

CHAPTER 167

ADMINISTRATIVE RULE REVIEW

SENATE BILL 10-060

BY SENATOR(S) Morse, Carroll M., Mitchell, Schwartz;
also REPRESENTATIVE(S) Labuda, Gardner B., Kagan, Levy, Roberts, Schafer S.

AN ACT

**CONCERNING IMPLEMENTATION OF RECOMMENDATIONS OF THE COMMITTEE ON LEGAL SERVICES
IN CONNECTION WITH LEGISLATIVE REVIEW OF RULES AND REGULATIONS OF STATE AGENCIES.**

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

SECTION 1. Rules and regulations scheduled for expiration May 15, 2010 - extension. (1) Except as indicated, the expiration of all rules and regulations of agencies in the following principal departments, which rules and regulations were adopted or amended on or after November 1, 2008, and before November 1, 2009, and that are therefore scheduled for expiration May 15, 2010, is postponed, and the provisions of section 24-4-108 or 24-34-104, Colorado Revised Statutes, shall apply:

- (a) Department of agriculture;
- (b) Department of corrections;
- (c) Department of education;
- (d) Department of health care policy and financing;
- (e) Department of higher education;
- (f) Department of human services; except that the following rules are not extended:
 - (I) The following rule of the state board of human services concerning income maintenance (9 CCR 2503-1): Rule 3.639.12, including the introductory portion and subdivisions A. and B., concerning application process;

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

(II) The following rules of the state board of human services concerning rule manual volume 7 general information and policies (12 CCR 2509-1):

(A) Rule 7.000.6 M., concerning the county department shall ensure that newly hired social caseworkers who work with children, youth and families complete the child welfare training academy as a condition of their continued employment;

(B) Rule 7.000.6 N., concerning the county department shall ensure that newly hired or promoted social services supervisors, who have responsibility for supervising social caseworkers who work with children, youth and families, complete the child welfare training academy supervisory training;

(C) Rule 7.000.6 O., concerning the county department shall work with the state to ensure that all newly hired social caseworkers who work with children, youth and families successfully complete the child welfare academy structured on-the-job training;

(D) Rule 7.000.6 P., concerning the county department shall ensure that county staff who supervise newly hired or promoted social services supervisors complete the child welfare academy structured on-the-job training;

(E) Rule 7.000.6 R. 6. b. 1), concerning documentation of previous child welfare training;

(F) Rule 7.000.6 R. 6. b. 3), concerning completion of the initial Colorado computer based training and demonstration of proficiency in minimum competencies;

(g) Department of labor and employment;

(h) Department of law;

(i) Department of local affairs;

(j) Department of military and veterans affairs;

(k) Department of natural resources; except that the following rules of the board of parks and outdoor recreation concerning parks and outdoor recreation - chapter 8 - aquatic nuisance species (ANS) (2 CCR 405-1) are not extended:

(I) Rule #801 A., concerning except as provided in these regulations or authorized by the divisions or under title 33 or title 35, C.R.S., it shall be unlawful;

(II) Rule #801 B., concerning the divisions' authorized personnel, authorized agents, qualified peace officers, private inspectors, and private decontaminators are permitted to possess and transport live or dead aquatic nuisance species samples;

(l) Department of personnel;

(m) Department of public health and environment;

(n) Department of public safety;

(o) Department of regulatory agencies; except the following rules are not extended:

(I) The following rule of the board of dental examiners concerning licensure of dentists and dental hygienists (3 CCR 709-1): Rule III. D., including subdivisions 1., 2., 2. a., 2. b., and 2. c., concerning examination retakes;

(II) The following rules of the state board of nursing concerning nursing - chapter II - rules and regulations for approval of nursing education programs (3 CCR 716-1):

(A) Rule 1.9, concerning clinical simulation laboratory;

(B) Rule 1.12 A., concerning clinical faculty;

(III) The following rules of the public utilities commission concerning rules regulating transportation by motor vehicle (4 CCR 723-6):

(A) Rule 6015. (d), concerning a driver shall re-submit to the commission a set of the driver's fingerprints and payment of the actual cost to conduct a record check;

(B) Rule 6015. (i), including the introductory portion and subdivisions (I) and (II), concerning a passenger carrier shall, as a condition of continued contract or employment, require a driver to submit his or her fingerprints;

(IV) The following rule of the division of real estate concerning rules regarding real estate brokers (4 CCR 725-1): Rule A-15., concerning brokers initially licensed prior to July 1, 2004, who hold a license that was renewed or reinstated on inactive status during the years 2005, 2006 or 2007 must submit fingerprints;

(p) Department of revenue;

(q) Department of state; except that the following rule of the secretary of state concerning campaign and political finance (8 CCR 1505-6) is not extended: Rule 10.5, concerning notwithstanding section 1-45-108 (6), C.R.S., any issue committee whose purpose is to support or oppose the recall of any elected official shall register;

(r) Department of transportation;

(s) Department of the treasury.

(2) The expiration of all rules and regulations of the public employees' retirement association, which rules and regulations were adopted or amended on or after November 1, 2008, and before November 1, 2009, and which are therefore scheduled for expiration May 15, 2010, is postponed.

(3) The expiration of all rules and regulations of the office of information technology, in the office of the governor, which rules and regulations were adopted

or amended on or after November 1, 2008, and before November 1, 2009, and which are therefore scheduled for expiration May 15, 2010, is postponed.

(4) The recommendations of the committee on legal services as reflected in this act shall apply to the specified rules in the form in which said rules were considered and acted upon by the committee. Any amendments or other changes in the specified rules that became effective before November 1, 2009, that comply with the recommendations of the committee on legal services are not affected by this act. Any subsequent amendments or other changes in the specified rules that became effective on or after November 1, 2009, are not affected by this act.

SECTION 2. 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 29, 2010