

CHAPTER 9

GENERAL ASSEMBLY

SENATE BILL 04-005

BY SENATOR(S) Reeves, Andrews, Groff, Hanna, Jones, Keller, May R., Owen, Tapia, and Teck;
also REPRESENTATIVE(S) Witwer, King, Romanoff, Spradley, Young, Lundberg, and Weddig.

AN ACT

CONCERNING THE PRESENTATION OF INFORMATION BY EACH PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO LEGISLATIVE COMMITTEES OF REFERENCE AT THE BEGINNING OF EVERY REGULAR SESSION OF THE GENERAL ASSEMBLY.

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

SECTION 1. Article 7 of title 2, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

**PART 2
PRESENTATIONS TO COMMITTEES OF REFERENCE**

2-7-201. Departmental presentations to legislative committees of reference.

(1) BEGINNING WITH THE 2005 REGULAR SESSION OF THE GENERAL ASSEMBLY AND DURING EACH REGULAR SESSION THEREAFTER, THE EXECUTIVE DIRECTOR OF EACH PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT, OR THE DIRECTOR'S DESIGNEE, SHALL MAKE A PRESENTATION TO THE LEGISLATIVE COMMITTEE OF REFERENCE TO WHICH THE DEPARTMENT HAS BEEN ASSIGNED PURSUANT TO SUBSECTION (2) OF THIS SECTION. THE PRESENTATION SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THE FOLLOWING:

(a) A DESCRIPTION AND EXPLANATION OF THE DEPARTMENT'S PRIORITIES FOR THE FISCAL YEAR FOLLOWING THE FISCAL YEAR IN WHICH THE PRESENTATION IS MADE. EACH PRESENTATION SHALL BEGIN WITH THE PROGRAMS OR SERVICES OF THE GREATEST IMPORTANCE AND END WITH THOSE OF THE LEAST IMPORTANCE TO THE PRESERVATION OF THE HEALTH, LIFE, SAFETY, AND GENERAL WELFARE OF THE CITIZENS OF THE STATE, AS PRIORITIZED BY THE DEPARTMENT. IN ITS DESCRIPTION AND EXPLANATION OF PRIORITIES, EACH DEPARTMENT MAY INCLUDE THE FOLLOWING:

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

(I) A STATEMENT LISTING ANY OTHER STATE, FEDERAL, OR LOCAL AGENCIES THAT ADMINISTER A SIMILAR OR COOPERATING PROGRAM OR SERVICE AND OUTLINING THE DEPARTMENT'S INTERACTION WITH SUCH AGENCIES;

(II) A STATEMENT OF THE STATUTORY AUTHORITY FOR AND THE HISTORY AND OBJECTIVES OF THE PROGRAM OR SERVICE;

(III) AN EXPLANATION OF THE NEED FOR THE PROGRAM OR SERVICE;

(IV) A DESCRIPTION OF HOW THE DEPARTMENT ACCOMPLISHES THE OBJECTIVES OF THE PROGRAM OR SERVICE;

(V) A STATEMENT OF THE AMOUNT OF FUNDING AND NUMBER OF EMPLOYEES REQUIRED TO ACCOMPLISH EACH PROGRAM OR SERVICE; AND

(VI) A STATEMENT DETAILING WHAT ASPECTS OF THE PROGRAM OR SERVICE THE DEPARTMENT COULD REDUCE IN THE EVENT THAT THE FUNDING FOR THE PROGRAM OR SERVICE IS REDUCED.

(b) A DESCRIPTION AND EXPLANATION OF THE PERFORMANCE MEASURES THAT THE DEPARTMENT USES TO DETERMINE THE EFFECTIVENESS AND EFFICIENCY OF THE PROGRAMS OR SERVICES IT PROVIDES.

(2) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE SHALL ASSIGN EACH OF THE PRINCIPAL DEPARTMENTS TO A HOUSE AND SENATE COMMITTEE OF REFERENCE FOR THEIR RESPECTIVE HOUSES. IN MAKING THE ASSIGNMENTS, THE SPEAKER AND THE PRESIDENT SHALL ENSURE THAT THE PRIMARY FUNCTIONS AND RESPONSIBILITIES OF THE DEPARTMENT ARE WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMITTEE OF REFERENCE TO WHICH IT IS ASSIGNED.

(3) EACH COMMITTEE OF REFERENCE SHALL CONDUCT HEARINGS DURING THE FIRST THIRTY DAYS OF THE LEGISLATIVE SESSION DURING WHICH THE COMMITTEE SHALL HEAR A PRESENTATION FROM EACH PRINCIPAL DEPARTMENT THAT IS ASSIGNED TO SUCH COMMITTEE PURSUANT TO SUBSECTION (2) OF THIS SECTION. THE HEARINGS MAY BE HELD JOINTLY BY THE HOUSE AND SENATE COMMITTEES OF REFERENCE. THE DEPARTMENT MAY MAKE THE PRESENTATION REQUIRED BY THIS SECTION IN CONJUNCTION WITH ANY HEARING OR OTHER GENERAL PRESENTATION THAT THE DEPARTMENT MAKES BY THE THIRTIETH LEGISLATIVE DAY TO THE SAME COMMITTEE OF REFERENCE PURSUANT TO LAW OR LEGISLATIVE RULE.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution (August 4, 2004, if adjournment sine die is on May 5, 2004); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 3, 2004