

CHAPTER 303

GOVERNMENT - STATE

SENATE BILL 01-208

BY SENATOR(S) Nichol, Hillman, Lamborn, May, Musgrave, and Tupa;
also REPRESENTATIVE(S) Alexander, Garcia, Larson, Tapia, and Weddig.

AN ACT

CONCERNING RECOMMENDATIONS OF THE SENATE COMMITTEE ON GOVERNMENT, VETERANS AND MILITARY RELATIONS, AND TRANSPORTATION RELATING TO REQUIREMENTS FOR CERTAIN REPORTS TO THE GENERAL ASSEMBLY FROM EXECUTIVE AGENCIES, AND, IN CONNECTION THEREWITH, REPEALING REPORTING REQUIREMENTS TO THE GENERAL ASSEMBLY THAT ARE OBSOLETE.

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

SECTION 1. Repeal. 24-1-136 (11) (a) (II) (D) and (11) (a) (II) (E), Colorado Revised Statutes, are repealed as follows:

24-1-136. "Information Coordination Act" - policy - functions of the heads of principal departments. (11) (a) (II) All requirements for reports to the general assembly by executive agencies or the judicial branch that were in existence before July 1, 1996, or that otherwise are not covered by subparagraph (I) of this paragraph (a), shall expire on the following dates:

(D) ~~Requirements imposed under part 2 of article 32 of title 24 to article 6 of title 25, C.R.S., July 1, 2000;~~

(E) ~~Requirements imposed under article 6.5 of title 25 to article 8 of title 32, C.R.S., July 1, 2001;~~

SECTION 2. Repeal. 16-15-104 (4), Colorado Revised Statutes, is repealed as follows:

16-15-104. Reports to state court administrator and attorney general.
(4) ~~On or before January 31 of each year, the attorney general shall transmit to the general assembly or, alternatively, may present as part of the annual legislative briefing by the department of law, a report which shall be a statistical compilation of~~

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

~~the reports received from district attorneys, as well as similar information from the attorney general's office.~~

SECTION 3. Repeal. 17-1-103 (1) (g), Colorado Revised Statutes, is repealed as follows:

17-1-103. Duties of the executive director. (1) The duties of the executive director shall be:

~~(g) To prepare and transmit annually to the general assembly a statistical report;~~

SECTION 4. Repeal. 17-1-104.3 (4), Colorado Revised Statutes, is repealed as follows:

17-1-104.3. Correctional facilities - locations - security level. (4) ~~Annually with the department's budget submission to the joint budget committee, the department shall provide an itemized report of costs by facility and by sub-program. This report shall include annual costs for community corrections, parole, correctional industries, and the parole board.~~

SECTION 5. Repeal. 19-1-116 (3), Colorado Revised Statutes, is repealed as follows:

19-1-116. Funding - alternatives to placement out of the home. (3) ~~The department of human services shall report annually to the house and senate committees on health, environment, welfare, and institutions concerning the amount of capped allocations, as defined in section 26-5-101 (1), C.R.S., received by each county pursuant to this section, by line item, and each county's spending, by line item.~~

SECTION 6. 22-2-106 (3), Colorado Revised Statutes, is amended to read:

22-2-106. State board - duties. (3) The state board shall annually submit a report to the governor and the ~~general assembly~~ EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE on the accreditation status of all school districts pursuant to the provisions of article 11 of this title.

SECTION 7. 22-60.5-116 (2) and (4), Colorado Revised Statutes, are amended to read:

22-60.5-116. Evaluation of approved programs of preparation for teachers, principals, and administrators. (2) Beginning July 1, 1999, each teacher employed by a school district of the state who completed his or her preparation at an accepted institution of higher education in this state shall evaluate the program during his or her first and third years of teaching. Each teacher who completes his or her preparation at an accepted institution of higher education in another state may also evaluate his or her program. Such evaluations shall include assessments of the extent to which the teacher preparation program sufficiently prepared the teacher to meet the performance-based standards for teacher licensure specified by rule of the state board of education pursuant to section 22-2-109 (3). For 1999 and every year thereafter, a sample of principals and administrators employed by the school districts of the state who completed their preparation at accepted institutions of higher education in this

state shall evaluate their programs. Such sample shall be selected by the department of education. Such evaluations shall be on forms prepared and distributed by the department of education. The completed forms shall be returned to the department of education for compilation, review by the state board of education, and dissemination to Colorado teacher, principal, and administrator preparation institutions. In addition, the completed forms may be reviewed by the educator professional standards board. ~~The department of education shall provide copies of the compiled results of such completed forms to the members of the committees on education of the house of representatives and the senate, which shall review the results at a joint meeting pursuant to section 22-60.5-116.5. In addition,~~ The department of education may provide copies of the compiled results to each school district and to the Colorado commission on higher education.

(4) Effective July 1, 1999, the administrative staff of the school districts of this state shall be provided forms for the evaluation of approved programs of preparation of teachers of graduates of Colorado teacher preparation institutions employed within said school districts. The administrative staff may also review approved teacher preparation programs of teachers employed by the school district who graduated from out-of-state institutions. Such evaluations shall include assessments of the extent to which the teacher preparation programs sufficiently prepared teachers to meet the performance-based standards for teacher licensure specified by rule of the state board of education pursuant to section 22-2-109 (3) and the extent to which the school district was required to remediate each teacher. Evaluations shall be completed during the first and third years of teaching as specified in subsection (2) of this section or at such other times as may be deemed appropriate by the state board of education. Such forms shall be returned to the department of education for compilation, review by the state board of education, and dissemination to Colorado teacher preparation institutions. In addition, the completed forms may be reviewed by the educator professional standards board. ~~The department of education shall provide copies of the compiled results of such completed forms to the members of the committees on education of the house of representatives and the senate, which shall review the results at a joint meeting pursuant to section 22-60.5-116.5. In addition,~~ The department of education may provide copies of the compiled results to each school district and to the Colorado commission on higher education.

SECTION 8. 24-46-105 (2.5) (b), Colorado Revised Statutes, is amended to read:

24-46-105. Colorado economic development fund - creation. (2.5) (b) The commission may establish whatever terms and conditions it deems appropriate in making grants or loans pursuant to this section. The loan amount and any interest earned thereon shall be paid back to the commission, and such moneys shall be credited to a special account in the fund to be known as the revolving account. In accordance with subsection (2) of this section, interest earned on the investment or deposit of moneys in the economic development fund shall also be credited to the revolving account. All moneys in the revolving account may be used by the commission to make loans and grants as provided in this subsection (2.5) without further appropriation by the general assembly. ~~The commission shall report to the joint budget committee by January 1 of each year all expenditures from, and the unencumbered balance of, the revolving account.~~ The commission shall not approve grants or loans to state departments or agencies for specific projects which are typically considered by the general assembly in the general appropriation bill or in

supplemental appropriation bills unless the joint budget committee approves the application for such grants or loans.

SECTION 9. 24-77-106.5 (2), Colorado Revised Statutes, is amended to read:

24-77-106.5. Annual financial report - certification of excess state revenues.

(2) Any financial report prepared and certification of state excess revenues made pursuant to subsection (1) of this section shall be audited by the state auditor. No later than September 15 following the certification made by the state controller for any given fiscal year, the state auditor shall report and transmit to the governor, the ~~general assembly~~ JOINT BUDGET COMMITTEE, THE FINANCE COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, and the executive director of the department of revenue the results of any audit conducted in accordance with this subsection (2).

SECTION 10. 28-3-106 (1) (c), Colorado Revised Statutes, is amended to read:

28-3-106. Powers and duties of adjutant general. (1) The adjutant general has the following powers and duties:

(c) ~~He~~ THE ADJUTANT GENERAL shall prepare and transmit annually, in the form and manner prescribed by the heads of the principal departments pursuant to the provisions of section 24-1-136, C.R.S., a report accounting to the governor and the ~~general assembly~~ STATE VETERANS AND MILITARY AFFAIRS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE GOVERNMENT, VETERAN AND MILITARY RELATIONS, AND TRANSPORTATION COMMITTEE OF THE SENATE for the efficient discharge of all responsibilities assigned by law or directive to the adjutant general.

SECTION 11. Repeal. 29-4-719.1 (2) (f) (II) Colorado Revised Statutes, is repealed as follows:

29-4-719.1. Economic development fund - repeal. (2) Moneys held in the economic development fund shall be expended by the authority for the following purposes:

(f) (II) ~~No later than January 1, 1995, and thereafter biennially but no later than January 1 of such year, the authority shall submit a report to the general assembly concerning the expenditures made under subparagraph (f) of this paragraph (f).~~

SECTION 12. 29-4-729, Colorado Revised Statutes, is amended to read:

29-4-729. Annual report. The authority shall submit to the governor and the ~~general assembly~~ HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE HEALTH, ENVIRONMENT, CHILDREN AND FAMILIES COMMITTEE OF THE SENATE within six months after the end of the fiscal year a report ~~which~~ THAT shall set forth a complete and detailed operating and financial statement of the authority during such year. Also included in the report shall be any recommendations with reference to additional legislation or other action that may be necessary to carry out the purposes of the authority.

SECTION 13. 29-4-735 (2), Colorado Revised Statutes, is amended to read:

29-4-735. Colorado strategic seed fund council - creation. (2) At the request of the board, the Colorado strategic seed fund council shall provide advice to the authority from time to time as to the criteria to be used in making loans, and the council shall make recommendations to the board with respect to the board's determinations regarding such loans from the Colorado strategic seed fund to operating seed funds. Said council shall receive reports from the authority regarding the operations and investments of the operating seed funds and shall make an annual report on the operating seed funds to the ~~general assembly~~ HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE HEALTH, ENVIRONMENT, CHILDREN AND FAMILIES COMMITTEE OF THE SENATE.

SECTION 14. 29-13-102 (4), Colorado Revised Statutes, is amended to read:

29-13-102. Authority for units of local government to pool insurance coverage. (4) Each self-insurance pool for units of local government created in this state shall file, with the commissioner of insurance on or before March 30 of the next succeeding year, a written report, in a form prescribed by the commissioner, signed and verified by its chief executive officer as to its condition. Such report shall include a detailed statement of assets and liabilities, the amount and character of the business transacted, and the moneys reserved and expended during the year. All such reports shall be transmitted to the governor and the ~~general assembly~~ LOCAL GOVERNMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE GOVERNMENT, VETERAN AND MILITARY RELATIONS, AND TRANSPORTATION COMMITTEE OF THE SENATE.

SECTION 15. Repeal. 29-22-104 (5) (c), Colorado Revised Statutes, is repealed as follows:

29-22-104. Right to claim reimbursement - temporary committee on reimbursement. (5) (c) ~~No later than September 1, 1999, unless the legislative audit committee specifies a later date, the executive director of the department of public safety shall report the recommendations of the temporary committee on reimbursement for the costs of hazardous substance incidents to the legislative audit committee. The report shall include any proposed legislation recommended to the executive director by the temporary committee.~~

SECTION 16. 29-24-111 (4), Colorado Revised Statutes, is amended to read:

29-24-111. Referenda concerning contributions - permissible subject matters - approval - refunds - procedures. (4) The board shall report to the governor and the ~~general assembly~~ BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE BUSINESS, LABOR, AND FINANCE COMMITTEE OF THE SENATE concerning the contents of any order ~~which~~ THAT has been approved pursuant to this section.

SECTION 17. 29-24-118, Colorado Revised Statutes, is amended to read:

29-24-118. Account of activities, receipts, and expenditures. The authority shall keep an accurate account of all its activities, receipts, and expenditures. The authority shall annually report to the governor and the ~~general assembly~~ BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE

BUSINESS, LABOR, AND FINANCE COMMITTEE OF THE SENATE, within six months after the end of each year, concerning its activities and operations during such year. The report shall include any recommendations concerning additional legislation or other action that may be necessary to carry out the purposes of the authority. A complete and detailed operating and financial statement of the authority shall be provided to contributing businesses upon request and shall be available for public inspection at reasonable times as determined by the authority.

SECTION 18. Repeal. 31-30.5-307 (1) (d), Colorado Revised Statutes, is repealed as follows:

~~31-30.5-307. State contribution. (1) (d) Commencing December 1, 1992, the board shall submit a biennial report to the joint budget committee reporting on each employer having an accrued unfunded liability and the amount of such accrued unfunded liability.~~

SECTION 19. Repeal. 32-8-103 (7) (e), Colorado Revised Statutes, is repealed as follows:

32-8-103. Commission - election - appointment - transfer of powers to the department of local affairs. (7) (e) Provide a final report to the general assembly setting forth in detail the following:

~~(I) The income and expenditures of the district since the most recent report submitted pursuant to section 32-8-104 (5);~~

~~(II) The amounts paid or otherwise transferred pursuant to this subsection (7); and~~

~~(III) Any other information relevant to the board's compliance with this subsection (7).~~

SECTION 20. Repeal. 32-15-124, Colorado Revised Statutes, is repealed as follows:

~~32-15-124. Report. On or before March 1 immediately following the levy and collection of the sales tax by the district and on and after March 1 of each year thereafter, the board shall file a report with the general assembly indicating the amount of any revenues raised by any sales tax and any admissions tax levied and collected pursuant to the provisions of this article, the amount of any revenues generated from the operation of the stadium pursuant to the provisions of this article, the amount of any revenues received from all other sources and specifying such sources, and the distribution and use of such revenues.~~

SECTION 21. Repeal. 32-16-107, Colorado Revised Statutes, is repealed as follows:

~~32-16-107. Report. The board shall file an annual report with the general assembly indicating its progress in developing a plan pursuant to section 32-16-106 (1) (b) and complying with the other requirements of section 32-16-106 and its receipt and expenditures of moneys for the prior fiscal year.~~

SECTION 22. 37-95-116 (1), Colorado Revised Statutes, is amended to read:

37-95-116. Annual report - annual audit - annual budget. (1) On or before April 30 of each year, the authority shall make an annual report of its activities for the preceding fiscal year to the governor, the Colorado water conservation board, and the ~~general assembly~~ JOINT AGRICULTURE AND NATURAL RESOURCE COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE SENATE. Each such report shall set forth a complete operating and financial statement covering its operations during the year. Included within such report shall be detailed financial data setting forth the manner in which any previously appropriated state funds have been used. The authority, no later than November 30 of each year, shall report to the governor ~~and the general assembly~~ any requests for state funds for the upcoming state fiscal year, detailing the purposes for which said funds are to be utilized.

SECTION 23. The introductory portion to 40-15-208 (2) (b), Colorado Revised Statutes, is amended to read:

40-15-208. High cost support mechanism - Colorado high cost administration fund - creation - purpose - operation. (2) (b) On or before December 1 of each year, the commission shall submit a written report to the ~~general assembly~~ COMMITTEES OF REFERENCE IN THE SENATE AND HOUSE OF REPRESENTATIVES THAT ARE ASSIGNED TO HEAR TELECOMMUNICATIONS ISSUES, in accordance with section 24-1-136, C.R.S., accounting for the operation of the high cost support mechanism during the preceding calendar year and containing the following information, at a minimum:

SECTION 24. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: June 5, 2001