

## CHAPTER 187

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**CRIMINAL LAW AND PROCEDURE**

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**SENATE BILL 00-158**

BY SENATORS Wham, Anderson, Andrews, Blickensderfer, Chlouber, Congrove, Dyer, Epps, Evans, Feeley, Hernandez, Hillman, Lamborn, Martinez, Musgrave, Owen, Pascoe, Phillips, Powers, Reeves, Rupert, Sullivan, Tebedo, Teck, and Weddig;  
also REPRESENTATIVES George, Alexander, Bacon, Clapp, Coleman, Decker, Fairbank, Gagliardi, Gotlieb, Hefley, Kaufman, Kester, King, Larson, Lee, Mace, McElhany, Miller, Mitchell, Nuñez, Paschall, Plant, Scott, Sinclair, Smith, Spence, Spradley, Stengel, Swenson, Takis, Taylor, Tochtrop, Young, and Zimmerman.

**AN ACT**

CONCERNING THE CREATION OF THE COLORADO VETERANS' MONUMENT PRESERVATION TRUST FUND.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** Article 80 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

**PART 14  
COLORADO VETERANS' MONUMENT  
PRESERVATION TRUST FUND**

**24-80-1401. Colorado veterans' monument preservation trust fund - committee.**

(1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE COLORADO VETERANS' MONUMENT PRESERVATION TRUST FUND, REFERRED TO IN THIS SECTION AS THE "TRUST FUND", THE PRINCIPAL OF WHICH SHALL CONSIST OF FUNDS MADE AVAILABLE FROM PRIVATE DONATIONS RECEIVED BY THE DEPARTMENT OF PERSONNEL AND ANY FUNDS APPROPRIATED THERETO BY THE GENERAL ASSEMBLY. ALL MONEYS DEPOSITED IN THE TRUST FUND AND ALL INTEREST EARNED IN THE TRUST FUND SHALL REMAIN IN THE TRUST FOR THE PURPOSES AS SET FORTH IN THIS PART 14, AND NO PORTION THEREOF SHALL BE EXPENDED OR APPROPRIATED FOR ANY OTHER PURPOSE.

(2) THERE IS HEREBY CREATED A PRESERVATION TRUST COMMITTEE FOR THE PURPOSE OF OVERSEEING AND MAKING ALLOCATIONS OUT OF THE TRUST FUND. THE PRESERVATION TRUST COMMITTEE SHALL BE COMPRISED OF FOUR MEMBERS. ONE MEMBER SHALL BE A REPRESENTATIVE OR DESIGNEE OF THE COLORADO BOARD OF VETERANS AFFAIRS, CREATED IN SECTION 26-10-103, C.R.S., ONE MEMBER SHALL BE A MEMBER OR DESIGNEE OF THE STATE CAPITOL BUILDING ADVISORY COMMITTEE, CREATED IN SECTION 24-82-108, ONE MEMBER SHALL BE A VETERAN APPOINTED JOINTLY BY THE SPEAKER OF THE HOUSE

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE, AND ONE MEMBER SHALL BE A REPRESENTATIVE OF THE DIVISION OF CENTRAL SERVICES IN THE DEPARTMENT OF PERSONNEL, CREATED IN PART 1 OF ARTICLE 30 OF THIS TITLE, THAT OVERSEES REAL ESTATE SERVICES, WHO SHALL BE AN EX-OFFICIO NONVOTING MEMBER.

(3) THE INITIAL TERM FOR THE MEMBER REPRESENTING THE COLORADO BOARD OF VETERANS AFFAIRS AND FOR THE MEMBER REPRESENTING THE STATE CAPITOL BUILDING ADVISORY COMMITTEE SHALL BE THREE YEARS. THEREAFTER, THOSE MEMBERS' TERMS SHALL BE TWO-YEAR TERMS. THE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE SHALL SERVE A TWO-YEAR TERM. ANY VACANCY ON THE COMMITTEE SHALL BE FILLED IN THE SAME MANNER PROVIDED FOR ORIGINAL APPOINTMENTS.

(4) THE PRESERVATION TRUST COMMITTEE SHALL HAVE DISCRETION IN DETERMINING THE AMOUNT OF FUNDS TO ALLOCATE FROM THE TRUST FUND TO MEET THE PURPOSES OF THIS PART 14; EXCEPT THAT ONLY THE INTEREST DERIVED FROM THE PRINCIPAL IN THE TRUST FUND MAY BE EXPENDED BY THE PRESERVATION TRUST COMMITTEE. ALL GIFTS, GRANTS, AND DONATIONS RECEIVED BY THE DEPARTMENT OF PERSONNEL PURSUANT TO SUBSECTION (5) OF THIS SECTION SHALL BE CREDITED TO THE TRUST FUND AND RETAINED AS PRINCIPAL IN THE TRUST FUND. ALL INTEREST EARNED ON THE INVESTMENT OF MONEYS IN THE FUND SHALL BE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT OF PERSONNEL FOR ALLOCATION TO THE PRESERVATION TRUST COMMITTEE. THE PRESERVATION TRUST COMMITTEE SHALL DETERMINE ANNUALLY HOW MUCH OF THE INTEREST GENERATED FROM THE PRINCIPAL IN THE TRUST FUND WILL BE SPENT AND SHALL DETERMINE AND APPROVE WHAT TYPES OF MAINTENANCE AND REPAIR WORK WILL BE PERFORMED FOR THE PURPOSES OF MAINTAINING, ENHANCING, AND REPAIRING THE COLORADO VETERANS' MONUMENT IN LINCOLN PARK IN DENVER, COLORADO, AND FOR MAINTAINING LINCOLN PARK. THE PRINCIPAL OF THE TRUST FUND AND ANY UNAPPROPRIATED INTEREST EARNED ON THE PRINCIPAL OF THE TRUST FUND AT THE CLOSE OF ANY FISCAL YEAR SHALL REMAIN IN THE TRUST FUND AND SHALL NOT BE TRANSFERRED TO OR REVERT TO THE GENERAL FUND.

(5) THE DEPARTMENT OF PERSONNEL IS AUTHORIZED TO RECEIVE GIFTS, GRANTS, AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE TRUST FUND. SUCH GIFTS, GRANTS, AND DONATIONS, TOGETHER WITH ANY OTHER MONEYS APPROPRIATED OR TRANSFERRED BY THE GENERAL ASSEMBLY, SHALL BE TRANSMITTED TO THE STATE TREASURER WHO SHALL CREDIT THE SAME TO THE TRUST FUND. MONEYS IN THE TRUST FUND SHALL BE USED FOR MAINTAINING AND ENHANCING THE COLORADO VETERANS' MONUMENT AND LINCOLN PARK, BUT SHALL NOT BE USED TO SUPPLANT EXISTING APPROPRIATIONS FOR MAINTENANCE OF THE MONUMENT OR LINCOLN PARK. FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, ANY DONATIONS RECEIVED FOR THE TRUST FUND SHALL NOT BE INCLUDED IN STATE FISCAL YEAR SPENDING.

**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 23, 2000

**Editor's note:** This act was delivered for printing out of the signing sequence order.