

CHAPTER 53

GOVERNMENT - STATE

HOUSE BILL 05-1205

BY REPRESENTATIVE(S) Jahn, Berens, Clapp, Coleman, Massey, Stafford, and Todd;
also SENATOR(S) Spence.

AN ACT**CONCERNING THE REPEAL OF THE MOTION PICTURE AND TELEVISION ADVISORY COMMISSION.**

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

SECTION 1. 24-1-135.1 (1) (a), Colorado Revised Statutes, is amended to read:

24-1-135.1. Effect of congressional redistricting related to 2000 federal decennial census. (1) (a) The appointing authority of the boards, commissions, or committees established pursuant to sections 13-91-104, 14-10-115, 21-2-101, 23-1-102, 23-21-503, 23-60-104, 24-32-706, ~~24-48.5-103~~, 24-65-103, 25-1-103, 25-1-902, 25-32-104, 25.5-1-301, 26-11-101, 33-11-105, and 35-65-401, C.R.S., which require members to be appointed as residents of designated congressional districts, shall determine whether the current appointments to such boards, commissions, or committees adequately represent Colorado's new congressional districts. Notwithstanding any provision of law to the contrary, such appointing authority shall terminate the terms of current members and appoint new members to replace such members on the boards, commissions, or committees as is necessary to ensure proper representation from the new congressional districts; except that the term of a member who continues to reside in the district that such member was designated to represent shall not be terminated. Such changes shall be made no later than January 1, 2003. If the current members adequately represent the new congressional districts, the membership of the board, commission, or committee shall remain unchanged. Any member who continues to serve on a board, commission, or committee shall not be required to be reappointed.

SECTION 2. 24-48.5-105 (1) (a), (2), (3), and (4), Colorado Revised Statutes, are amended to read:

24-48.5-105. Transfer of functions - Colorado customized training program

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

- Colorado economic development commission - contracts - continuation of regulations. (1) On and after July 1, 2000, the Colorado office of economic development shall execute, administer, perform, and enforce the rights, powers, duties, functions, and obligations previously vested in the following programs and commissions concerning the duties and functions transferred to the office pursuant to this section:

(a) ~~The motion picture and television advisory commission, a commission currently within the division of commerce and development of the department of local affairs; and~~

(2) On July 1, 2000, employees of the ~~motion picture and television advisory commission~~ and Colorado economic development commission whose principal duties and functions concern the duties and functions transferred to the Colorado office of economic development pursuant to this section and whose employment in said office is deemed necessary by the director of such office to carry out the purposes of this article shall be transferred to such office and shall become employees thereof. Any employees who are classified employees in the state personnel system shall retain all rights to the personnel system and retirement benefits under the laws of this state, and their services 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 the state personnel system laws and rules.

(3) On and after July 1, 2000, all items of property, real and personal, including office furniture and fixtures, books, documents, and records of the ~~motion picture and television advisory commission~~ and Colorado economic development commission pertaining to the duties and functions transferred to the Colorado office of economic development pursuant to this section are transferred to said office and become property thereof.

(4) Whenever the motion picture and television advisory commission, AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION (4), AS AMENDED, or Colorado economic development commission is referred to or designated by any contract or other document in connection with the duties and functions transferred to the Colorado office of economic development pursuant to this section, such reference or designation shall be deemed to apply to such office. All contracts entered into by the motion picture and television advisory commission, AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION (4), AS AMENDED, or Colorado economic development commission prior to July 1, 2000, in connection with the duties and functions transferred to said office pursuant to this section are hereby validated, with such office succeeding to all the rights and obligations of such contracts. Any appropriations of funds from prior fiscal years open to satisfy obligations incurred pursuant to such contracts are hereby transferred and appropriated to such office for the payment of said obligations.

SECTION 3. 24-49.7-105 (3) (b), Colorado Revised Statutes, is amended to read:

24-49.7-105. Administrative costs - transfer of employees. (3) (b) On and after March 18, 2003, three full-time equivalent personnel positions of the Colorado office of economic development created in section 24-48.5-101 shall be transferred to the Colorado tourism office created in section 24-49.7-103. ~~Employees in the~~

~~Colorado office of economic development with principal duties and functions concerning the duties and functions of the motion picture and television advisory commission and whose employment in the Colorado tourism office is deemed necessary by the administrator of the Colorado tourism office to carry out the purposes of this article shall be transferred to the Colorado tourism office to fill such positions and become employees thereof. The employees shall be employees appointed by the governor and not classified employees in the state personnel system.~~

SECTION 4. Repeal. 24-48.5-103 and 24-48.5-104, Colorado Revised Statutes, are repealed.

SECTION 5. 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 10, 2005, if adjournment sine die is on May 11, 2005); 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: April 7, 2005