certain approved issuances or incurrences of financial obligations by the state acting by and through any state agency. Section 1 also:

- Specifies that the state treasurer has the sole discretion to manage the issuance or incurrence of such financial obligations, except for certain financial obligations of state institutions of higher education, subject to the criteria established in a state public financing policy to be promulgated pursuant to the bill;
- With respect to any state financial obligation, requires the state treasurer to, at minimum, determine the financing structure and term, decide the market timing, and select or hire, as applicable, the state financing team;
- Requires a state agency to provide written notice to the state treasurer of any anticipated issuance or incurrence of a financial obligation;
- Requires a state agency to provide the state treasurer with the information that the state treasurer considers necessary to act as the issuing manager for the issuance or incurrence of financial obligations and to comply with federal and state securities laws and contractual covenants;
- Requires the state treasurer, in performing his or her duties as the issuing manager, to consider any relevant factors that he or she considers necessary to protect the financial integrity of the state;
- Clarifies that the state treasurer is the elected representative and signatory for all forms required by the internal revenue code to be filed in connection with issuances or incurrences of financial obligations by the state acting by and through a state agency;
- Requires the state treasurer to collaborate with the state controller, the office of state planning and budgeting, bond counsel, the attorney general, and the capital development committee in developing and then promulgating by rule a state public financing policy and provides a list of items that must minimally be included in the policy;

- Requires all state institutions of higher education to report specific information to the state treasurer related to financial obligations, the principal amount of which is one million dollars or more, that the treasurer does not manage on an institution's behalf;
- Requires the department of transportation to report specific information to the state treasurer related to financial contracts or instruments;
- On and after July 1, 2012, requires the issuance or incurrence of every financial obligation that the state treasurer manages to include a specified amount to be paid to the state treasurer and credited to the state public financing cash fund, which is created in the bill, to be used to reimburse the state treasurer for verifiable costs incurred in performing or overseeing the state's primary issuance compliance and post-issuance compliance responsibilities over the term of a financial obligation.
- Requires the state treasurer to create and maintain a correct and current inventory of all state-owned real property that is used as leased property or as collateral in any type of financial obligation. The state treasurer must annually provide a copy of the inventory to the capital development committee.

Section 2 of the bill requires a certain group of state agencies to notify the state treasurer when they enter into agreements for an exchange of interest rates, cash flows, or payments as provided in law.

Section 3 of the bill requires a qualified charter school to provide the state treasurer with certain information when the state treasurer authorizes expenditures from the state charter school debt reserve fund or the state charter school interest savings account of the fund.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012A/csl.nsf/fsbillcont3/9956E3CC2B36ABA187257981007DD2E4?Open&file=150_enr.pdf

Special Session

SENATE BILL 12S-002

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

BY SENATOR(S) Schwartz and White, Aguilar, Boyd, Carroll, Foster, Giron, Grantham, Guzman, Heath, Hodge, Hudak, Jahn, Johnston, King K., King S., Morse, Neville, Newell, Nicholson, Renfroe, Roberts, Scheffel, Steadman, Tochtrop, Williams S., Shaffer B.;
also REPRESENTATIVE(S) Sonnenberg and Baumgardner, Hamner, Pace, Acree, Barker, Becker, Beezley, Brown, Casso, Coram, Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Holbert, Hullinghorst, Jones, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Liston, Looper, Massey,

McCann, Miklosi, Murray, Nikkel, Pabon, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano, Soper, Stephens, Summers, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, McNulty.

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 floodplain map modernization program;
- \$500,000 for continuation of the watershed restoration program;
- \$300,000 to restore the flood and drought response fund balance;
- \$1,000,000 for continuation of the phreatophyte control cost-sharing program;
- \$2,000,000 for continuation of the Colorado river water availability study;
- \$500,000 to begin implementation of the South Platte groundwater data collection and analysis project;
- \$1,000,000 for continuation of the alternative agriculture water transfer sustainability grant program;
- \$5,000,000 for the planning and implementation of the Rio Grande cooperative project;
- \$5,000,000 for implementation of the Chatfield reservoir reallocation project;
- \$12,000,000 for the third and final installment of the purchase of Colorado's allotment of Animas-La Plata

project water pursuant to House Bill 10-1250, enacted in 2010;

- \$300,000 to provide legal support and funding for litigation involving protests of individual water rights that the state engineer has placed on the abandonment list; and
- \$75,857 to continue management of the national hydrography dataset and to provide geographic information system analysis support.

Section 6 of the bill repurposes the flood response program to include drought preparedness and response and renames the flood response fund to the flood and drought response fund.

Section 18 of the bill authorizes the state engineer to receive and expend grants and distributions of money from the Colorado water conservation board for use in discharging the state engineer's duties.

Section 19 of the bill transfers from the perpetual base account of the severance tax trust fund to the Colorado water conservation board construction fund the following:

- \$30,000,000 for the Rio Grande cooperative project, including improvements associated with the Beaver Park reservoir and the Rio Grande reservoir; and
- \$13,000,000 for the implementation of the Chatfield reservoir reallocation project.

Section 19 of the bill also changes the water supply reserve account to the water supply reserve fund.

Bill Link

http://www.leg.state.co.us/CLICS/CLICS2012B/csl.nsf/fsbillcont3/AB7BEFF8F22D298C872579FA007511B9?Open&file=1001_01.pdf