

CHAPTER 237

GENERAL ASSEMBLY

HOUSE BILL 96-1167

BY REPRESENTATIVES Pfiffner, Acquafresca, Allen, Dean, Dyer, Friednash, Gordon, Hagedorn, Leyba, Martin, May, McPherson, Morrison, Nichol, Owen, Paschall, Salaz, Saliman, Schwarz, Sullivant, Swenson, Taylor, Tool, Tucker, Tupa, and Young; also SENATOR Mutzebaugh.

AN ACT

CONCERNING THE TERMINATION OF REQUIREMENTS FOR PERIODIC REPORTS TO THE GENERAL ASSEMBLY, AND, IN CONNECTION THEREWITH, ESTABLISHING A TERMINATION SCHEDULE FOR SUCH REPORTING REQUIREMENTS.

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

SECTION 1. Legislative declaration - review of obsolete reporting requirements - subjects grouped to parallel subjects covered by committees of reference. (1) The general assembly hereby finds, determines, and declares that:

(a) There are a number of existing statutes that require agencies to file reports with the general assembly;

(b) Many of these statutes may no longer be relevant and many are obsolete and unnecessary; and

(c) These statutes should be reviewed by the general assembly and a determination made as to whether or not they should be repealed.

(2) To facilitate this review, selected repeals are grouped together in the remainder of this act. These repeals are grouped on the basis of subject matter that would generally be familiar to the committees of reference. Other possible repeals in that subject matter area will be presented to the committees for review and possible inclusion in the listings.

(3) Sections 5 to 29 of this act repeal provisions that relate to subject matter familiar to the agriculture, livestock, and natural resources committee in the house 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.

representatives and the agriculture, natural resources, and energy committee in the senate.

(4) Sections 30 and 31 of this act repeal provisions that relate to subject matter familiar to the appropriations committees.

(5) Sections 32 to 58 of this act repeal provisions that relate to subject matter familiar to the business affairs and labor committees.

(6) Sections 59 to 99 of this act repeal provisions that relate to subject matter familiar to the education committees.

(7) Sections 100 to 102 of this act repeal provisions that relate to subject matter familiar to the finance committees.

(8) Sections 103 to 167 of this act repeal provisions that relate to subject matter familiar to the health, environment, welfare, and institutions committees.

(9) Sections 168 to 189 of this act repeal provisions that relate to subject matter familiar to the judiciary committees.

(10) Section 190 of this act repeals provisions that relate to subject matter familiar to the local government committees.

(11) Sections 191 to 205 of this act repeal provisions that relate to subject matter familiar to the state, veterans, and military affairs committees.

(12) Sections 206 to 211 of this act repeal provisions that relate to subject matter familiar to the transportation and energy committee in the house of representatives and the transportation committee in the senate.

SECTION 2. 24-1-136 (1), Colorado Revised Statutes, 1988 Repl. Vol., is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-1-136. "Information Coordination Act" - policy - functions of the heads of principal departments. (1) This section shall be known and may be cited as the "Information Coordination Act". The legislative policy with reference to the coordination of information is hereby declared to be that:

(e) OPERATIONAL REPORTS AND PUBLICATIONS OF EXECUTIVE AGENCIES SHOULD CONTINUE TO BE PRODUCED AS LONG AS THEY ARE USEFUL, BUT THE NEED FOR THEM SHOULD BE REVIEWED PERIODICALLY TO ENSURE THAT PUBLIC RESOURCES ARE NOT MISDIRECTED TOWARD THE FULFILLMENT OF OUTMODED DIRECTIVES.

SECTION 3. 24-1-136, Colorado Revised Statutes, 1988 Repl. Vol., is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-1-136. "Information Coordination Act" - policy - functions of the heads of principal departments. (11) (a) (I) EFFECTIVE JULY 1, 1996, WHENEVER ANY REPORT IS REQUIRED TO BE MADE TO THE GENERAL ASSEMBLY BY AN EXECUTIVE AGENCY OR THE JUDICIAL BRANCH ON A PERIODIC BASIS, THE REQUIREMENT FOR SUCH

REPORT SHALL EXPIRE ON THE DAY AFTER THE THIRD ANNIVERSARY OF THE DATE ON WHICH THE FIRST SUCH REPORT IS DUE UNLESS THE GENERAL ASSEMBLY, ACTING BY BILL, CONTINUES THE REQUIREMENT.

(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:

(A) REQUIREMENTS IMPOSED UNDER TITLES 1 TO 12 AND ARTICLES 1 TO 5.5 OF TITLE 13, C.R.S., JULY 1, 1997;

(B) REQUIREMENTS IMPOSED UNDER ARTICLE 6 OF TITLE 13 TO ARTICLE 60 OF TITLE 22, C.R.S., JULY 1, 1998;

(C) REQUIREMENTS IMPOSED UNDER ARTICLE 60.5 OF TITLE 22 TO PART 1 OF ARTICLE 32 OF TITLE 24, C.R.S., JULY 1, 1999;

(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;

(F) REQUIREMENTS IMPOSED UNDER ARTICLE 9 OF TITLE 32 TO TITLE 43, C.R.S., JULY 1, 2002.

(b) AMONG THE MATTERS TO BE CONSIDERED BY THE SUNRISE AND SUNSET REVIEW COMMITTEE, CREATED BY JOINT RULE OF THE SENATE AND HOUSE OF REPRESENTATIVES, DURING EACH INTERIM SHALL BE AN INVENTORY AND REVIEW OF ALL EXISTING REQUIREMENTS FOR REPORTS BY EXECUTIVE AGENCIES OR THE JUDICIAL BRANCH TO THE GENERAL ASSEMBLY THAT ARE DUE TO EXPIRE ON OR BEFORE JULY 1 OF THE FOLLOWING YEAR PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (11); EXCEPT THAT, IF HOUSE BILL 96-1159 IS ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTIETH GENERAL ASSEMBLY AND BECOMES LAW OR IF, FOR ANY OTHER REASON, THE SUNRISE AND SUNSET REVIEW COMMITTEE CEASES TO EXIST, SUCH INVENTORY AND REVIEW SHALL BE CONDUCTED BY THE SEVERAL COMMITTEES OF REFERENCE AS DIRECTED BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, OR OTHERWISE AS FOLLOWS:

(I) THE AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE IN THE HOUSE OF REPRESENTATIVES AND THE AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE IN THE SENATE SHALL CONSIDER REPORTING REQUIREMENTS CONTAINED IN TITLES 33 TO 37, C.R.S.;

(II) THE APPROPRIATIONS COMMITTEES SHALL CONSIDER REPORTING REQUIREMENTS CONTAINED IN ARTICLES 75 TO 114 OF THIS TITLE;

(III) THE BUSINESS AFFAIRS AND LABOR COMMITTEES SHALL CONSIDER REPORTING REQUIREMENTS CONTAINED IN TITLES 4 TO 12 AND 40, C.R.S.;

(IV) THE EDUCATION COMMITTEES SHALL CONSIDER REPORTING REQUIREMENTS CONTAINED IN TITLES 22 AND 23, C.R.S.;

(V) THE FINANCE COMMITTEES SHALL CONSIDER REPORTING REQUIREMENTS CONTAINED IN TITLES 38 AND 39, C.R.S.;

(VI) THE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES SHALL CONSIDER REPORTING REQUIREMENTS CONTAINED IN TITLES 25 TO 27, C.R.S.;

(VII) THE JUDICIARY COMMITTEES SHALL CONSIDER REPORTING REQUIREMENTS CONTAINED IN TITLES 13 TO 21, C.R.S.;

(VIII) THE LOCAL GOVERNMENT COMMITTEES SHALL CONSIDER REPORTING REQUIREMENTS CONTAINED IN TITLES 30 TO 32, C.R.S.;

(IX) THE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEES SHALL CONSIDER REPORTING REQUIREMENTS CONTAINED IN TITLES 1 TO 3, C.R.S., TITLES 28 AND 29, C.R.S., AND THIS TITLE WITH THE EXCEPTION OF ARTICLES 75 TO 114 AND, IN ADDITION, ANY REPORTING REQUIREMENT NOT OTHERWISE ASSIGNED TO A COMMITTEE OF REFERENCE UNDER THIS PARAGRAPH (b); AND

(X) THE TRANSPORTATION AND ENERGY COMMITTEE IN THE HOUSE OF REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE IN THE SENATE SHALL CONSIDER REPORTING REQUIREMENTS CONTAINED IN TITLES 41 TO 43, C.R.S.

SECTION 4. 24-34-104 (5) (a) and (11) (a), Colorado Revised Statutes, 1988 Repl. Vol., are amended to read:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (5) (a) The divisions in the department of regulatory agencies, the boards and agencies in the division of registrations, and the functions of the specified agencies and the specified boards shall terminate according to the termination schedule outlined in this section. REQUIREMENTS FOR PERIODIC REPORTS TO THE GENERAL ASSEMBLY SHALL EXPIRE AS SET FORTH IN SECTION 24-1-136 (11) AND SHALL BE TREATED AS "FUNCTIONS" OF THE RESPECTIVE AGENCIES FOR PURPOSES OF THIS SECTION EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION.

(11) (a) Pursuant to the process established in this section, no more than one such division, board, or agency shall be continued or reestablished or its functions amended in any bill for an act, and such division, board, or agency shall be mentioned in the bill's title. THIS PARAGRAPH (a) SHALL NOT APPLY TO REQUIREMENTS FOR PERIODIC REPORTS TO THE GENERAL ASSEMBLY.

[AGRICULTURE]

SECTION 5. 37-91-104 (1) (g), Colorado Revised Statutes, 1990 Repl. Vol., is repealed as follows:

37-91-104. Duties of the board. (1) The board shall:

(g) 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 for the efficient discharge of all responsibilities assigned by law or directive to the board. Publications of the board intended for circulation in quantity outside the board shall be issued in accordance with the provisions of section 24-1-136, C.R.S.

SECTION 6. 30-20-110.5 (2), Colorado Revised Statutes, 1986 Repl. Vol., is repealed as follows:

30-20-110.5. Agricultural use of sludge - state board to set fees - fund created. (2) Beginning July 1, 1987, and every three years thereafter, the department shall report to the general assembly on the costs of the sludge management program. Following this report, the general assembly shall review and reset, if necessary, the fee limitation established in subsection (1) of this section.

SECTION 7. 24-33-102 (2), Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-33-102. Powers and duties of the executive director and deputy director. (2) The executive director shall require of the head of each subordinate agency assigned to the department of natural resources an annual report containing such information and submitted at such time as the executive director decides. The executive director 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, a report accounting to the governor and the general assembly for the efficient discharge of all responsibilities assigned by law or directive to the department or to any division thereof.

SECTION 8. 35-28-109 (2) (c), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

35-28-109. When marketing order effective. (2) (c) Commencing with the calendar year 1980 and every four years thereafter during the marketing order affecting the producers of wheat, the commissioner shall report to the committees of reference of the senate and the house of representatives of the general assembly dealing with agriculture for their review on the effectiveness of the wheat marketing order in meeting the criteria stated in section 35-28-103. During the review of the marketing order, either committee reviewing the effectiveness of the marketing order may request of the state auditor a performance audit of the activities of the board of control.

SECTION 9. 35-15-108, Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

35-15-108. Report on operation of central filing system - recommendations. By January 1, 1994, the board shall conduct a review and submit a report to the general assembly on the implementation and operation of the central filing system. The board shall make recommendations concerning the continuation of such system and alternatives for the transfer of the powers and functions of the board to another appropriate entity of state government. In the 1994 regular session, the general

assembly shall consider the report of the board provided pursuant to this section and any appropriate legislation required.

SECTION 10. 35-1-107 (2), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

35-1-107. Commissioner of agriculture - report - publications - deputy commissioner. (2) The commissioner shall require of the head of each agency assigned to the department an annual report containing such information and submitted at such time as the commissioner shall decide. ~~The commissioner 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 for the efficient discharge of all responsibilities assigned by law or directive to the department or to subdivisions thereof.~~

SECTION 11. 4-9-411 (7), Colorado Revised Statutes, 1992 Repl. Vol., as amended, is repealed as follows:

4-9-411. Committee to make recommendation concerning implementation of filing system - legislative declaration - repeal. (7) ~~The committee shall report to the general assembly no later than January 1, 1995, with recommendations and findings based on the study conducted pursuant to this section.~~

SECTION 12. 35-5.5-114, Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

35-5.5-114. Review of compliance on federal land. ~~On or before January 1, 1994, the legislative council shall survey those counties that include significant amounts of federal land to determine the level of cooperation and compliance by the federal government with this article. The legislative council shall report the conclusions of such study to the general assembly on or before January 15, 1994.~~

SECTION 13. 34-20-104 (3) (i), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

34-20-104. Minerals, energy, and geology policy advisory board - creation. (3) The advisory board shall:

(i) ~~Review and recommend to the general assembly the options of transferring the Colorado geological survey to the division of minerals and geology as an office thereof, maintaining the Colorado geological survey as a division in the department of natural resources, physically locating the Colorado geological survey at one of the public institutions of higher education within the state, or administratively moving the Colorado geological survey from the department of natural resources to one of the public institutions of higher education within the state. Such report shall be submitted to the general assembly no later than February 15, 1993.~~

SECTION 14. 34-20-103 (9) (a), (9) (c), and (9) (d), Colorado Revised Statutes, 1995 Repl. Vol., are amended to read:

34-20-103. Division of minerals and geology - creation - powers and duties - transfer of functions and property - change of statutory references. (9) (a) If the minerals, energy, and geology policy advisory board, created in section 34-20-104, in carrying out its duties to study options for the location of the Colorado geological survey within state government under the provisions of FORMER section 34-20-104 (3) (i) ~~recommends~~ RECOMMENDED by February 15, 1993, that the Colorado geological survey should be transferred to the division of minerals and geology as an office thereof, or if the advisory board ~~fails~~ FAILED to make a recommendation with respect to the options contained in SAID FORMER section 34-20-104 (3) (i), the provisions of this subsection (9) shall operate to transfer the Colorado geological survey to the division of minerals and geology in the department of natural resources as provided in paragraph (d) of this subsection (9) and section 24-1-124 (3) (e) (IV), C.R.S.

(c) If the minerals, energy, and geology policy advisory board in carrying out its duties to study options for the location of the Colorado geological survey within state government under the provisions of FORMER section 34-20-104 (3) (i) ~~recommends~~ RECOMMENDED that the Colorado geological survey should be an office in the division of minerals and geology, or the advisory board ~~fails~~ FAILED to make a recommendation with respect to the options contained in SAID FORMER section 34-20-104 (3) (i), on and after the effective date of an executive order to be issued by the governor recognizing the action and any recommendation of the minerals, energy, and geology policy advisory board, the Colorado geological survey shall be transferred to the division of minerals and geology as an office thereof pursuant to the provisions of paragraph (d) of this subsection (9) and section 24-1-124 (3) (e) (IV), C.R.S.

(d) (I) On and after the effective date of the executive order of the governor recognizing the action and any recommendation of the minerals, energy, and geology policy advisory board, or of the failure of the advisory board to act as required by FORMER section 34-20-104 (3) (i), the division shall execute, administer, perform, and enforce the rights, powers, duties, functions, and obligations vested in the Colorado geological survey prior to the effective date of said executive order, concerning the duties and functions transferred to the division of minerals and geology and allocated to the Colorado geological survey.

(II) On and after the effective date of the executive order of the governor recognizing the action and any recommendation of the minerals, energy, and geology policy advisory board, or of the failure of the advisory board to act as required by section FORMER 34-20-104 (3) (i), all employees of the Colorado geological survey whose principal duties are concerned with the duties and functions transferred to the Colorado geological survey as an office in the division of minerals and geology and whose employment in said division is deemed necessary by the executive director of the department to carry out the duties transferred to the division of minerals and geology pursuant to this subsection (9) shall become employees thereof. Such employees shall retain all rights to the state personnel system and retirement benefits under the laws of this state, and their service shall be deemed to have been continuous. All transfers and any abolishment of positions in the state personnel system shall be made and processed in accordance with state personnel system laws and rules and regulations.

(III) On and after the effective date of the executive order of the governor recognizing the action and any recommendation of the minerals, energy, and geology policy advisory board, or of the failure of the advisory board to act as required by FORMER section 34-20-104 (3) (i), all items of property, real and personal, including office furniture and fixtures, books, documents, and records of the Colorado geological survey pertaining to the duties and functions transferred to the Colorado geological survey as an office in the division of minerals and geology, are transferred to said division and shall become the property thereof.

(IV) On and after the effective date of the executive order of the governor recognizing the action and any recommendation of the minerals, energy, and geology policy advisory board, or of the failure of the advisory board to act as required by FORMER section 34-20-104 (3) (i), whenever the Colorado geological survey is referred to or designated by any contract or other document in connection with the duties and functions transferred to the Colorado geological survey as an office in the division of minerals and geology, such reference or designation shall be deemed to apply to the Colorado geological survey as an office in the division of minerals and geology. All contracts entered into by the Colorado geological survey prior to the effective date of the executive order of the governor accepting the report and recommendation of the minerals, energy, and geology policy advisory board in connection with the duties and functions transferred to the Colorado geological survey as an office in the division of minerals and geology are hereby validated, with the said office succeeding to all the rights and obligations of such contracts. Any cash funds, custodial funds, trusts, grants, and any appropriations of funds from prior fiscal years open to satisfy obligations incurred under such contracts are hereby transferred and appropriated to the Colorado geological survey in the division of minerals and geology for the payment of such obligations.

SECTION 15. 34-1-104.5 (2), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

34-1-104.5. Legislative declaration. (2) It is the intent of the general assembly that the Colorado geological survey place primary emphasis on the statutory objectives of recognition and mitigation of geologic risks affecting public health and safety and promotion of economic development of the mineral resources, including, but not limited to, metals, oil, gas, coalbed methane, and aggregate, of Colorado. Such work shall require appropriate consideration to public safety and environmental concerns. Economic development projects proposed or undertaken shall involve basic and applied geologic research and mapping similar to that undertaken by geological surveys in other states and be designed to encourage resource exploration and development by industry. The Colorado geological survey shall not undertake economic development projects that directly compete with the private sector, but shall produce basic data, research reports, and maps useful to consultants and industry. Economic development projects undertaken may be funded by private foundations and federal agencies under joint agreements approved by the executive director of the department of natural resources, or by industrial consortia or agencies of other states upon review and approval by the Colorado geological survey advisory committee and the executive director of the department of natural resources, or by the general fund. ~~The Colorado geological survey and the Colorado geological survey advisory committee shall prepare a report describing ongoing and potential economic development projects and existing and possible sources of funding, to be delivered to~~

~~the general assembly no later than November 1, 1993.~~

SECTION 16. 33-4-116 (2) (b), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

33-4-116. Auction or raffle of rocky mountain big horn sheep, rocky mountain goat, and shiras moose licenses - use of proceeds. (2) (b) The proceeds from the auctions or raffles shall be used for special projects and shall be in addition to any other funds used for the management of rocky mountain big horn sheep, rocky mountain goats, or moose. ~~The commission shall report to the general assembly by February 1 of each year concerning the use of the proceeds from such auctions or raffles.~~

SECTION 17. 35-65-401 (9) (e) and (9) (g), Colorado Revised Statutes, 1995 Repl. Vol., are repealed as follows:

35-65-401. Colorado state fair authority - created - powers and duties. (9) The board shall:

(e) ~~Make an annual report in March to the general assembly for the fiscal year which ended the previous December;~~

(g) ~~Report to the commissioner of agriculture quarterly on the activities of the authority;~~

SECTION 18. 30-25-302 (5) (a), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

30-25-302. Eligibility - determination of impact - procedures - legislative declaration. (5) (a) ~~The wildlife commission and the board of parks and outdoor recreation shall report the amount certified for each school district pursuant to this section to the state board of education.~~

SECTION 19. 35-75-124, Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

35-75-124. Account of activities - receipts for expenditures - report - audit. The authority shall keep an accurate account of all its activities and of all its receipts and expenditures. ~~and shall report annually on such activities, receipts, and expenditures in the month of February, to its members, to the governor, and to the state auditor in a form prescribed by the state auditor. 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. The state auditor may investigate the affairs of the authority, may examine the properties and records of the authority, and may prescribe methods of accounting and the rendering of periodical reports in relation to undertakings by the authority. Beginning in 1986 the authority shall report biennially on its activities to the general assembly no later than January 15.~~

SECTION 20. 36-1-102 (7), Colorado Revised Statutes, 1990 Repl. Vol., is repealed as follows:

36-1-102. Employees - register - hearings - bonds - report. (7) ~~The state board of land commissioners shall prepare and transmit annually a report to the general assembly concerning the use and disposition of property acquired by said board pursuant to Senate Bill No. 64, as enacted in the first regular session of the fifty-fifth general assembly.~~

SECTION 21. 36-1-148 (4), Colorado Revised Statutes, 1990 Repl. Vol., is amended to read:

36-1-148. Land and water management fund. (4) The state board of land commissioners shall PREPARE AND submit ~~an annual~~ ANNUALLY, BY THE CONVENING DATE OF EACH REGULAR SESSION OF EACH GENERAL ASSEMBLY, A report of the moneys expended from the fund and matters accomplished by such expenditures for the preceding fiscal year ~~to the general assembly by the convening date of each regular session of each assembly~~ AND THE USE AND DISPOSITION OF PROPERTY ACQUIRED BY SAID BOARD PURSUANT TO SENATE BILL NO. 64, AS ENACTED IN THE FIRST REGULAR SESSION OF THE FIFTY-FIFTH GENERAL ASSEMBLY. The filing of said report in accordance with section 24-1-136 (9), C.R.S., shall be deemed sufficient compliance with the provisions of this subsection (4).

SECTION 22. 36-3-104, Colorado Revised Statutes, 1990 Repl. Vol., is amended to read:

36-3-104. Control of land - Carey act fund. The selection, management, and disposal of the land and all such lands as may be granted on or after June 1, 1911, to the state by the United States shall be vested in the state board of land commissioners as constituted, and that board is empowered to accept all moneys upon the part of the state from the purchasers of the land, and to place the same in a fund to be designated as the "Carey act fund", and to disburse the same as provided in this section. It is empowered to accept from the settlers, filing on lands under the provisions of the acts within the former Southern Ute and Ute Indian reservations, as defined in the amendatory acts of congress of March 1, 1907, and February 24, 1909, the sum of one dollar and twenty-five cents per acre for each acre thereof to be patented and to pay the same into the treasury of the United States. The board is authorized to accept any future grants of such lands by the United States to this state and to agree to and accept on behalf of the state any conditions that may be imposed by the United States in relation thereto. ~~The board shall report to each regular session of the general assembly after June 1, 1911, its acceptance of the provisions of any such acts, if any, since the next preceding session.~~

SECTION 23. 37-60-106.5, Colorado Revised Statutes, 1990 Repl. Vol., as amended, is repealed as follows:

37-60-106.5. Study of water salvage. ~~The board shall conduct an analysis of water salvage which may result from federal programs, including salinity control, and report its findings to the general assembly by January 1, 1992. The study shall be completed within the board's existing resources.~~

SECTION 24. 37-60-115 (2), (4) (a), (4) (d), and (4) (e), Colorado Revised Statutes, 1990 Repl. Vol., are amended to read:

37-60-115. Water studies. (2) ~~The Colorado water conservation board shall present to the general assembly, on or before January 1, 1987, procedures that facilitate the identification, evaluation, prioritization, scheduling, and funding of water projects so as to accomplish to the fullest extent possible a unified development of Colorado water resources.~~

(4) (a) The Colorado water conservation board shall compile an inventory of potential dam and reservoir sites within the state of Colorado. ~~The initial inventory shall be made available to the general assembly on or before October 1, 1987, and shall be updated periodically and maintained by the board thereafter.~~

(d) Utilizing the inventory, the board shall identify potential dam and reservoir sites, the development of which may be stopped because of ongoing land uses which are encroaching upon needed lands or because of other circumstances. ~~The board shall, in the annual report to the general assembly required by section 37-60-122, apprise the general assembly of the dam and reservoir sites so identified.~~

(e) The board is authorized to pay for the expenses of periodically updating and maintaining ~~and making the annual report concerning~~, the inventory of potential dam and reservoir sites for which this section calls using moneys appropriated, allocated, or otherwise credited to the Colorado water conservation board construction fund.

SECTION 25. 37-60-119 (3), Colorado Revised Statutes, 1990 Repl. Vol., as amended, is amended to read:

37-60-119. Construction of water and power facilities - contracts with and charges against users. (3) To promote the efficient management and operation of agricultural and multipurpose water systems, the board is authorized to expend up to five hundred thousand dollars as demonstration grants on a fifty percent cost sharing basis for projects to improve water management or to reduce the operational costs of such systems. ~~The board shall report annually, as part of the requirement under section 37-60-122, on the status of activity under this program and on the results of completed demonstrations.~~

SECTION 26. 37-60-121 (1) (c), Colorado Revised Statutes, 1990 Repl. Vol., is repealed as follows:

37-60-121. Colorado water conservation board construction fund - creation of - nature of fund - funds for investigations - contributions - use for augmenting the general fund. (1) (c) ~~The board shall also apprise the general assembly of steps taken to comply with the criteria in paragraph (b) of this subsection (1) in the annual report which is required by section 37-60-122.~~

SECTION 27. 37-60-122 (1) (a), Colorado Revised Statutes, 1990 Repl. Vol., as amended, is repealed as follows:

37-60-122. General assembly approval. (1) Funds in the Colorado water conservation board construction fund shall be expended in the following manner and under the following circumstances:

(a) ~~The board shall submit annually, no later than December 1, to the general~~

~~assembly a report containing proposed facilities and contracts as described in section 37-60-119 and proposed transfers to the satellite monitoring system cash fund; together with an analysis of said facilities, contracts, and transfers proposed by the board. Said report shall also include a list of said proposed facilities, contracts, and transfers in order of priority suggested by the board; the proposed contract terms between the state and the federal government, any political subdivision of the state, any person, or any corporation; and a comment by the board as to how the proposed project will carry out the state water policy.~~

SECTION 28. 37-60-125 (4), Colorado Revised Statutes, 1990 Repl. Vol., as amended, is repealed as follows:

37-60-125. Authorizations for expenditures from Colorado water conservation board construction fund for demonstration of benefits of water efficiency - repeal. (4) ~~The board shall report to the general assembly by January 1, 1995, on the results of this pilot program, along with any recommendations about the future of water use efficiency activities that may be proposed by the board.~~

SECTION 29. 37-95-107.8 (4) (a), Colorado Revised Statutes, 1990 Repl. Vol., as amended, is amended to read:

37-95-107.8. Creation and administration of drinking water revolving fund. (4) (a) ~~The initial drinking water project eligibility list shall be developed by the division of administration in the department of public health and environment. and shall be submitted to the general assembly on or before March 31, 1995. On or before May 31, 1995, the initial drinking water project eligibility list shall be adopted by the passage of a joint resolution that is approved by a majority vote of both houses of the general assembly and that is approved by the governor in accordance with section 39 of article V of the state constitution.~~

[APPROPRIATIONS]

SECTION 30. 24-65-106, Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-65-106. Commission staff to assist counties and municipalities. The commission, within available appropriations, shall assign full-time professional staff members to assist counties and municipalities in the program established under article 65.1 of this title and to monitor progress in the same. ~~No later than February 1, 1975, the commission shall issue its report to the general assembly as to progress being made in such program and shall include in its report those items required by section 24-65-105 (2) (b) and (2) (c).~~

SECTION 31. 24-102-301, Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-102-301. Centralization of procurement authority. Except as otherwise provided in this part 3, all rights, powers, duties, and authority, other than the rule-making authority of the executive director, relating to the procurement of supplies, services, and construction and the sale and disposal of supplies, services, and construction are vested in the division of purchasing, except for the disposal of

excess or surplus equipment and supplies as provided in section 17-24-106.6, C.R.S., and except as provided in part 4 of article 82 of this title. The division of purchasing shall establish a pilot program to determine the most cost-effective method for the procurement of travel products for state employees. The pilot program shall only be effective in Adams, Arapahoe, Boulder, Denver, Douglas, El Paso, Jefferson, Larimer, Pueblo, and Weld counties, which counties have been designated as "metropolitan counties" by the United States office of management and budget. ~~The state purchasing director shall conduct a preliminary evaluation of this pilot program and shall present a report to the general assembly not later than March 1, 1986, and a second report not later than March 1, 1987, at which time the pilot program shall be deemed terminated.~~

[BUSINESS AFFAIRS]

SECTION 32. 40-17-103 (4), Colorado Revised Statutes, 1993 Repl. Vol., is repealed as follows:

~~**40-17-103. Commission - powers and duties.** (4) The commission shall prepare and submit an annual report to the general assembly concerning the operation and effectiveness of telecommunications relay services. If the monthly surcharge on each telephone access line exceeds fifteen cents, the commission shall within twenty days prepare a report for the legislative appropriation committees which would justify any additional increase in the surcharge.~~

SECTION 33. 40-6.5-102 (3) (c) (III), Colorado Revised Statutes, 1993 Repl. Vol., is amended to read:

40-6.5-102. Office of consumer counsel - creation - appointment - attorney general to represent. (3) (c) It is the duty of the board to represent the public interest of Colorado utility users and, specifically, the interests of residential, agricultural, and small business users, by providing general policy guidance and oversight for the office of consumer counsel and the consumer counsel in the performance of their statutory duties and responsibilities as specified in this article. The powers and duties of the board shall include, but not be limited to, the following:

~~(III) Reviewing the performance of the office of consumer counsel annually, and reporting each such evaluation by January 30 of each year to the business affairs and labor committees of the senate and house of representatives. Each such report shall be made available to all members of the general assembly.~~

SECTION 34. 12-43-203 (5), Colorado Revised Statutes, 1991 Repl. Vol., is repealed as follows:

~~**12-43-203. Boards - meetings - duties - powers - removal of members.** (5) Each board may 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 for the efficient discharge of all responsibilities assigned by law or directive to the board.~~

SECTION 35. 12-40-111 (2) and (3), Colorado Revised Statutes, 1991 Repl.

Vol., are repealed as follows:

12-40-111. Disposition of fees - reports - publications. (2) ~~The board may 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 for the efficient discharge of all responsibilities assigned by law or directive to the board.~~

(3) ~~Publications of the board circulated in quantity outside the executive branch shall be issued in accordance with the provisions of section 24-1-136, C.R.S.~~

SECTION 36. 12-36-106 (3.5) (f), Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

12-36-106. Practice of medicine defined - exemptions from licensing requirements - repeal. (3.5) (f) The state board of medical examiners shall seek the voluntary assistance of physicians and athletic trainers in developing and formulating the rules and regulations required to be promulgated pursuant to this subsection (3.5). ~~If such rules and regulations have not been promulgated by June 1, 1992, the board shall report to the sunrise and sunset review committee created by joint rule of the senate and house of representatives during the interim after the 1992 regular session of the general assembly concerning the reasons that those rules and regulations have not been promulgated.~~

SECTION 37. 12-61-112 (2), Colorado Revised Statutes, 1991 Repl. Vol., is repealed as follows:

12-61-112. Records - evidence - inspection. (2) ~~The commission 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 for the efficient discharge of all responsibilities assigned by law or directive to the commission.~~

SECTION 38. 12-22-113, Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

12-22-113. Publications. ~~The board may prepare and transmit, 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 for the efficient discharge of all responsibilities assigned by law or directive to the board.~~ Publications of the board circulated in quantity outside the executive branch shall be issued in accordance with the provisions of section 24-1-136, C.R.S. Publications of the board shall be circulated to all registered prescription drug outlets which will be directly affected by the publications.

SECTION 39. 12-23-114 (1), Colorado Revised Statutes, 1991 Repl. Vol., is repealed as follows:

12-23-114. Publications. (1) ~~The board may 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 for the efficient discharge of all responsibilities assigned by law or directive to the board.~~

SECTION 40. 12-34-201 (2), Colorado Revised Statutes, 1991 Repl. Vol., is repealed as follows:

~~**12-34-201. Board for distribution of unclaimed human bodies.** (2) The anatomical board shall prepare and transmit, 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 for the efficient discharge of all responsibilities assigned by law or directive to the board.~~

SECTION 41. 12-33-108 (1), Colorado Revised Statutes, 1991 Repl. Vol., is repealed as follows:

~~**12-33-108. Board publications.** (1) The board may 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 for the efficient discharge of all responsibilities assigned by law or directive to the board.~~

SECTION 42. 4-9-411 (7), Colorado Revised Statutes, 1992 Repl. Vol., as amended, is repealed as follows:

~~**4-9-411. Committee to make recommendation concerning implementation of filing system - legislative declaration - repeal.** (7) The committee shall report to the general assembly no later than January 1, 1995, with recommendations and findings based on the study conducted pursuant to this section.~~

SECTION 43. 40-6.5-105 (2), Colorado Revised Statutes, 1993 Repl. Vol., is amended to read:

40-6.5-105. Intervenors other than the office of consumer counsel. (2) The commission shall promptly report the award of any intervenors' expenses to the executive director of the department of regulatory agencies. ~~who shall prepare an accounting of such award and shall report such accounting to the general assembly in January, 1987, for review by the general assembly of the efficiency and appropriateness of the award of intervenors' expenses by the commission.~~

SECTION 44. 12-32-104 (2), Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

~~**12-32-104. Powers and duties of board.** (2) The president of the Colorado podiatry board shall prepare and transmit annually, in the form and manner prescribed by the heads of principal departments pursuant to the provisions of section 24-1-136, C.R.S., a report accounting to the governor and the general assembly for the efficient discharge of all responsibilities assigned by law or directive to the board.~~ The list of licensees described in section 12-32-115 and any other material circulated in quantity outside the executive branch shall be issued in accordance with the provisions of section 24-1-136, C.R.S.

SECTION 45. 8-47-101 (4), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

8-47-101. Division of workers' compensation - creation - powers, duties, and functions - transfer of functions and property - change of statutory references.

(4) The director shall monitor and shall report to the general assembly on or before December 1, 1991, and annually thereafter the number of business entities that accept risk-management services offered by insurance carriers as contemplated by section ~~10-4-408 (5) (c), C.R.S.~~

SECTION 46. 8-72-101 (2), Colorado Revised Statutes, 1986 Repl. Vol., is repealed as follows:

8-72-101. Duties and powers of the division. (2) ~~The director of the division 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 for the efficient discharge of all responsibilities assigned by law or directive to the division. In a separate report, as directed by the controller, the director of the division shall include a balance sheet of the moneys in the fund, in which there shall be, if possible, a reserve against the liability in future years to pay benefits in excess of the then current taxes. The reserve shall be set up by the division in accordance with accepted actuarial principles on the basis of statistics of employment, business activity, and other relevant factors for the longest possible period. If the division believes that a change in tax or benefit rates is necessary to protect the solvency of the fund, it shall promptly so inform the governor and the general assembly and make recommendations with respect thereto.~~

SECTION 47. 8-77-109 (4), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

8-77-109. Employment support fund - created. (4) ~~The division director shall include matters related to this section in any report to the governor and the general assembly pursuant to section 8-72-101.~~

SECTION 48. 10-1-130, Colorado Revised Statutes, 1994 Repl. Vol., is amended to read:

10-1-130. Availability of sickness, health, and accident insurance. The commissioner shall assess the availability of sickness, health, and accident insurance in Colorado with a view to identifying specific groups of persons to whom such coverage is unavailable by virtue of cost, preexisting condition, or other circumstances. ~~The commissioner shall report his findings together with recommendations for improvements in the provision of such insurance to the general assembly not later than October 1, 1989.~~

SECTION 49. 10-1-131 (7), Colorado Revised Statutes, 1994 Repl. Vol., is repealed as follows:

10-1-131. Uniform billing and electronic data exchange act - advisory board - creation. (7) ~~The advisory board shall make an annual report to the commissioner~~

by September 30, 1993, and each September 30 thereafter, detailing implementation progress of uniform claim processing and electronic data interchange within the health care and insurance industries in Colorado. The report may recommend legislation which the advisory board determines is necessary and advantageous to enhance implementation. The commissioner shall review, comment, and forward the report to the general assembly and the Colorado cost containment and guaranteed access commission, created in section 24-40.5-103, C.R.S., by January 1, 1994, and each January 1 thereafter:

SECTION 50. 10-4-612, Colorado Revised Statutes, 1994 Repl. Vol., is repealed as follows:

10-4-612. Study concerning implementation of proof of insurance. The commissioner of insurance and the department of revenue shall undertake a study of the technology required to implement the concept of displaying, on a driver's license or other type of identification card, whether a vehicle owner has the required level of motor vehicle insurance coverage. The commissioner shall report the results of such study to the general assembly on or before January 1, 1993:

SECTION 51. 10-16-105 (9) and (10), Colorado Revised Statutes, 1994 Repl. Vol., are repealed as follows:

10-16-105. Small group sickness and accident insurance - guaranteed issue - mandated provisions for basic and standard health benefit plans. (9) The division of insurance shall report to the general assembly no later than October 1, 1992, and also no later than October 1, 1995, on the effect of subsection (1) of this section on the benefits offered by and premiums for small group sickness and accident policies sold in Colorado. Small group sickness and accident insurers and other entities shall provide to the division all information necessary to make this determination, as specified by the commissioner:

(10) The commissioner of insurance in cooperation with the executive director of the department of health care policy and financing shall annually report to the executive committee of the legislative council of the general assembly on the implementation of the guaranteed issue provisions of this section enacted in HB94-1210, enacted during the second regular session of the fifty-ninth general assembly. Such annual report shall, at a minimum, include information on the number of basic and standard plans that have been issued by small employer carriers; the number of people on such plans who were uninsured prior to enrollment, and the number of groups and individuals enrolled in the reinsurance plan. The report shall also include an estimate of the total number of employees of small employers and their dependents in Colorado who are insured and who are uninsured for the most recent year for which published data are available and the five previous years. Small group carriers and the reinsurance board shall provide the division with all information necessary to write this report:

SECTION 52. 10-16-120 (1), Colorado Revised Statutes, 1994 Repl. Vol., is amended to read:

10-16-120. Legislative review of requirements for guaranteed issue of basic and standard health benefit plans. (1) During the regular session of the general

assembly in the year 2001, the legislative council of the general assembly shall conduct a review of the operation of requirements contained in section 10-16-105 for small employer carriers to issue basic and standard health benefit plans. Such review shall consider, but not be limited to, the effect of such requirement on the availability and affordability of health care coverage to residents of Colorado. ~~Such review shall also consider the annual reports filed pursuant to section 10-16-105 (10).~~ As a result of the review required by this subsection (1), the legislative council may recommend to the general assembly any legislation determined to be necessary based on such review. The legislative council shall report the results of the review conducted pursuant to this subsection (1) to the senate and house of representatives by March 15, 2001.

SECTION 53. 10-16-318 (6), Colorado Revised Statutes, 1994 Repl. Vol., is amended to read:

10-16-318. Prospective reimbursement. (6) Each corporation subject to the provisions of part 1 of this article and this part 3 shall provide the commissioner with a copy of each contract entered into under this section, within thirty days after such contract is entered into, and such other information as the commissioner deems necessary by rule. ~~or regulation to enable the commissioner to report to the general assembly as to the effect of prospective reimbursement contracts.~~

SECTION 54. 11-7-112 (1), Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended to read:

11-7-112. Reporting of loans. (1) Each bank conducting the business of banking in this state or each bank holding company controlling one or more of such banks shall annually report to the banking board on or before August 31, 1989, and on or before August 31 of each year thereafter, the total dollar amount of loans outstanding as of the previous June 30 and the aggregate dollar amount of loans outstanding in each of the following four geographical areas: Colorado; states adjacent to Colorado; other states or districts or territories of the United States; and countries or territories outside of the United States. ~~The banking board shall assemble the information and report it annually to the general assembly.~~

SECTION 55. 11-44-120 (3), Colorado Revised Statutes, 1987 Repl. Vol., is repealed as follows:

11-44-120. Records of commissioner. (3) ~~The commissioner shall prepare and transmit annually, in the form and manner prescribed by the heads of the principal departments pursuant to the provisions of said section 24-1-136, C.R.S., a report accounting to the governor and the general assembly for the efficient discharge of all responsibilities assigned by law or directive to the division.~~

SECTION 56. The introductory portion to 24-49.5-103 (3), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-49.5-103. Authority and responsibility of the director. (3) The director shall develop and implement performance and accountability standards. ~~and shall report annually to the general assembly.~~ Such standards shall include, but shall not be limited to, the following:

SECTION 57. 24-47-102 (2) (c) (I), Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-47-102. Satellite trade or investment offices and presences in other nations. (2) (c) (I) A satellite trade or investment office or presence may be established in Taipei, Taiwan, in Seoul, Korea, and in Tokyo, Japan, and the People's Republic of China. ~~By July 31, 1987, the office of the governor shall submit a written report to the business affairs and labor committee in each house of the general assembly concerning the actions that have been taken to implement this subparagraph (I).~~

SECTION 58. 12-2-104 (2), Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

12-2-104. Powers and duties of board. (2) ~~The board may 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 for the efficient discharge of all responsibilities assigned by law or directive to the board.~~ Publications of the board circulated in quantity outside the executive branch shall be issued in accordance with the provisions of section 24-1-136, C.R.S.

[EDUCATION]

SECTION 59. 24-113-104 (2) (b), Colorado Revised Statutes, 1988 Repl. Vol., is repealed as follows:

24-113-104. Competition with private enterprise by institutions of higher education - rules. (2) (b) ~~The commission shall annually report to the governor and to the general assembly as to the implementation of the complaint procedures developed pursuant to subsection (3) of this section.~~

SECTION 60. 22-24-106 (2), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

22-24-106. Department - powers and duties. (2) ~~The department shall report to the general assembly in January of 1982 and each January thereafter through 1986 on the effectiveness of the English language proficiency program and the functioning of this article. Such reports shall indicate the numbers of students identified and served under each of the categories described in section 22-24-103 (4). Beginning in January of 1983, the report shall include: The English language proficiency test results and achievement test results of students certified by the districts; identification techniques and problems, with special attention to students certified to be within the category described in section 22-24-103 (4) (c); any recommendations for fulfilling the intent of this article; and such other data and observations as the department deems to be significant in judging the effect of this article.~~

SECTION 61. 22-20-115, Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

22-20-115. Study - report to general assembly. A study shall be supervised by

~~the department, within existing revenues, regarding all out-of-home placed children with disabilities. The department shall report to the general assembly by January 1, 1988, on the results of this study and their recommendations for the financing of education programs for children with disabilities.~~

SECTION 62. 22-20-104 (7) (b), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

~~**22-20-104. Administration.** (7) (b) The department shall submit an annual report to the general assembly prior to January 15 of each year as to the implementation and effects of the sections specified in paragraph (a) of this subsection (7), including the amount of funds spent by the department for such purposes.~~

SECTION 63. 23-11-106 (3), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

23-11-106. Funding of the institute. (3) The state auditor shall have the authority to make regular performance and financial audits of the institute and any programs sponsored or supported in whole or in part by the institute and shall report the results of any such audit to the ~~general assembly~~ JOINT BUDGET COMMITTEE.

SECTION 64. 23-11-104 (2) (b), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

23-11-104. Powers and duties of the commission. (2) Additionally, the commission shall:

(b) Receive annual reports from the various institutions of higher education on the use of allocated funds and equipment. ~~and consolidate such reports into an annual report to be presented to the general assembly.~~

SECTION 65. 23-11-102 (2), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

23-11-102. Colorado advanced technology institute - creation. (2) The institute shall develop a plan for the creation of research centers for science and technology with an emphasis on the advancement of telecommunications, superconductivity, opto-electronics, biotechnology, electronics, computer science, aerospace, genetics, high altitude power sources, other advanced materials, and related programs. ~~The institute shall annually report to the general assembly on its progress. This report shall include a detailed analysis of the benefits of such a proposed center or centers, a time line and cost estimate for their full implementation; an accounting of expenses incurred in the preparation of the report, and actual and projected expenditures of the remainder of the appropriation authorized by the general assembly.~~ The institute shall specifically address in the plan and give preference to the concept of associating research centers in science and advanced technology with existing research programs at state institutions of higher education.

SECTION 66. 22-2-117 (3), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

22-2-117. Additional power - state board - waiver of requirements - repeal.

~~(3) On or before January 1, 1990, and on and before January 1 of each year thereafter, the state board of education shall report to the general assembly on the number of waivers and the renewal of waivers made pursuant to the provisions of this section, the extent of such waivers and renewals, and the effect, if any, of such waivers and renewals on the accomplishment of the purposes set forth in subsection (1) of this section.~~

SECTION 67. 23-60-307 (2) (l) and (2) (m), Colorado Revised Statutes, 1995 Repl. Vol., are repealed as follows:

23-60-307. Colorado existing industry training program - creation - policy - functions of the state board for community colleges and occupational education. (2) (l) ~~The state board of community colleges and occupational education shall report to the joint budget committee by December 1, 1989, as to the revenues and expenditures of moneys from the unemployment revenue fund as authorized in subsection (4) of this section.~~

~~(m) Beginning July 1, 1990, and each July 1 thereafter, the state board for community colleges and occupational education shall report to the general assembly and the governor on the cost-effectiveness of the Colorado existing industry training program.~~

SECTION 68. 23-60-306 (3) (m), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

23-60-306. Colorado customized training program - creation - policy - functions of the state board for community colleges and occupational education. (3) (m) Beginning January 1, 1985, and each January 1 thereafter, the state board for community colleges and occupational education shall report to the ~~general assembly and the governor~~ JOINT BUDGET COMMITTEE AND THE LEGISLATIVE AUDIT COMMITTEE on the cost-effectiveness of the Colorado customized training program in assisting economic development in Colorado.

SECTION 69. 24-80-203 (1), Colorado Revised Statutes, 1988 Repl. Vol., is repealed as follows:

~~**24-80-203. Publications.** (1) The president of the society 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, a report accounting to the governor and the general assembly for the efficient discharge of all responsibilities assigned by law or directive to the society.~~

SECTION 70. 22-2-112 (1) (b), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

22-2-112. Commissioner - duties. (1) Subject to the supervision of the state board, the commissioner has the following duties:

(b) To supply the state board with such information as it may require, and to prepare for the board to 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 HOUSE AND SENATE COMMITTEES ON EDUCATION for the efficient discharge of all responsibilities assigned by law or directive to the department, and to issue all publications of the department circulated in quantity outside the executive branch in accordance with the provisions of section 24-1-136, C.R.S.;~~

SECTION 71. 22-53-203 (1) (f), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

22-53-203. Educational achievement - powers and duties of state board.

(1) The state board shall have the following powers and duties relating to educational achievement:

~~(f) To report to the general assembly its findings and recommendations on the matters enumerated in this section and on any other matter concerning public education.~~

SECTION 72. Repeal. 22-54-104.5 and 22-60.5-209, Colorado Revised Statutes, 1995 Repl. Vol., are repealed.

SECTION 73. 22-62.5-107, Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

~~**22-62.5-107. Reports to general assembly.** The state board shall make a report to the general assembly on January 1, 1994, and each January 1 thereafter, on the implementation and effectiveness of the exceptional learning program.~~

SECTION 74. 22-80-106 (2), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

~~**22-80-106. Duties of superintendent - publications.** (2) The superintendent shall prepare and the commissioner of education shall transmit annually, in the form and manner prescribed by the controller, a report accounting to the governor and the general assembly for the efficient discharge of all responsibilities assigned by law or directive to the school.~~

SECTION 75. 22-82-103 (7), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

~~**22-82-103. Public school medical assistance pilot program - rules and regulations.** (7) The department shall prepare a report concerning the operations of the pilot program. Such report shall be presented to the general assembly on or before February 1, 1991. The report of the department shall include, but shall not be limited to, the following:~~

~~(a) The department's assessment of the success of the participating districts in obtaining medicaid reimbursement;~~

~~(b) The department's assessment of the feasibility of expanding the pilot program;~~
and

~~(c) The department's recommendations concerning legislation necessary to most effectively implement medicaid reimbursement in the other districts in the state.~~

SECTION 76. 23-1-107 (2) (a.7), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

23-1-107. Duties and powers of the commission with respect to program approval, review, reduction, and discontinuance. (2) (a.7) ~~The commission shall report to the general assembly by July 1, 1989, on the graduate programs, by name and institution, which will be considered for program discontinuance. The commission shall report to the general assembly by July 1, 1990, on the graduate programs which have been or will be discontinued pursuant to this section.~~

SECTION 77. 23-1-108 (13) (b), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

23-1-108. Duties and powers of the commission with regard to systemwide planning. (13) (b) ~~By October 31, 1993, governing boards shall report to the commission on changes in policies and financial incentives adopted as a result of this section. By December 31, 1993, the commission shall report to the general assembly on the policy changes, new policies, and financial incentives that have been established to assure that students at state-supported institutions of higher education successfully complete their degree programs in the most efficient, effective, and productive manner. The commission's report shall also outline the governing boards' responses to this section.~~

SECTION 78. 23-1-113 (2) and (3) (b), Colorado Revised Statutes, 1995 Repl. Vol., are amended to read:

23-1-113. Commission directive - admission standards for baccalaureate and graduate institutions of higher education. (2) The commission shall report to the ~~general assembly~~ JOINT BUDGET COMMITTEE AND THE HOUSE AND SENATE COMMITTEES ON EDUCATION detailing specific changes in admission requirements in the categories of students described in subsection (1) of this section at each campus and institution of higher education when they occur.

(3) (b) ~~On or before October 1, 1995, the commission shall submit to the governor, the president of the senate, the speaker of the house of representatives, the majority and minority leaders of the house of representatives and the senate, and the joint budget committee a proposal regarding consideration of standardized test scores, high school and college grade point averages, and high school class rank for admissions at each institution and the percentage of students admitted under additional criteria at each institution.~~

SECTION 79. 23-1-113.5 (1), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

23-1-113.5. Commission directive - resident admissions - repeal. (1) It is the intent of the general assembly that all state-supported institutions of higher education operate primarily to serve and educate the people of Colorado. The general assembly therefore directs the commission to develop admission policies to ensure that,

beginning with the fall term of 1994 and for the fall term of each year thereafter, not less than fifty-five percent of the incoming freshman class at each state-supported institution of higher education are in-state students as defined in section 23-7-102 (5). Commencing with the fall term of 1995, this requirement shall be met if the percentage of in-state students in the incoming freshman class for the then current fall term and the two previous fall terms averages not less than fifty-five percent. Such fifty-five percent requirement shall also apply to the percentage of incoming freshmen students who are admitted based on criteria other than standardized test scores, high school class rank, and high school grade point average pursuant to section 23-1-113 (1) (b). In addition, the commission shall develop admission policies to ensure, beginning with the fiscal year which begins July 1, 1994, and for each fiscal year thereafter, that not less than two-thirds of the total student enrollment, including undergraduate and graduate students, at each campus of each state-supported institution of higher education, except the Colorado school of mines, are in-state students as defined in section 23-7-102 (5) and that not less than sixty percent of the total student enrollment, including undergraduate and graduate students, at the Colorado school of mines are in-state students as defined in section 23-7-102 (5). This requirement shall be met if, commencing with the fiscal year that begins July 1, 1995, the fraction of in-state students, as defined in section 23-7-102 (5), enrolled at each state-supported institution of higher education, except the Colorado school of mines, averages not less than two-thirds of the total fiscal year student enrollment for the then current fiscal year plus the two previous fiscal years. For the Colorado school of mines, this fraction of in-state students shall be not less than three-fifths. Such policies shall be implemented no later than July 1, 1994. ~~The commission shall report to the general assembly on or before January 1, 1995, the policies it has established pursuant to this section.~~

SECTION 80. 23-1-117 (2) (b) (III), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

23-1-117. Commission directive - administrative expense reduction. (2) (b) (III) ~~The commission shall provide the governor and the general assembly with a concise numerical summary of the data contained in the report required by this paragraph (b), including a brief written interpretation of increases or decreases in administrative costs of the governing boards and institutions.~~

SECTION 81. 23-1-118 (4) and (5), Colorado Revised Statutes, 1995 Repl. Vol., are amended to read:

23-1-118. Commission directive - programs of excellence. (4) Employing the criteria established pursuant to subsection (2) of this section, the commission shall compile an initial list of programs to be designated programs of excellence and shall provide to the general assembly a plan for the support and enhancement of said programs. The plan shall include an analysis of projected funding requirements together with funding recommendations and a planned program for awarding increased funding to designated programs. Program nominations by the governing boards shall be submitted to the commission at a time to be prescribed by the commission. The list of programs and plans for financial support required by this section shall be delivered to the ~~general assembly~~ HOUSE AND SENATE COMMITTEES ON EDUCATION annually, on or before January 1.

~~(5) On January 1 of each year following the submission of the report required in subsection (4) of this section, the commission shall report to the general assembly on the status of all programs designated as programs of excellence under this section.~~

SECTION 82. 23-1-120 (8), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

23-1-120. Commission directive - incentives for improvement initiative grants. ~~(8) The commission shall report annually to the general assembly on the development and implementation of this section.~~

SECTION 83. 23-3.1-109, Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

23-3.1-109. Subject to audit. The student loan program shall be audited annually by the state auditor. The division shall report annually on its condition to the governor and the general assembly JOINT BUDGET COMMITTEE and such report shall include the most recent report of the state auditor. The report shall be made on or before January 1 and shall reflect the condition of the program as of June 30 of the preceding fiscal year.

SECTION 84. 23-3.3-102 (9), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

23-3.3-102. Assistance program authorized - procedure - audits. ~~(9) On or before January 1, 1991, the commission shall study and report to the general assembly on the rationale and policies used in the allocation of all state-funded student financial assistance to state institutions and nonpublic institutions. Such study shall include an analysis of merit, need, work study, and other allocations and an analysis of the affect of allocation formula changes on nonpublic institutions and state institutions.~~

SECTION 85. 23-3.3-701 (4), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

23-3.3-701. Colorado nursing scholarship program - repeal. (4) As part of the report of expenditures required pursuant to section 23-3.3-102 (7), the commission shall annually report to the general assembly JOINT BUDGET COMMITTEE on the Colorado nursing scholarship program.

SECTION 86. 23-5-111.4 (8), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

23-5-111.4. Tuition for members of the national guard. ~~(8) The department of military affairs shall make an annual report to the general assembly detailing the number of applications for tuition assistance made pursuant to this section, the amount of tuition assistance granted per application, and the amount of tuition assistance owed to and collected by the department of military affairs pursuant to subsection (6) of this section.~~

SECTION 87. The introductory portion to 23-8-104 (2), Colorado Revised

Statutes, 1995 Repl. Vol., is amended to read:

23-8-104. Effective period of article. (2) On or before November 1 of each year during the effective period of this article, the board shall submit to the ~~general assembly~~ JOINT BUDGET COMMITTEE AND TO THE HOUSE AND SENATE COMMITTEES ON EDUCATION a report on the implementation and results of programs funded pursuant to this article, including:

SECTION 88. 22-52-105 (1) (f), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

22-52-105. Duties of the department of education. (1) The department of education shall have the following duties regarding the second chance program:

(f) ~~To report to the general assembly by January 31, 1987, and annually thereafter.~~

SECTION 89. Repeal. 22-51-111, Colorado Revised Statutes, 1995 Repl. Vol., is repealed.

SECTION 90. 22-36-106 (2) (b), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

22-36-106. Department - distribution of information - study - report. (2) (b) Based upon such evaluation and study, the department shall make a report to the ~~general assembly~~ HOUSE AND SENATE COMMITTEES ON EDUCATION in January of 1992 and each January thereafter.

SECTION 91. 23-13-101 (6), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

23-13-101. Higher education accountability program. (6) The governing boards and institutions shall carry out the direction of this article under the policy direction of the Colorado commission on higher education. ~~The commission shall report annually to the governor and the general assembly on the development and implementation of this article.~~

SECTION 92. 23-15-127, Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

23-15-127. Account of activities and receipts for expenditures - report - audit. The authority shall keep an accurate account of all its activities and of all its receipts and expenditures and shall annually, in the month of January, make a report thereof to its members, to the governor, to the ~~general assembly~~ HOUSE AND SENATE COMMITTEES ON EDUCATION, and to the state auditor, such reports to be in a form prescribed by the state auditor. 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 purpose of the authority. The state auditor may investigate the affairs of the authority, may severally examine the properties and records of the authority, and may prescribe methods of accounting and the rendering of periodical reports in relation to facilities undertaken by the authority.

SECTION 93. 23-32-107, Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

23-32-107. Report on condition - appropriation. The state board of agriculture, on or before the fifteenth day of December immediately preceding the convening of the general assembly, shall make a report to the governor AND THE JOINT BUDGET COMMITTEE showing the condition of said fund, the investment thereof, the security taken therefor, and the amount of income derived therefrom. The report shall be submitted by the governor to the general assembly. If such report shows any loss in such funds, the amount of such loss shall be included in the governor's budget in order that the general assembly may fulfill the contractual obligations assumed by the state in accepting the provisions and grants of said act of congress of 1862 through an appropriation to repay such loss and keep the principal of such fund unimpaired.

SECTION 94. 23-41-114 (3) (h), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

23-41-114. Colorado energy research institute - creation. (3) It is the duty of the institute to:

(h) ~~Report annually to the governor and to the general assembly on the effectiveness of the programs administered.~~

SECTION 95. 23-41-117, Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

23-41-117. Research building revolving fund - appropriation of fund - report. There is established in the office of the state treasurer the Colorado school of mines research building revolving fund, and there shall be credited to said fund the user charges or rents authorized by section 23-41-116 and imposed by the board of trustees, specific appropriations or grants or gifts made to said fund, and the proceeds of the sale of anticipation warrants authorized by section 23-41-118. All such moneys so credited to said fund are appropriated to the Colorado school of mines for the planning, constructing, and equipping of additional research buildings and facilities for the Colorado school of mines. An annual report of activities and condition of the fund shall be made to the governor and the ~~general assembly~~ CAPITAL DEVELOPMENT COMMITTEE as a part of the Colorado school of mines annual budget submission.

SECTION 96. 22-35-110, Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

22-35-110. Report to general assembly. ~~The department of education shall collect and analyze information concerning the implementation of this article and shall submit a report to the general assembly based on its findings prior to January 15, 1991. The institutions of higher education specified in section 22-35-103 shall provide the department of education with such relevant information as said department may request.~~

SECTION 97. 22-30.5-112 (5), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

22-30.5-112. Charter schools - financing - guidelines. (5) The department of education will prepare an annual report and evaluation for the governor and the ~~general assembly~~ HOUSE AND SENATE COMMITTEES ON EDUCATION on the success or failure of charter schools, their relationship to other school reform efforts, and suggested changes in state law necessary to strengthen or change the charter school program.

SECTION 98. 22-28-112, Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

22-28-112. Reports to legislative committees. Based upon evaluations of district preschool programs, the department shall make a preliminary report to the ~~general assembly~~ JOINT BUDGET COMMITTEE AND TO THE HOUSE AND SENATE COMMITTEES ON EDUCATION in January of 1990 on the implementation of the state preschool program and shall make a report in January of 1991 and each January thereafter on the effectiveness of the program. The department is authorized to request from any participating school district such information and data as may be necessary to make such reports.

SECTION 99. 22-27-107 (4), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

22-27-107. Additional requirements for educational clinics. (4) The department of education shall prepare a report to the ~~general assembly~~ JOINT BUDGET COMMITTEE AND TO THE HOUSE AND SENATE COMMITTEES ON EDUCATION before each regular session, analyzing the effectiveness, cost impact, and fiscal benefits of the several certified educational clinics receiving reimbursements from the state or school districts pursuant to the provisions of this article. The department of education shall require clinics, school districts, and the commissioner to furnish the information it deems reasonably necessary to meet the requirements of this subsection (4). The department shall include in its report the number of students served, the cost per student, student backgrounds, student achievements, and comparisons with educational alternatives and other alternatives utilized by dropouts.

[FINANCE]

SECTION 100. 39-26-114 (1) (a) (XXIV) and (1) (a) (XXV), Colorado Revised Statutes, 1994 Repl. Vol., are amended to read:

39-26-114. Exemptions - disputes - credits or refunds - repeal. (1) (a) There shall be exempt from taxation under the provisions of this part 1 the following:

(XXIV) The sale of tangible personal property that is to be affixed or attached as a component part of a locomotive, a freight car, railroad work equipment, or other railroad rolling stock. ~~Any taxpayer benefiting from the tax exemption offered by this subparagraph (XXIV) shall, within one hundred twenty days of the end of such taxpayer's fiscal year, give to the legislative audit committee a report stating the number of new jobs created during the fiscal year, the number of jobs retained during the fiscal year, and salary levels of such new and retained jobs.~~

(XXV) All sales of locomotives, freight cars, railroad work equipment, and other

railroad rolling stock used or purchased for use in interstate commerce by a railroad company. ~~Any taxpayer benefiting from the tax exemption offered by this subparagraph (XXV) shall, within one hundred twenty days of the end of such taxpayer's fiscal year, give to the legislative audit committee a report stating the number of new jobs created during the fiscal year, the number of jobs retained during the fiscal year, and salary levels of such new and retained jobs.~~

SECTION 101. 39-26-203 (1) (dd) and (1) (ee), Colorado Revised Statutes, 1994 Repl. Vol., are amended to read:

39-26-203. Exemptions - repeal. (1) This part 2 is declared to be supplementary to the "Emergency Retail Sales Tax Law of 1935", part 1 of this article, and shall not apply:

(dd) To the storage, use, or consumption of any tangible personal property which is to be affixed or attached as a component part of a locomotive, a freight car, railroad work equipment, or other railroad rolling stock. ~~Any taxpayer benefiting from the tax exemption offered by this paragraph (dd) shall, within one hundred twenty days of the end of such taxpayer's fiscal year, give to the legislative audit committee a report stating the number of new jobs created during the fiscal year, the number of jobs retained during the fiscal year, and salary levels of such new and retained jobs.~~

(ee) To the storage, use, or consumption of locomotives, freight cars, railroad work equipment, and other railroad rolling stock used or purchased for use in interstate commerce by a railroad company. ~~Any taxpayer benefiting from the tax exemption offered by this paragraph (ee) shall, within one hundred twenty days of the end of such taxpayer's fiscal year, give to the legislative audit committee a report stating the number of new jobs created during the fiscal year, the number of jobs retained during the fiscal year, and salary levels of such new and retained jobs.~~

SECTION 102. Repeal. 39-22-508 (4), Colorado Revised Statutes, 1994 Repl. Vol., is repealed.

[HEWI]

SECTION 103. 26-2-508, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

26-2-508. Independent program evaluation - reports to the general assembly.

(1) ~~The state department shall submit a preliminary report to the general assembly no later than December 1, 1994, as to the status of any federal waivers requested by the state department and as to the extent, if any, to which the demonstration program has been implemented.~~

(2) ~~The state department shall contract with an independent agency to evaluate the overall effectiveness and cost-efficiency of the personal responsibility and employment demonstration program. The agency shall evaluate the demonstration program annually and shall submit to the general assembly a final report on the overall effectiveness and cost-efficiency of the demonstration program, with written findings and recommendations for the continuation and statewide implementation of~~

~~the personal responsibility and employment demonstration program. The final report shall be made at the same time a report is submitted to the appropriate federal agency in compliance with any federal evaluation requirement.~~

SECTION 104. 12-39-105 (1) (a) (VI), Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended to read:

12-39-105. Powers and duties of the board. (1) (a) The board has the following powers and duties:

(VI) To 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 for the efficient discharge of all responsibilities assigned by law to the board. ~~and to make such report available to the general assembly.~~

SECTION 105. 12-36-104 (2), Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

12-36-104. Powers and duties of board. (2) The president of the board shall prepare and transmit annually, in the form and manner prescribed by the heads of principal departments pursuant to the provisions of section 24-1-136, C.R.S., a report accounting to the governor and the HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE OF THE general assembly for the efficient discharge of all responsibilities assigned by law or directive to the board. The list of licensees described in section 12-36-123 and any other material circulated in quantity outside the executive branch shall be issued in accordance with the provisions of section 24-1-136, C.R.S.

SECTION 106. 12-35-121 (3), Colorado Revised Statutes, 1991 Repl. Vol., is repealed as follows:

~~**12-35-121. Disposition of fees.** (3) The board may 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 for the efficient discharge of all responsibilities assigned by law or directive to the board.~~

SECTION 107. 25-7-131 (3) and (4), Colorado Revised Statutes, 1989 Repl. Vol., are repealed as follows:

~~**25-7-131. Training programs - emission controls.** (3) The commission and the department of revenue shall jointly recommend to the general assembly, by December 31 of each year, additional training programs which may be necessary to help implement motor vehicle emission control measures.~~

~~(4) (a) The departments of health and revenue jointly shall recommend a program to insure consumer protection in the implementation of the motor vehicle emission control program. The departments shall make recommendations relating to penalties and enforcement procedures that will not only be effective in the control of emissions, but also allow persons in violation reasonable time to comply with any requirements~~

established.

~~(b) The commission shall consider and shall include in its report recommending legislation to the general assembly the adverse effect of said legislation upon gasoline mileage, performance, or other factors as to any make, model, or class of motor vehicles as well as the public benefit in reducing air pollution. The commission may make recommendations to exempt from legislation any make or model of motor vehicle for which either gas mileage, performance, or other factor would be adversely affected in a significant manner by said control measures.~~

~~(c) Any make or model of motor vehicle, fueled by natural gas, or powered by electrical energy, or powered by a Rankin cycle engine, shall be exempt from the provisions of section 25-7-130.~~

SECTION 108. 26-1-110 (1), Colorado Revised Statutes, 1989 Repl. Vol., is amended to read:

26-1-110. Annual reports - publications. (1) The executive director 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 HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE OF THE general assembly for the efficient discharge of all responsibilities assigned by law to the state department or to the state board.

SECTION 109. 26-4-506.7 (6), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

26-4-506.7. Private-public partnership education and information program concerning long-term care insurance authorized. (6) The state department, if funds are available, shall contract with a public or private entity to conduct an evaluation of the public education-awareness program on or before December 1, 2000. The state department shall provide a written report to the HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE OF THE general assembly based on the independent evaluation. The report shall include an assessment of an information campaign and the effectiveness of training. In addition, the report shall identify any cost-savings to the medical assistance program, any impact on the program as a result of the availability of long-term care policies, and the availability of resource and estate recovery exemptions, with any recommendations for legislative changes.

SECTION 110. 26-2-510 (1), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

26-2-510. Implementation of part contingent upon receipt of federal waiver - repeal of part. (1) The implementation of this part 5 is conditioned, to the extent applicable, upon the issuance of necessary federal waivers by the federal government, available appropriations, and the availability of sufficient pilot sites. The provisions of this part 5 shall be implemented to the extent authorized by federal waiver. ~~The state department shall submit a report to the general assembly as to provisions that have been approved by federal waiver, with recommendations for legislation that~~

conforms with the waiver provisions no later than the next regular legislative session following the issuance of the waiver.

SECTION 111. 30-20-110.5 (2), Colorado Revised Statutes, 1986 Repl. Vol., is repealed as follows:

30-20-110.5. Agricultural use of sludge - state board to set fees - fund created. (2) ~~Beginning July 1, 1987, and every three years thereafter, the department shall report to the general assembly on the costs of the sludge management program. Following this report, the general assembly shall review and reset, if necessary, the fee limitation established in subsection (1) of this section.~~

SECTION 112. Repeal. 27-10.5-601, Colorado Revised Statutes, 1989 Repl. Vol., is repealed.

SECTION 113. 27-10-120.7, Colorado Revised Statutes, 1989 Repl. Vol., is repealed as follows:

27-10-120.7. Report to general assembly. ~~On or before January 1, 1989, the department shall report to the general assembly about the implementation of the procedures for the release of confidential information to family members and the administrative review of decisions pertaining to the release of confidential information to family members, including but not limited to the number and disposition of administrative and judicial reviews under section 27-10-120.5.~~

SECTION 114. The introductory portions to 24-1.7-107 (2) (a), (2) (b), (3) (a), and (3) (b), Colorado Revised Statutes, 1988 Repl. Vol., as amended, are amended to read:

24-1.7-107. Benchmarks for restructuring - savings. (2) On or before July 30, 1995, the departments of human services and health care policy and financing shall provide evidence to the joint budget committee and the general assembly that the departments will accomplish, in fiscal year 1995-96, a total reduction of two million five hundred thousand dollars from their fiscal year 1994-95 budgets as a result of restructuring. As an ongoing update of the progress made toward this goal, the departments shall complete the following:

(a) On or before January 1, 1995, the department of human services shall provide a report to the HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE OF THE general assembly specifically setting forth the progress of the department and recommending legislation for implementation as necessary in each of the following areas:

(b) On or before January 1, 1995, the department of health care policy and financing shall provide a written report to the HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE OF THE general assembly specifically setting forth the progress of the department and recommending legislation for implementation as necessary in each of the following areas:

(3) On or before July 30, 1996, the departments of human services and health care

policy and financing shall provide evidence to the joint budget committee and the general assembly that the departments will accomplish in fiscal year 1996-97 an additional total reduction of two million five hundred thousand dollars from their fiscal year 1994-95 budgets as a result of restructuring, representing a total reduction over two years of five million dollars. As an ongoing update of the progress made toward this goal, the departments shall complete the following:

(a) On or before January 1, 1996, the department of human services shall provide a report to the HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE OF THE general assembly specifically setting forth the progress of the department and recommending legislation for implementation as necessary in each of the following areas:

(b) On or before January 1, 1996, the department of health care policy and financing shall provide a written report to the HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE OF THE general assembly specifically setting forth the progress of the department and recommending legislation for implementation as necessary in each of the following areas:

SECTION 115. 19-3.5-105 (1) (d), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

19-3.5-105. Powers and duties of the board. (1) The board shall have the following powers and duties:

~~(d) To prepare an annual report to the general assembly on the board's activities which include periodic evaluations of the effectiveness of the prevention programs funded by the trust fund;~~

SECTION 116. 19-3-508 (5) (b), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

19-3-508. Neglected or dependent child - disposition. (5) (b) If the court finds that placement out of the home is necessary and is in the best interests of the child and the community, the court shall place the child with a relative, including the child's grandparent, as provided in paragraph (b) of subsection (1) of this section, if such placement is in the child's best interests. The court shall place the child in the facility or setting which most appropriately meets the needs of the child, the family, and the community. In making its decision as to proper placement, the court shall utilize the evaluation for placement prepared pursuant to section 19-1-107. If the court places the child in a facility located in Colorado other than one recommended by the evaluation for placement, in a facility located outside this state in accordance with the evaluation for placement, or in a facility in which the average monthly cost exceeds the amount established by the general assembly in the general appropriation bill, it shall make specific findings of fact, including the monthly cost of the facility in which such child is placed, relating to its placement decision. A copy of such findings shall be sent to the chief justice of the supreme court, who shall report monthly to the joint budget committee and annually to the HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE OF THE general assembly on such placements.

SECTION 117. 19-3-701 (6), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

19-3-701. Petition for review of need for placement. (6) The petition for review of need for placement shall request the court to determine, by a preponderance of the evidence, if placement or continued placement is necessary and is in the best interest of the child and of the community. If the court makes such a finding, it shall enter a decree ordering the child's placement out of the home in the facility or setting which most appropriately meets the needs of the child, the family, and the community. In making its decision as to proper placement, the court shall utilize the evaluation for placement prepared pursuant to section 19-1-107 or the evaluation for placement required by subsection (5) of this section. If the evaluation for placement recommends placement in a facility located in Colorado which can provide appropriate treatment and which will accept the child, then the court shall not place the child in a facility outside this state. If the court places the child in a facility located in Colorado other than one recommended by the evaluation for placement, in a facility located outside this state in accordance with the evaluation for placement, or in a facility in which the average monthly cost exceeds the amount established by the general assembly in the general appropriation bill, it shall make specific findings of fact, including the monthly cost of the facility in which such child is placed, relating to its placement decision. A copy of such findings shall be sent to the chief justice of the supreme court, who shall report monthly to the joint budget committee and annually to the HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE OF THE general assembly on such placements. If the court commits the child to the department of human services, it shall not make a specific placement, nor shall the provisions of this subsection (6) relating to specific findings of fact be applicable. If the court makes a finding that continued placement is not necessary and is not in the best interest of the child and the community, the court shall dismiss the petition for review of need for placement and shall order that the child be returned home. The court may require a continued hearing of the petition for review of need for placement for a period not to exceed fourteen days if it finds that the materials submitted are insufficient to make a finding as provided in this subsection (6).

SECTION 118. 19-3-211 (2) (h), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

19-3-211. Conflict resolution process - rules - appeals - definitions. (2) The state department's rules shall provide, at a minimum, for the following:

(h) ~~A system for monitoring compliance with this section which shall include annual reports from the participating counties as to the complaints received and their resolution and an annual report by the state department to the general assembly and the relevant committees of reference concerning compliance with this section.~~

SECTION 119. 27-1-204 (5), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

27-1-204. Types of services purchased - limitation on payments. (5) Each year the general assembly may appropriate funds in addition to those appropriated for purposes of subsections (2), (3), and (4) of this section which may be used by the

executive director of the department of human services, without regard to the limitations contained in subsection (3) of this section, to assist community mental health clinics and centers in instituting innovative programs, in providing mental health services to impoverished areas, and in dealing with crisis situations. The executive director of the department of human services shall require that any innovative or crisis programs for which funds are allocated under this subsection (5) be clearly defined in terms of services to be rendered, program objectives, scope and duration of the program, and the maximum amount of funds to be provided. ~~and shall make an annual report to the general assembly concerning the distribution and expenditure of funds appropriated under the provisions of this subsection (5).~~

SECTION 120. 27-1-103 (1) (i), Colorado Revised Statutes, 1989 Repl. Vol., is amended to read:

27-1-103. Duties of executive director - governor acquire water rights.

(1) The duties of the executive director of the department of human services shall be:

(i) To require of the head of each institution and agency assigned to the department an annual report containing such information, and submitted at such a time, as the executive director decides. ~~The executive director 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 for the efficient discharge of all responsibilities assigned by law or directive to the department or to the subdivisions thereof.~~

SECTION 121. 26-17-111, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

~~**26-17-111. Report concerning the plan.** The administrator shall prepare an annual report and submit such report to the general assembly by March 1 of each year concerning the children's health plan established under this article. The report shall include, but shall not be limited to, utilization and costs, and shall be prepared after consultation with health care providers, state personnel, and other agencies, organizations, or individuals as the administrator deems appropriate in order to obtain comprehensive and objective information about the plan.~~

SECTION 122. The introductory portion to 26-15-105 (1), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

26-15-105. Report concerning the program. (1) The executive director shall prepare an annual report to the joint review committee created pursuant to section 26-15-107 concerning the medically indigent program. The report shall be prepared following consultation with contract providers in the program, state department personnel, and other agencies, organizations, or individuals as it deems appropriate in order to obtain comprehensive and objective information about the program. The report shall contain a plan for a delivery system to provide medical services to medically indigent persons of Colorado in a manner which assures access to services, appropriateness of care, prudent utilization of state resources, and accountability to the HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE OF THE general assembly. The executive director shall submit the report to the HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS

COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE OF THE general assembly no later than February 1 of each year. The report shall include recommendations regarding the following:

SECTION 123. 24-41-101 (2) (c), (2) (d), and (2) (e), Colorado Revised Statutes, 1988 Repl. Vol., are amended to read:

24-41-101. Coordinator of environmental problems. (2) The coordinator of environmental problems shall:

(c) Prepare and transmit to the governor ~~and the general assembly~~ reports on existing programs and recommendations concerning changes in existing law and new measures to deal with the problems of environmental quality.

(d) ~~Prepare and transmit, in the form and manner prescribed by the heads of the principal departments pursuant to the provisions of section 24-1-136, an annual report accounting to the governor and the general assembly for the efficient discharge of all responsibilities assigned to the coordinator of environmental problems;~~

(e) ~~Inform the public of the results of all studies made and recommendations transmitted to the governor and the general assembly.~~

SECTION 124. Repeal. 19-3-210, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed.

SECTION 125. 26-4-523 (1), Colorado Revised Statutes, 1989 Repl. Vol., is amended to read:

26-4-523. Long-term care advisory committee. (1) There is hereby established a long-term care advisory committee to the state department for the purpose of making recommendations to the medical services board regarding criteria for the designation of single entry point districts and the selection of single entry point agencies, standards for quality assurance and case management, methods for reducing paperwork in processing applicants and clients and for obtaining services for clients expeditiously, and the evaluation of the single entry point system. ~~for the purpose of reporting to the general assembly in accordance with section 26-4-524.~~ The advisory committee shall consist of not less than thirteen members to be appointed by the executive director of the state department, but shall at least include representatives of the collective group of county commissioners in the state, consumer representatives, and service provider representatives. The committee shall elect its own chairperson. Members of the advisory committee shall serve without compensation.

SECTION 126. 26-4-524, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

26-4-524. Report of effectiveness of single entry point system to the general assembly. The executive director, based on recommendations made by the advisory committee created in section 26-4-523, shall evaluate the overall effectiveness of the single entry point system on an annual basis. ~~and shall submit an annual report to the general assembly no later than January 1 of each year on the status of the single entry~~

point system, program operations, and the effectiveness and readiness of counties to implement single entry point agencies. Such report shall incorporate the recommendations made by the advisory committee.

SECTION 127. 19-2-1608, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

19-2-1608. Department of human services - study programs for truants. ~~On or before January 1, 1992, the department of human services, the department of education, and the judicial department, after consultation with the working group created in section 19-2-1602, shall study and report to the general assembly on appropriate programs or placement alternatives for truants, particularly any truants held in contempt of court, and the availability of such programs in the state of Colorado.~~

SECTION 128. 19-2-1605, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

19-2-1605. Working group - further duties. On and after July 1, 1992, the working group established pursuant to section 19-2-1602 (1) shall hold a meeting once each year prior to January 1 to review and propose revision to the criteria created pursuant to section 19-2-1602 (1) (a) and the formula created pursuant to section 19-2-1602 (1) (b). At such meeting, the working group shall review any changes in the criteria or the formula. ~~and the report of such changes shall be made to the general assembly on or before January 1 of each year.~~

SECTION 129. 19-2-1602 (1) (b), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

19-2-1602. Development of criteria for placement of juvenile offenders.

(1) The executive director of the department of human services and the state court administrator of the judicial department, or any designees of such persons, in consultation with the division of criminal justice of the department of public safety, the office of state planning and budgeting, the Colorado district attorneys council, law enforcement representatives, and representatives of local and county governments, shall form a working group which shall carry out the following duties:

(b) The working group established pursuant to this subsection (1) shall establish a formula for the purpose of allocating funds by each judicial district in the state of Colorado for alternative services to placing juveniles in the physical custody of the department of human services or in the legal custody of the department of human services. Such allocation shall take into consideration such factors as the population of the judicial district, the incidence of offenses committed by juveniles in such judicial district, and such other factors as deemed appropriate. The working group shall consider and take into account whether any federal moneys or matching funds are available to cover the costs of juveniles within the system, including parent fees and third-party reimbursement as authorized by law or reimbursements under Title IV-E of the federal "Social Security Act", as amended. ~~The working group shall propose such allocation formula in time for implementation on or before July 1, 1992. A written report shall be made to the general assembly concerning such formula and the level of funding adequate for implementation of such formula on or before such~~

date:

SECTION 130. 19-2-1402 (2) (e), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

19-2-1402. Local board. (2) (e) ~~The chairperson of each local board shall report to the general assembly prior to January 1, 1991, regarding the certified training programs in the judicial district, efforts to monitor such training programs, and the outcome of such training programs.~~

SECTION 131. 10-21-103 (3) and (4), Colorado Revised Statutes, 1994 Repl. Vol., are repealed as follows:

10-21-103. Feasibility study. (3) ~~The executive director of the department of health care policy and financing shall submit an interim feasibility report regarding the study to the general assembly on or before December 1, 1992. The department, in such report, shall make a recommendation concerning the implementation of the demonstration program described in section 10-21-104. No program shall be implemented unless the general assembly, based on such recommendation, acts by bill to authorize the implementation of the demonstration program. The department of health care policy and financing shall submit a final feasibility report to the general assembly no later than July 31, 1993.~~

(4) ~~The executive director of the department of health care policy and financing shall consult with and obtain the recommendations of the Colorado health policy council created as a result of senate joint resolution 90-25, in connection with the preparation of the interim and final feasibility reports under subsection (3) of this section.~~

SECTION 132. 10-21-104 (3), Colorado Revised Statutes, 1994 Repl. Vol., is amended to read:

10-21-104. Demonstration programs. (3) ~~The implementation of this section is conditioned upon approval by the general assembly. based on the interim report by the department of regulatory agencies and the final report of the department of health care policy and financing, in accordance with section 10-21-103 (3).~~

SECTION 133. 26-7.8-103 (3), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

26-7.8-103. Homeless prevention activities program - criteria. (3) ~~The nongovernmental agency administering the program shall evaluate the homeless prevention activities programs which are funded pursuant to this article and shall report and make recommendations to the general assembly in the form of letters addressed to the speaker of the house of representatives and the president of the senate on or before January 1, 1991, and on January 1 of each year thereafter.~~

SECTION 134. 26-6-113 (2), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

26-6-113. Periodic review of licensing regulations and procedures.

(2) Beginning with fiscal year 1992-93 and every third fiscal year thereafter, a comprehensive review of the licensing rules and regulations for child care centers and family care homes and the procedures relating to and governing child care centers and family care homes shall be conducted by the state department, including procedures for the review of backgrounds of employees and owners. In conducting such periodic review, the state department shall consult with parents and consumers of child care, child care providers, the department of public health and environment, experts in the child care field, and other interested parties throughout the state. The periodic review shall include an examination of the rules and regulations applicable to child care centers and family care homes, the process of licensing such facilities, uniformity of standards or lack thereof in the licensing process, statewide standardization of investigations and enforcement of licensing by the state department, duplication and conflicts in regulations, requirements, or procedures between the state department and the department of public health and environment, and recommendations for streamlining and unifying the licensing process. Said review shall also include an examination of regulations and procedures regarding the general physical and mental health of employees and owners. At the conclusion of each review, the state department shall report its findings and conclusions and its recommendations for administrative changes and for legislation to the state board, the advisory committee on licensing of child care facilities, AND the executive director of the department of public health and environment. ~~and to the general assembly.~~

SECTION 135. 24-60-2406, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is repealed as follows:

24-60-2406. Report to general assembly. ~~The department of human services shall submit a report to the general assembly prior to January 15, 1986, which report shall include, but shall not be limited to, the previous year's activity, the number of children served under the program, and projections of numbers of children to be served and expenditures for future years.~~

SECTION 136. 26-4-107, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

26-4-107. Comprehensive plan for other services and benefits. In accordance with federal requirements pertaining to the development of a broad-based medical care program for low-income families, the state department shall prepare a comprehensive medical plan for consideration by the ~~general assembly~~ HOUSE AND SENATE COMMITTEES ON HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS. The comprehensive plan shall include alternate means of expanding the medical care benefits and coverage provided in this article. The comprehensive plan shall be reevaluated annually and shall be based upon a documented review of medical needs of low-income families in Colorado, a detailed analysis of priorities of service, coverage, and program costs, and an evaluation of progress. The medical advisory council appointed pursuant to this article shall assist the state department in the preparation of the comprehensive plan.

SECTION 137. 26-4-610 (1) (a), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

26-4-610. Duties of state department. (1) The state department shall:

(a) On or before October 1 of each year, provide the ~~general assembly~~ HOUSE AND SENATE COMMITTEES ON HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS with a report on the availability and quality of alternative care services, home health services, and home and community-based services for the elderly, blind, and disabled and for persons living with acquired immune deficiency syndrome provided in the state and the costs associated therewith. Such report may include recommendations for appropriate state and federal legislation, rules and regulations, and other actions which would enhance the availability, appropriate utilization, and coordination of such services in the state.

SECTION 138. 25-1-107 (1) (ee) (VII), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

25-1-107. Powers and duties of the department - repeal. (1) The department has, in addition to all other powers and duties imposed upon it by law, the following powers and duties:

(ee) (VII) ~~The department shall report to the sunrise and sunset review committee on its progress in implementing the medication administration and monitoring program by July 1, 1993.~~

SECTION 139. 25-1-903 (2), Colorado Revised Statutes, 1989 Repl. Vol., is repealed as follows:

25-1-903. Duties of the commission. (2) ~~The commission shall prepare and transmit, by February 15 of each year, 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 membership of the general assembly concerning the past year's activities, progress in family medicine, and recommendations for future action. The first report shall be due on February 15, 1978, and shall document the underserved areas of the state, the medical need in those areas, and priorities and alternative proposals for meeting those needs.~~

SECTION 140. 19-2-705.6 (6), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

19-2-705.6. Intensive family preservation program - adjudicated juveniles - legislative declaration - pilot program - financing for program - cash fund created - report - repeal. (6) The department of human services, in consultation with the state judicial department, shall contract with an independent entity to evaluate annually the progress of the pilot program. The department of human services, in consultation with the state judicial department, shall submit a report to the JOINT BUDGET COMMITTEE OF THE general assembly on or before December 1, 1995, and on or before the first of December each subsequent year, on the effectiveness of the program. The department shall base its report on the independent evaluation and shall address the impact on recidivism and additional out-of-home placements for juveniles who participate in the pilot program, projected cost-savings and cost-avoidance, and the feasibility of implementing the intensive family preservation program for juveniles statewide.

SECTION 141. 26-4-702 (1) and (3), Colorado Revised Statutes, 1989 Repl.

Vol., as amended, are amended to read:

26-4-702. Alternative plan for medical assistance. (1) The state department shall contract with the executive director of the office of state planning and budgeting, referred to in this part 7 as the director of OSPB, to develop an alternative plan for a nontraditional medical assistance program for this state. In developing the plan, the director of OSPB shall consult with the state auditor, the legislative audit committee, and the state department. ~~The director of OSPB shall submit a report on the development of the plan for review and action by the general assembly in accordance with this subsection (1).~~ The alternative plan shall be a state-structured nontraditional medical assistance program established under waivers granted by the federal health care financing administration which is an affordable cost-contained plan of care for an eligible population. ~~No later than December 1, 1994, the director of OSPB shall submit a preliminary status report on the development of the alternative plan and a federal waiver proposal for the implementation of such plan. Such report shall be submitted to the legislative council, the health, environment, welfare, and institutions committees, and the joint budget committee of the general assembly. No later than April 1, 1995, a final report on the alternative plan and federal waiver proposal shall be submitted to the general assembly for review and approval through the adoption of legislation. The report shall outline the provisions of the alternative plan and shall specify what impact the alternative plan has on any ongoing study in effect on said date, the outcome of which study pertains to the medical assistance program, the medically indigent program, or health care for the citizens of this state. Such studies include, but are not limited to, a study of Colorado care, a study of health care conducted by the governor's cost-containment council, studies conducted by the Colorado health policy council, and studies conducted by the health data commission. In addition, the report shall specify what impact the alternative plan has on any statute in effect on said date that reforms the methods for providing medical assistance to the poor of this state or health care to citizens in this state. Upon the passage of legislation approving the alternative plan and the waiver proposal, but no later than July 1, 1996, the state department and the director of OSPB shall submit the waiver proposal to the federal health care financing administration. The final report shall include a preliminary assessment of the impact of a state medical assistance program operated solely with state funds. The study and development of such a program shall continue during the period in which the general assembly considers the alternative plan for a nontraditional medical assistance program in accordance with the provisions of this section.~~

(3) ~~The director of OSPB shall, in developing any plan or waiver proposal described in this section, report on a regular basis to the members of the joint budget committee, the legislative council, and the health, environment, welfare, and institutions committees of the general assembly.~~

SECTION 142. 19-2-703 (2) (a), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

19-2-703. Juvenile delinquent - sentencing - disposition - restitution - parental liability. (2) (a) If the court finds that placement out of the home is necessary and is in the best interests of the juvenile and the community, the court shall place the juvenile, following any criteria established pursuant to section 19-2-1602, in the facility or setting which most appropriately meets the needs of the

juvenile, the juvenile's family, and the community. In making its decision as to proper placement, the court shall utilize the evaluation for placement prepared pursuant to section 19-1-107 or the evaluation for placement required by section 19-3-701 (5). Any placement recommendation in the evaluation prepared by the county department of social services shall be accorded great weight as the placement that most appropriately meets the needs of the juvenile, the juvenile's family, and the community. Any deviation from such recommendation shall be supported by specific findings on the record of the case detailing the specific extraordinary circumstances which constitute the reasons for deviations from the placement recommendation of the county department of social services. Such recommendation prepared by the county department of social services shall set forth specific facts and reasons for the placement recommendation. If the evaluation for placement recommends placement in a facility located in Colorado which can provide appropriate treatment and which will accept the juvenile, then the court shall not place the juvenile in a facility outside this state. If the court places the juvenile in a facility located in Colorado other than one recommended by the evaluation for placement, in a facility located outside this state in accordance with the evaluation for placement, or in a facility in which the average monthly cost exceeds the amount established by the general assembly in the general appropriation bill, it shall make specific findings of fact, including the monthly cost of the facility in which such juvenile is placed, relating to its placement decision. A copy of such findings shall be sent to the chief justice of the supreme court, who shall report monthly to the joint budget committee and annually to the ~~general assembly~~ HOUSE AND SENATE COMMITTEES ON HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS on such placements. If the court commits the juvenile to the department of human services, it shall not make a specific placement, nor shall the provisions of this subsection (2) relating to specific findings of fact be applicable.

SECTION 143. 19-1-116 (3), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

19-1-116. Funding - alternatives to placement out of the home - pilot project.

(3) The department of human services shall report annually to the ~~general assembly~~ HOUSE AND SENATE COMMITTEES ON HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS concerning the funds reimbursed to each county pursuant to this section, by line item, and each county's spending, by line item.

SECTION 144. 26-4-528 (3) (a) and the introductory portion to 26-4-528 (3) (b), Colorado Revised Statutes, 1989 Repl. Vol., as amended, are amended to read:

26-4-528. Managed mental health services feasibility study - waiver - pilot program. (3) (a) If a determination is made by the department of health care policy and financing and the department of human services, based on the feasibility study required in subsection (1) of this section, that the implementation of one or more model or proposed program modifications would be cost-effective, and if all necessary federal waivers are obtained, the department of health care policy and financing shall establish a pilot prepaid capitated system for providing comprehensive mental health services. The department of health care policy and financing shall promulgate rules as necessary for the implementation and administration of the pilot program. The pilot program shall terminate on July 1, 1997. If the pilot program is implemented, the department of health care policy and financing and the department of human services shall submit to the ~~general assembly~~ HOUSE AND SENATE

COMMITTEES ON HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS on or before July 1, 1996, a preliminary status report on the pilot program.

(b) In addition to the preliminary report described in paragraph (a) of this subsection (3), the department of health care policy and financing and the department of human services shall submit a final report to the ~~general assembly~~ HOUSE AND SENATE COMMITTEES ON HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS no later than January 1, 1997, addressing the following:

SECTION 145. 25-1-109 (1) (d), Colorado Revised Statutes, 1989 Repl. Vol., is repealed as follows:

25-1-109. Powers and duties of the division of administration. (1) In addition to the other powers and duties conferred and imposed in this part 1 upon the division of administration, the division, through the director or, upon his direction and under his supervision, through the other officers and employees of the division, has the following powers and duties:

(d) ~~To 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 for the efficient discharge of all responsibilities assigned by law or directive to the department or to any subdivision thereof;~~

SECTION 146. 25-1-210, Colorado Revised Statutes, 1989 Repl. Vol., is amended to read:

25-1-210. Reports. The division shall submit a report not later than January 1 of each year to the ~~general assembly~~ HOUSE AND SENATE COMMITTEES ON HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS on the costs and effectiveness of alcohol and drug abuse programs in this state and on recommended legislation in the field of alcohol and drug abuse.

SECTION 147. 25-1-1004 (3), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

25-1-1004. Study of statutes and rules and regulations pertaining to nursing home facilities and day care centers. (3) ~~The department of public health and environment and the department of human services shall report on the results of such study and make recommendations to the general assembly about the most appropriate methods for facilitating the development and operation of child care programs in nursing home facilities on or before January 1, 1989.~~

SECTION 148. 25-4-1710, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

25-4-1710. Report to the general assembly. ~~Beginning January 1, 1994, and each January 1 thereafter, the department shall make an annual report to the general assembly detailing the effectiveness of the infant immunization program.~~

SECTION 149. 25-7-105 (6), Colorado Revised Statutes, 1989 Repl. Vol., is

repealed as follows:

~~**25-7-105. Duties of commission.** (6) On or before December 31 of each year, the commission shall report to the governor and the general assembly on the effectiveness of the provisions of this article in carrying out the legislative intent, as declared in section 25-7-102, and shall include in such report such recommendations as it may have with respect to any legislative changes that may be needed or desirable and such recommendations with respect to emission standards and emission control devices for motor vehicles, aircraft, and other mobile equipment as it deems advisable.~~

SECTION 150. 25-7-109.3 (1), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

25-7-109.3. Colorado hazardous air pollutant control and reduction program. (1) The commission shall promulgate appropriate regulations pertaining to hazardous air pollutants as defined in section 25-7-103 (13) which are consistent with this section and the requirements of and emission standards promulgated pursuant to section 112 of the federal act, including any standard required to be imposed under section 112(r) of the federal act. The commission shall monitor the progress and results of the risk studies performed under section 112 of the federal act and include a summary of such studies in its annual report required by section 25-7-105 (6) to show that Colorado's hazardous air pollutant control and reduction program is consistent with the national strategy.

SECTION 151. 25-7-212 (2), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

25-7-212. Actions of federal government affecting visibility - evaluation report. (2) The joint public hearing required under section 25-7-105 (4) (a) ~~and the report to the governor and the general assembly required under section 25-7-105 (6)~~ shall report on the results of the evaluation required under subsection (1) of this section.

SECTION 152. Repeal. 25-7-106.1 and 25-7-106.5, Colorado Revised Statutes, 1989 Repl. Vol., as amended, are repealed.

SECTION 153. 25-7-111 (3), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

~~**25-7-111. Administration of air quality control programs.** (3) On or before January 1, 1994, the division shall submit to the general assembly a report with an analysis of the use of ozone depleting compounds in the state of Colorado and any measures to control the use of such compounds. Such report shall contain the following:~~

~~(a) An examination of additional opportunities for recycling and recovery of ozone depleting compounds;~~

~~(b) Any recommendations concerning additional legislation or regulations to control ozone depleting compounds which are reasonable and economically feasible;~~

~~(c) Any recommendations concerning any other actions which the general assembly may take to stimulate the reduction of ozone depleting compounds.~~

SECTION 154. 25-7-114.5 (15), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

25-7-114.5. Application review and public participation. (15) ~~The air pollution control division shall submit a report to the general assembly no later than January 15 of each year which details the various categories of permits and the average time required to process similar permits. The report shall set forth those classes of minor or insignificant sources of air pollution which are exempt from the requirement for a permit because of their negligible impact upon air quality and shall specify a fee structure for various categories of sources.~~

SECTION 155. 25-7-114.7 (2) (e), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

25-7-114.7. Emission fees - fund - repeal. (2) (e) ~~The state auditor shall report to the general assembly no later than July 1, 1994, on the utilization of the stationary sources control fund to adequately fund indirect and direct costs as set forth in this subsection (2). Special emphasis in the report shall be given to accomplishing the requirements of this article in the most efficient manner possible with the fewest FTE's.~~

SECTION 156. 25-7-130 (1) and (3), Colorado Revised Statutes, 1989 Repl. Vol., as amended, are amended to read:

25-7-130. Motor vehicle emission control studies. (1) The department of public health and environment, motor vehicle emission control section of the air pollution control division, and the department of revenue shall develop a continuing joint program for the study of the control of motor vehicle exhaust emissions, including emissions from model year 1975 and later models. Such emission control studies shall include such investigations and evaluations of existing and available motor vehicle emission control equipment and technology and the social problems, economic impacts, effectiveness, and costs involved in the use of such technology in motor vehicle emissions inspections and maintenance programs as they may jointly recommend. ~~from time to time to the governor and the general assembly.~~

~~(3) On or before December 31 of each year, the departments of health and revenue shall jointly report to the general assembly on any recommendations resulting from the motor vehicle emissions studies.~~

SECTION 157. 26-4-528 (1) (b), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

26-4-528. Managed mental health services feasibility study - waiver - pilot program. (1) (b) ~~On or before October 1, 1992, the state department and the department of human services shall provide a written report to the general assembly assessing the costs, benefits, risks, alternatives, and impact upon recipients, providers, and mental health services in this state, for each model or proposed program modification. Said report shall include recommendations for implementation~~

~~of any model or proposed program modification.~~

SECTION 158. Repeal. 25-7-134, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed.

SECTION 159. 42-3-134 (26) (a), Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended to read:

42-3-134. Registration fees - passenger and passenger-mile taxes. (26) (a) Effective July 1, 1986, in addition to any other fee imposed by this section, there shall be collected, at the time of registration, a fee of fifty cents on every item of class A, B, or C personal property required to be registered pursuant to this article. Such fee shall be transmitted to the state treasurer, who shall credit the same to a special account within the highway users tax fund, to be known as the AIR account, and such moneys shall be used, subject to appropriation by the general assembly, to cover the direct costs of the motor vehicle emissions activities of the department of public health and environment in the presently defined nonattainment area, and to pay for the costs of the commission in performing its duties under sections 25-7-106.1, 25-7-106.3, and 25-7-106.5, C.R.S. ~~and for the costs of the state auditor in performing the study required by section 25-7-134, C.R.S.~~ In the program areas within counties affected by this article, the county clerk and recorder shall impose and retain an additional fee of up to seventy cents on every such registration to cover reasonable costs of administration of the emissions compliance aspect of vehicle registration. The department of public health and environment is hereby authorized to accept and expend grants, gifts, and moneys from any source for the purpose of implementing its duties and functions under this section or sections 25-7-106.1, 25-7-106.3, and 25-7-106.5, C.R.S.

SECTION 160. Repeal. 25-8-106, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed.

SECTION 161. 25-8-202 (5), Colorado Revised Statutes, 1989 Repl. Vol., is repealed as follows:

25-8-202. Duties of the commission. (5) ~~On or before November 1 of each year, the commission shall report to the governor and the general assembly on the effectiveness of the provisions of this article in carrying out the legislative intent, as declared in section 25-8-102, and shall include in such report such recommendations as it may have with respect to any legislative changes that may be needed or desirable.~~

SECTION 162. 25-8-204 (7), Colorado Revised Statutes, 1989 Repl. Vol., is amended to read:

25-8-204. Water quality standards. (7) If, after full application of publicly owned treatment work authority pursuant to section 307(b)(1) of the federal act, stream standards or effluent limitations established pursuant to subsection (6) of this section are exceeded as a result of a discharge from a publicly owned treatment work, the commission, upon request of a publicly owned treatment work, shall conduct a public hearing to investigate the source of pollution causing such exceedance. ~~and shall report to the governor and to the general assembly its findings and~~

~~recommendations concerning the control of said pollution.~~

SECTION 163. 25-8-205.5 (9), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

~~**25-8-205.5. Pollution from agricultural chemicals. (9) Report.** The commissioner of agriculture shall prepare and transmit a report to the general assembly each year on or before December 31 regarding the progress of the department of agriculture in implementing this section.~~

SECTION 164. 25-16.5-105 (1) (f), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

25-16.5-105. Powers and duties of the advisory board. (1) The advisory board shall have the following powers and duties:

~~(f) To report to the governor and the general assembly annually on the progress of and recommendations for changes in programs on pollution prevention;~~

SECTION 165. 25-16.5-110, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

~~**25-16.5-110. Report to the general assembly.** The department shall evaluate the success of the pollution prevention activities program and the technical assistance program as described in this article. The department shall submit a report with recommendations to the advisory board on or before September 1, 1994, for its approval. The advisory board shall review such report and make any changes and shall submit a report with its evaluation and recommendations to the general assembly on or before December 1, 1994.~~

SECTION 166. 25-27-110 (1) and (2), Colorado Revised Statutes, 1989 Repl. Vol., are amended to read:

25-27-110. Advisory committee - sunset review. (1) There is hereby established an advisory committee to the department for the purposes of making recommendations to the department and reporting to the ~~general assembly~~ HOUSE AND SENATE COMMITTEES ON HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS concerning the regulations promulgated by the state board pursuant to this article, implementation of the licensing program, the impact of the program, and the effectiveness of enforcement. The advisory committee shall consist of not less than nine members to be appointed by the executive director of the department. The committee shall elect its own chairperson. Such members shall be representatives from personal care boarding homes, the Colorado commission on the aging, local health departments, local boards of health, and consumer and other agencies and organizations providing services to or concerned with residents of personal care boarding homes. Members of the advisory committee shall serve on a voluntary basis and shall serve without compensation.

(2) The advisory committee shall conduct an evaluation of the licensing program and shall report its findings annually to the ~~general assembly~~ HOUSE AND SENATE COMMITTEES ON HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS not later than

January 15, 1990, January 15, 1992, and January 15, 1994.

SECTION 167. 25.5-2-103 (3) (a) (IV) and (4), Colorado Revised Statutes, 1989 Repl. Vol., as amended, are amended to read:

25.5-2-103. Poison control services - statewide poison control oversight board - duties. (3) (a) The board shall have the following powers and duties:

(IV) To contract with an auditor for a performance or financial audit at the discretion of the board. A copy of such audit, when performed, shall be sent to the members of the joint budget committee. ~~with the report required in subsection (4) of this section.~~

~~(4) (a) On or before November 1, 1994, the board shall submit a report to the members of the joint budget committee and to each member of the general assembly identifying the anticipated costs of contracting for the delivery of poison control services and the dissemination of poison control information throughout the state for the upcoming fiscal year.~~

~~(b) On or before November 1, 1995, and no later than November 1 of each year thereafter, the board shall submit a report to the members of the joint budget committee and to each member of the general assembly. Such report shall evaluate the delivery of poison control services and the dissemination of poison control information throughout the state, address the allocation of moneys from the preceding fiscal year, and identify the anticipated costs of contracting for poison control services for the upcoming fiscal year.~~

[JUDICIARY]

SECTION 168. 16-11-102.5 (2), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

16-11-102.5. Drug testing of offenders by judicial department - pilot program. (2) ~~On or before January 1, 1992, the judicial department shall submit a written report to the general assembly regarding the effectiveness of the pilot program established pursuant to subsection (1) of this section. Such report shall include statistics on the number of persons tested, the percentage of offenders who tested positive for drug use, and a report on the overall effectiveness of the pilot program; the success of the specialized treatment and rehabilitation programs, and information concerning whether any increase or decrease in probation revocations can be identified due to the pilot program.~~

SECTION 169. Repeal. 26-13-117, Colorado Revised Statutes, 1989 Repl. Vol., is repealed.

SECTION 170. 26-13-114 (1), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

26-13-114. Family support registry - collection and disbursement of child support and maintenance - rules and regulations - legislative declaration - repeal. (1) The general assembly hereby inds, determines, and declares that based

on the results of the feasibility study conducted pursuant to section 26-13-117, it has been demonstrated that the establishment and operation of an automated central payment registry for the processing of child support payments would be beneficial to the state in the collection and enforcement of family support obligations, particularly with respect to Title IV-D cases. It is the intent of the general assembly by enacting this section to authorize the implementation of a central family support registry for the collection, receipt, and disbursement of payments with respect to child support obligations for children whose custodians are receiving child support enforcement services from delegate child support enforcement units (IV-D cases). It is the intent of the general assembly that, after the completion of the conversion of all IV-D cases to payment through the registry, the state department of human services shall evaluate and analyze the operation of the family support registry in order to determine the feasibility of expanding the registry to include the processing of some or all of the non-IV-D cases through the family support registry.

SECTION 171. 42-4-412 (2), Colorado Revised Statutes, 1993 Repl. Vol., as amended, is amended to read:

42-4-412. Air pollution violations. (2) (a) The air quality control commission shall determine the minimum emission level of visible air pollutants from diesels which shall be considered to create an unreasonable nuisance or danger to the public health, safety, and welfare. Such minimum emission level shall be based on smoke levels attainable by correctly operated and maintained in-use diesel vehicles, considering altitude and other reasonable factors affecting visible smoke levels. In no case shall such level be less than twenty percent opacity when observed for five seconds or more. On interstate highways, opacity may be observed for ten seconds. Standards for transient conditions with no time limit shall also be established. Not later than December 1, 1979, the division shall develop a training course and qualification test designed to enable peace officers and environmental officers to ascertain violations of such standards without reference to opacity levels and to distinguish between air pollutants as defined in section 25-7-103 (1.5), C.R.S., and steam or water vapor.

(b) (I) The Colorado state patrol of the department of public safety shall offer the training course and qualification test.

(II) ~~Not later than July 1, 1980, all necessary Colorado state patrol officers shall complete the training course and take the qualification test developed by the division of administration of the department of public health and environment as related to diesel emissions which create an unreasonable nuisance or danger to the public health, welfare, and safety. The Colorado state patrol shall schedule such training classes and shall report the progress of the training program to the general assembly by February 1, 1980.~~

SECTION 172. 18-6-802 (2) (e), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

18-6-802. Domestic violence - local board - treatment programs - liability immunity. (2) (e) ~~The chairperson of each local board shall report to the general assembly prior to January 1, 1991, regarding the certified treatment programs in the judicial district, efforts to monitor such treatment programs, and the outcome of such~~

treatment programs for persons convicted of the crime of domestic violence.

SECTION 173. 24-21-107 (1), Colorado Revised Statutes, 1988 Repl. Vol., is repealed as follows:

24-21-107. Publications. (1) ~~The secretary of state 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, a report accounting to the governor and the general assembly for the efficient discharge of all responsibilities assigned by law or directive to the department of state and divisions thereof.~~

SECTION 174. 24-32-2803, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is repealed as follows:

24-32-2803. Annual report. (1) ~~Any entity that receives a grant pursuant to this part 28 shall submit a semiannual report to the department of local affairs showing the effectiveness of the program funded pursuant to this part 28. In measuring effectiveness, the entity shall apply the criteria developed by the board pursuant to section 24-32-2802 (2).~~

(2) ~~On January 1, 1996, and each January 1 thereafter, the executive director of the department of local affairs shall submit an annual report to the general assembly regarding the effectiveness of the youth crime prevention and intervention program, including a compilation of the grantee reports submitted pursuant to subsection (1) of this section. In measuring effectiveness, the department of local affairs shall apply the criteria developed by the board pursuant to section 24-32-2802 (2).~~

SECTION 175. 13-1-134 (2) (b), Colorado Revised Statutes, 1987 Repl. Vol., as amended, is repealed as follows:

13-1-134. Court automation system - juvenile or domestic actions. (2) (b) ~~On or before January 1, 1994, the court administrator shall submit a report to the joint budget committee of the general assembly which describes the program and specifies the costs and benefits of implementing and administering the program. This report shall include the costs and feasibility of establishing an automation program using selected judicial districts as they become automated. The report shall be completed in coordination with the department of human services. The joint budget committee shall review the report and on or before February 15, 1994, may either approve the program for implementation or report to the members of the general assembly that the committee has determined that it is unable to approve the program for implementation and the reasons for reaching such a determination.~~

SECTION 176. 13-1-135 (1), Colorado Revised Statutes, 1987 Repl. Vol., as amended, is repealed as follows:

13-1-135. Family courts - implementation report. (1) ~~On or before January 1, 1995, the state court administrator shall review the current structure of the courts and shall provide a report to the general assembly of the need to implement a family court system. For purposes of this section, "family court" means one court which has jurisdiction over all domestic matters, including but not limited to, dissolution of marriage, marital maintenance, child custody, child support, visitation, adoption,~~

~~paternity, abuse, dependency and neglect, delinquency, truancy, and other cases regarding children and families.~~

SECTION 177. 12-28-104 (6) (c), Colorado Revised Statutes, 1991 Repl. Vol., is amended to read:

12-28-104. Licensing - creation of fireworks licensing cash fund. (6) (c) The director of the department of public safety shall set fees pursuant to this article at such rates as are necessary to provide for the direct and indirect costs and expenses of the department of public safety in the administration of this article; except that the fee for a retailer of fireworks license shall not exceed twenty-five dollars and the fee for a display retailer of fireworks license, a wholesaler of fireworks license, or an exporter of fireworks license shall not exceed seven hundred fifty dollars. Such rates shall be reviewed annually by the director of the department of public safety. ~~and the director shall report annually to the general assembly on the propriety of such rates.~~

SECTION 178. 24-4.2-105 (2.5) (b), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-4.2-105. Allocation of moneys from fund - application for grants - disbursements. (2.5) (b) The state judicial department shall study alternative methods for funding the collection of restitution owed to victims of crime. ~~and shall report its findings to the general assembly by July 1, 1995.~~

SECTION 179. 24-33.5-211 (4), Colorado Revised Statutes, 1988 Repl. Vol., is repealed as follows:

24-33.5-211. Divisions - publications. (4) ~~The chief shall prepare and the executive director shall transmit annually, in the form and manner prescribed by the heads of the principal departments pursuant to the provisions of section 24-1-136, a report accounting to the governor and the general assembly for the efficient discharge of all responsibilities assigned by law or directive to the Colorado state patrol.~~

SECTION 180. 24-33.5-507 (3), Colorado Revised Statutes, 1988 Repl. Vol., is repealed as follows:

24-33.5-507. Application for grants - disbursements from fund - regulations. (3) ~~The executive director shall submit a report to the general assembly by January 15, 1986, and every January 15 thereafter, detailing the amount of funds granted to agencies pursuant to this section, the number and types of agencies applying for grants, and the projects for which such grants were made and summarizing the information submitted to the executive director by the victims and witnesses assistance and law enforcement boards pursuant to section 24-4.2-108.~~

SECTION 181. 24-33.5-511, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is repealed as follows:

24-33.5-511. Inmate classification instrument - independent evaluation required. (1) ~~The general assembly finds that the basic standard applied in the placement of inmates is that inmate placements should be at the lowest possible custody level while balancing the safety of the general public, the safety of staff and~~

~~other inmates, and the programmatic needs of the offender; that the department of corrections uses a classification instrument to determine inmate custody classification levels; and that the department's practice of overriding its inmate classification instrument and its reliance on theoretical percentages for the distribution of inmates in the various classifications results in actual inmate assignments that differ significantly from prediction of bed needs based on the classification instrument percentages. As a result, the classification instrument fails to yield accurate distribution of inmates across the various custody levels.~~

~~(2) Due to the circumstances described in subsection (1) of this section, the division shall contract with an independent evaluator to analyze the department of correction's inmate classification instrument and to make recommendations to the department concerning adjustments to the instrument so that the instrument can be used to make more appropriate custody classification distributions. No later than November 1, 1995, the division shall submit a report containing the evaluator's findings and recommendations to the joint budget committee, the capital development committee, and the judiciary committees of the general assembly.~~

~~(3) This section is repealed, effective July 1, 1996.~~

SECTION 182. 17-24-106 (1) (k) (III), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

17-24-106. General powers of the division. (1) In addition to any other powers granted to the division by this article, the division shall have the following powers:

(k) (III) Prior to the acquisition or disposal of real property by sale, purchase, lease-purchase, trade, or exchange which has a market value exceeding two hundred fifty thousand dollars, or fifty thousand dollars in the case of real property to be used in support of new correctional industry business enterprises or programs, the division shall first submit a written report pursuant to the provisions of subparagraph (IV) of this paragraph (k). The capital development committee shall review any such report. ~~and shall provide recommendations to the general assembly regarding the proposed real property transaction within thirty days after the date of receipt of such report.~~ No such transaction shall take place unless approved by the general assembly acting by bill.

SECTION 183. 17-32-106 (1) (g), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

17-32-106. Powers and duties of the division. (1) In connection with the development and implementation of the correctional education program, the division shall have the following powers and duties:

~~(g) To report annually on the implementation and success of the correctional education program to the governor and the general assembly;~~

SECTION 184. 17-28-102, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

17-28-102. Establishment of restitution programs. The department shall, as a

means of assisting in the rehabilitation of persons committed to its care, including persons placed in community correctional facilities or programs, establish programs and procedures whereby such persons may contribute toward restitution of those persons injured as a consequence of their criminal acts. ~~The department shall report to the general assembly its progress in implementing this article.~~

SECTION 185. 17-27.9-105 (2), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

17-27.9-105. Evaluation of specialized restitution and community service programs. (2) ~~On or before January 1, 1996, the division of criminal justice shall make a written report to the general assembly regarding the effectiveness of specialized restitution and community service programs in increasing the reimbursement to society by offenders and in reducing the costs associated with the incarceration and reincarceration of offenders.~~

SECTION 186. 17-27.7-105, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

17-27.7-105. Evaluation of regimented inmate training program. (1) ~~On or before July 1, 1993, the department shall provide a report to the governor and the general assembly regarding an evaluation of the regimented inmate training program which shall include the following determinations:~~

(a) ~~Whether the courts are sending offenders to the department in anticipation of the offender being placed in a regimented inmate training program who would better be placed on probation or placed in community corrections; and~~

(b) ~~Whether, as a result of being placed in a regimented inmate training program, an offender does in fact receive a less serious sentence than a similar offender, in terms of the type of offense, criminal history, and assessed needs, which similar offender was not placed in such a program but otherwise committed to the custody of the department; and~~

(c) ~~Whether bed savings to the department are a result of the regimented inmate training program; and~~

(d) ~~Whether offenders placed in a regimented inmate training program have a recidivism rate which is equal to or lower than that of similar offenders who were not placed in such program but otherwise committed to the custody of the department.~~

SECTION 187. 13-3-112, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is repealed as follows:

13-3-112. Report on increase in docket fees. ~~The supreme court administrator shall report to the general assembly on or before January 15, 1992, and on or before January 15, 1994, on the consequences of the increases in the jurisdictional amounts for the county courts as authorized in section 13-6-104. Such report shall include an analysis of the types of cases filed in county courts as a result of the changes in the jurisdictional amounts and an evaluation of the appropriateness of hearing such matters in county courts.~~

SECTION 188. 17-2-404, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

~~**17-2-404. Report to general assembly.** On or before January 1, 1992, the executive director of the department of corrections shall present a written report to the general assembly regarding the operation of preparole facilities and programs throughout the state. Such report shall include information on the number and type of such facilities, the effectiveness of preparole programs, any problems with such programs generally, and any problems encountered within the communities in which such preparole facilities or programs are located.~~

SECTION 189. 16-11.5-107, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is repealed as follows:

~~**16-11.5-107. Report to the general assembly.** On or before March 1, 1994, the judicial department, the department of corrections, the state board of parole, the division of criminal justice of the department of public safety, and the department of public health and environment shall jointly make a report to a joint meeting of the judiciary committees of the senate and house of representatives regarding the implementation of this article, the results of the programs created by this article including any reduction in substance abuse by offenders while incarcerated, the standardized procedures developed pursuant to this article, and the number and kinds of punitive sanctions imposed upon offenders pursuant to this article.~~

[LOCAL GOVT.]

SECTION 190. Repeal. 11-58-106 (3) and (4), Colorado Revised Statutes, 1987 Repl. Vol., as amended, are repealed.

[STATE AFFAIRS]

SECTION 191. 1-4-1204 (3), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

~~**1-4-1204. Election results - certification - pledging of delegates.** (3) It is the intent of the general assembly that the provisions of this part 12 conform to the requirements of federal law and national political party rules for presidential primary elections. The secretary of state shall prepare a written report to the general assembly concerning whether the provisions of this part 12 conform to the requirements of federal law and national political party rules for presidential primary elections. The secretary of state shall solicit comments from national political parties on the conformance of this part 12 to their rules and shall include any comments submitted by the parties on that topic. The report shall be submitted to the legislative council no later than January 1, 1991, and the general assembly shall make such reasonable changes to this part 12 as are necessary to conform to federal law and national political parties' rules.~~

SECTION 192. 1-7.5-111, Colorado Revised Statutes, 1980 Repl. Vol., as amended, is repealed as follows:

~~**1-7.5-111. Report to the general assembly.** The secretary of state shall collect~~

~~and analyze information concerning the implementation of this article and shall submit a report to the general assembly based on its findings no later than January 1, 1993. Election officials shall provide the secretary of state with such relevant information as the secretary of state requests.~~

SECTION 193. 1-45-108 (8), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is repealed as follows:

~~**1-45-108. Reports - certification and filing.** (8) The secretary of state shall conduct a study of the feasibility and cost of implementing a computer information system that would allow computer users to cross-reference and review, using the name of a candidate, incumbent, lobbyist, or any other person, any report filed pursuant to this article, any report filed by an incumbent or elected candidate pursuant to section 24-6-203, C.R.S., or any disclosure statement filed by a lobbyist pursuant to section 24-6-302, C.R.S. The secretary of state shall report to the general assembly on the feasibility and cost of such a system by January 1, 1995.~~

SECTION 194. 24-44-107, Colorado Revised Statutes, 1988 Repl. Vol., is repealed as follows:

~~**24-44-107. Reports.** The commission shall prepare a written annual report giving an account of its proceedings, transactions, findings, and recommendations. This report shall be submitted to the governor and the general assembly. Said report shall be a matter of public record. It may also be furnished to such other persons or agencies as the commission deems proper.~~

SECTION 195. 24-50-141 (3), Colorado Revised Statutes, 1988 Repl. Vol., is repealed as follows:

~~**24-50-141. Rules and regulations - limitations - affirmative action corrective remedies - implementation.** (3) The state personnel director shall report annually to the general assembly concerning the implementation of equal employment opportunities and affirmative action corrective remedies within the state personnel system and any rules and regulations authorized pursuant to the provisions of this section; and such reports shall include his written findings for each affirmative action requisition, referral, appointment, or promotion, together with the results thereof.~~

SECTION 196. 24-50-103.5 (2), Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-50-103.5. Department of personnel - review. (2) (a) The legislative audit committee shall cause to be conducted a performance audit of the department and the board. The performance audit shall be completed at least seven months prior to July 1, 1981. In conducting the audit, the legislative audit committee shall take into consideration, but not be limited to considering, the factors listed in paragraph (b) of subsection (3) of this section. Upon completion of the audit report, the legislative audit committee shall hold a public hearing for purposes of review of the report. ~~A copy of the report shall be transmitted to each member of the general assembly by January 1, 1981.~~

(b) A further performance audit as required in this section shall be completed at

least seven months before July 1, 1985, and every four years thereafter.

SECTION 197. 24-30-1904, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is repealed as follows:

24-30-1904. Report to governor and general assembly. ~~No later than January 1, 1996, the executive director shall submit a report to the governor and the general assembly containing a summary of data collected; written findings regarding the effectiveness, cost-efficiency, and overall feasibility of a program for state-owned buildings; recommendations regarding legislation and funding required to implement a program for state-owned buildings; and any other information that the department deems necessary and appropriate to the consideration of implementing a statewide program.~~

SECTION 198. 24-30-1803 (1), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-30-1803. Telecommunications plan - staff. (1) The advisory commission appointed pursuant to section 24-30-1802 shall study the use of telecommunications facilities in the state, particularly the use of such facilities by the governing boards of the institutions of higher education, the departments of education and higher education, and the school districts, to determine how such resources may be shared or used more effectively. The commission shall develop a plan for improving the utilization of telecommunications facilities and services. ~~and shall include such plan in its report to the general assembly, which report shall be made no later than December 15, 1989. No later than December 15, 1990, the commission shall make a report to the general assembly regarding the progress toward the refinement, completion, and implementation of the telecommunications plan developed pursuant to this subsection (1).~~

SECTION 199. 24-30-1804, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-30-1804. Institutions of higher education - statewide telecommunications network. All institutions of higher education in this state which utilize telecommunications programs or operations shall cooperate in the establishment of a statewide telecommunications network. ~~In developing the statewide telecommunications network, the institutions of higher education shall consider the plan submitted to the general assembly pursuant to section 24-30-1803.~~ The Colorado commission on higher education shall facilitate the establishment of the statewide telecommunications network and, in the event that such a network is not established by July 1, 1992, the commission shall promulgate rules and regulations requiring such a network.

SECTION 200. 24-30-1514, Colorado Revised Statutes, 1988 Repl. Vol., is repealed as follows:

24-30-1514. Report. ~~Beginning on or before February 1, 1986, and on or before February 1 of each year thereafter, the board shall report to the general assembly regarding the operation and management of the risk management fund and the self-insured property fund, the division, the handling of claims against the state, and~~

~~the handling of claims from state agencies for loss or damage to state property. Such report shall include the number and amount of claims settled, the number and amount of final judgments paid, the number and amount of property loss or damage claims settled, and an assessment of the progress of the programs developed for risk management and control.~~

SECTION 201. 24-30-1109, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is repealed as follows:

~~**24-30-1109. Reports.** (1) On or before December 1 of each year, commencing with calendar year 1977, the director of central services shall prepare and submit a report on division operations for the preceding year to the governor and general assembly. The report shall include, but not be limited to, the following information:~~

~~(a) Annual profit and loss statements for each service function of the division;~~

~~(b) Annual profit and loss statement for overall division operations;~~

~~(c) Major equipment and personnel inventory as of the reporting date;~~

~~(d) Scope of present and planned services;~~

~~(e) Advice on major problems connected with the implementation of this part 11 and recommendations for legislative remedy;~~

~~(f) An estimate of prior calendar year and cumulative savings due to operations of the division;~~

~~(g) The imputed cost of government fees and taxes, excluding income taxes.~~

~~(2) The report required by this section may be made and formatted in such fashion as the executive director of the department of personnel may direct.~~

SECTION 202. 24-30-207 (1), Colorado Revised Statutes, 1988 Repl. Vol., is repealed as follows:

~~**24-30-207. Reports of revenue and expenditures.** (1) The controller shall report to the governor or the general assembly, when requested, any financial data or statistics which may be required, such as monthly or quarterly estimates of the state's income and cost figures on the current operation of departments, institutions, or agencies.~~

SECTION 203. 24-1.5-102 (2) and (3), Colorado Revised Statutes, 1988 Repl. Vol., as amended, are amended to read:

24-1.5-102. State administrative organization board - creation - duties.

(2) The board shall develop a procedure to systematically and regularly review the functions and duties of all **type 1** agencies in accordance with a schedule that the board shall devise. The board shall establish criteria for **type 1** agencies to determine whether all existing type 1 agencies should continue as **type 1** agencies and to evaluate the designation of proposed new **type 1** agencies. ~~The board shall make an~~

~~annual report to the governor and to the general assembly regarding its review of type 1 agencies. Such report shall include recommendations as to whether each agency reviewed by the board should continue as a type 1 agency and whether the agency is administratively positioned in a manner which maximizes its effectiveness and efficiency of operation.~~

~~(3) The board shall select a chairman from among its members, and it shall meet as often as necessary to carry out the duties specified in this section. The staff of the office of state planning and budgeting shall assist the board in conducting its review and preparing its annual report.~~

SECTION 204. 24-80-102 (8), Colorado Revised Statutes, 1988 Repl. Vol., is repealed as follows:

24-80-102. Division created - personnel - duties - cash fund. (8) ~~The state archivist 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, a report accounting to the governor and the general assembly for the efficient discharge of all responsibilities assigned by law or directive to the division.~~

SECTION 205. 28-1-101 (2), Colorado Revised Statutes, 1989 Repl. Vol., is repealed as follows:

28-1-101. Colorado division of civil air patrol - publication - benefits. (2) ~~The commanding officer of the civil air patrol, Colorado wing, being head of the Colorado division of civil air patrol, 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 for the efficient discharge of all responsibilities assigned by law or directive to the Colorado division of civil air patrol.~~

[TRANSPORTATION]

SECTION 206. 43-1-106 (15), Colorado Revised Statutes, 1993 Repl. Vol., is amended to read:

43-1-106. Transportation commission - powers and duties. (15) In addition to any other duties required by law, the commission shall have the following charges:

(a) To study the feasibility of generating income for highway operations through the usage of the powers granted to the department under the provisions of part 2 of article 3 of this title. ~~The commission shall prepare a report to the general assembly and to the governor concerning such subject on or before December 31, 1992.~~

(b) To study the feasibility of transferring some or all of the existing tunnel and highway authorities to the department and to examine the building of a highway beltway in the Denver metropolitan area. ~~The commission shall prepare and deliver a report to the general assembly and the governor concerning such subject on or before December 31, 1992.~~

(c) To study whether the regulation of private and public bus companies should

continue to be performed by the public utilities commission or whether such regulation should be performed by the department. ~~The commission shall prepare and deliver a report to the general assembly and the governor concerning such subject on or before December 31, 1993.~~

(d) To study and make recommendations for existing and future transportation systems in Colorado with a focus of such study and recommendations being a ten-year plan for each mode of transportation. Such ten-year plan shall be based on what can be reasonably expected to be implemented with the estimated revenues which are likely to be available. ~~The commission shall prepare and deliver a report concerning the commission's conclusions and recommendations on or before December 31, 1993.~~

(e) To examine the application of traffic systems management and intelligent vehicle highway systems for Colorado highways. The commission shall complete such examination as soon as practicable.

SECTION 207. 43-10-108, Colorado Revised Statutes, 1993 Repl. Vol., is repealed as follows:

43-10-108. Annual report. ~~The director shall prepare and transmit annually to the board, in the form and manner prescribed by the heads of principal departments pursuant to the provisions of section 24-1-136, C.R.S., a report accounting for the efficient discharge of all responsibilities assigned by law or directive to the board and the division. The report shall include a detailed accounting of the disbursements of moneys from the aviation fund and a list of the grants awarded by the board pursuant to the state aviation system grant program established by the general assembly pursuant to section 43-10-108.5 specifying the recipient and the amount of each grant awarded and the aviation purposes for which such grant was awarded. The report shall also include a summary of the reports required to be made by entities operating public-accessible airports pursuant to the provisions of section 43-10-110 (2). Upon review and acceptance of the report by the board, the board shall transmit the report to the executive director and the general assembly's joint budget committee.~~

SECTION 208. 43-2-145.5 (4), Colorado Revised Statutes, 1993 Repl. Vol., as amended, is repealed as follows:

43-2-145.5. Transportation legislation review committee - study of revisions to the traffic law - compulsory insurance - repeal. (4) ~~The committee shall present its final report to the general assembly on its recommendations for legislation concerning the traffic law on or before January 1, 1996.~~

SECTION 209. 32-9-119.5 (8) (b), Colorado Revised Statutes, as amended, is repealed as follows:

32-9-119.5. Competition to provide bus service within the regional transportation district. (8) (b) ~~The district shall contract with an independent certified public accounting firm, other than the district's regular auditor, for a neutral and unbiased performance audit to be completed and reported to the general assembly by December 1, 1990. Such performance audit shall analyze in a fair and equitable fashion the operation of the implementation of this section including, but not limited~~

~~to, consideration of comparisons of the cost of the district's bus operations with operations provided by private providers, the level of contract compliance by private providers, the cost of such compliance and whether such costs will be recurring or are reducible, and taxes paid by private providers. Such audit shall also determine whether the district's costs for a particular route include the full cost of the service being procured from the private operators; whether individual route costs include the attributable direct costs of driver labor and benefits based upon actual work assignments, and a reasonable allocation for the cost of replacement drivers and all other costs of providing transportation and maintenance for the route; whether the district's costs for a particular route are based on a higher part-time driver labor cost percentage on the route than part-time drivers represent as a percentage of all district bus driver labor costs; and whether the district's costs are based upon the latest board-approved annual budget.~~

SECTION 210. Repeal. 32-9-119.6, Colorado Revised Statutes, as amended, is repealed.

SECTION 211. Effective date. This act shall take effect upon the expiration of the period allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, unless a referendum petition is filed against this act within such period, in which case this act, if approved by the people, shall take effect on the date of th

Approved: June 1, 1996

Editor's note: Since this act does not contain a Safety Clause, it is subject to the referendum provisions of section 1 (3) of article V of the state constitution. See section 211 of this act for the effective date.