

CHAPTER 138

MILITARY AND VETERANS

HOUSE BILL 10-1140

BY REPRESENTATIVE(S) Nikkel and Todd, Rice, Vigil, Apuan, Acree, Stephens, Balmer, Bradford, Court, DeGrosso, Ferrandino, Fischer, Gagliardi, Gardner C., Hullinghorst, Kefalas, King S., Lambert, Liston, Looper, May, McNulty, Miklosi, Primavera, Priola, Scanlan, Sonnenberg, Summers, Swalm, Tipton, Baumgardner, Casso, Kerr J., Labuda, Massey, Middleton, Murray, Riesberg, Ryden, Soper, Waller;
 also SENATOR(S) Shaffer B. and Spence, Romer, Heath, Bacon, Cadman, Kester, King K., Lundberg, Scheffel, Schultheis, Tapia, Williams, Boyd, Newell, Schwartz, Tochtrop.

AN ACT

CONCERNING USING MONEYS IN THE COLORADO STATE VETERANS TRUST FUND TO CONSTRUCT NATIONAL GUARD ARMORIES.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds that:

(a) The presence of the National Guard within Colorado is critically important to ensuring the safety and welfare of the residents of the state;

(b) To protect the safety and welfare of the residents of the state, the National Guard must maintain a continuous state of readiness in the event of a sudden emergency or disaster; and

(c) To maintain a continuous state of readiness, the National Guard depends upon the availability of various resources, including but not limited to armories at which weapons, vehicles, and other resources may be securely stored and maintained.

(2) The general assembly further finds that the National Guard within Colorado is currently in need of additional armories to maintain an adequate state of readiness and perform its duties as such duties are set forth in federal and state law.

(3) Now, therefore, the general assembly hereby declares that:

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

(a) The construction of National Guard armories at Alamosa, Grand Junction, and Windsor, Colorado, is an appropriate use of moneys from the Colorado state veterans trust fund; and

(b) In permitting the use of moneys from the Colorado state veterans trust fund for the construction of National Guard armories, the general assembly's intent is that:

(I) Existing grants, functions, and services that are provided by the division of veterans affairs in the department of military and veterans affairs shall not be reduced or otherwise affected; and

(II) The department of military and veterans affairs, in consultation with the office of state planning and budgeting in the office of the governor, shall ensure that whatever sum of moneys from the trust fund is used for this purpose shall be repaid to the trust fund, with interest.

SECTION 2. 28-5-709 (1) (b) (III) and (1) (b) (IV), Colorado Revised Statutes, are amended, and the said 28-5-709 (1) (b) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

28-5-709. Colorado state veterans trust fund - created - report - repeal.

(1) (b) The moneys in the trust fund shall be used for:

(III) Costs incurred by the division; ~~and~~

(IV) Veterans programs operated by nonprofit veterans organizations that meet criteria adopted by the board and that are selected by the board as grant recipients; AND

(V) (A) CONSTRUCTION PROJECTS TO BUILD NATIONAL GUARD ARMORIES AT ALAMOSA, GRAND JUNCTION, AND WINDSOR.

(B) THIS SUBPARAGRAPH (V) IS REPEALED, EFFECTIVE JULY 1, 2012.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 16, 2010