

CHAPTER 254

GOVERNMENT - STATE

SENATE BILL 10-192

BY SENATOR(S) Kopp, Hodge, Harvey, Renfro, Johnston, Romer, Morse, Scheffel, Spence, Gibbs, Mitchell, Kester, Schultheis, Cadman, Foster, King K., Lundberg, Penry, Tochtrop, White, Whitehead, Williams, Newell;
 also REPRESENTATIVE(S) Sonnenberg, Acree, Baumgardner, Bradford, Casso, Curry, Gardner B., Gerou, Kerr A., Kerr J., King S., Lambert, Liston, Looper, Massey, May, Murray, Nikkel, Priola, Summers, Swalm, Tipton, Vaad, Waller, Court, Labuda, Pommer.

AN ACT

CONCERNING THE USE OF REVENUES DERIVED FROM LIMITED GAMING ACTIVITY TO FUND RESTORATION WORK ON THE STATE CAPITOL BUILDING, AND, IN CONNECTION THEREWITH, CREATING THE CAPITOL DOME RESTORATION FUND AND REDIRECTING MONEYS FROM THE PORTION OF LIMITED GAMING REVENUE CONSTITUTIONALLY ALLOCATED TO HISTORIC PRESERVATION TO THE CAPITOL DOME RESTORATION FUND.

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

SECTION 1. 12-47.1-1201 (5) (c) (II), Colorado Revised Statutes, is amended, and the said 12-47.1-1201 (5) (c) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

12-47.1-1201. State historical fund - administration - legislative declaration - state museum cash fund - capitol dome restoration fund. (5) (c) (II) EXCEPT AS OTHERWISE SPECIFIED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH (c), all interest and income derived from the deposit and investment of moneys in the state historical fund or other funds authorized by law shall remain in such fund or funds and shall not be transferred or revert to the general fund or any other fund at the end of any fiscal year; except that, for the fiscal year commencing July 1, 2008, and for each fiscal year thereafter through the fiscal year commencing July 1, 2045, the society may direct the state treasurer to transfer any unexpended and unencumbered moneys in the state historical fund from the portion not reserved for the statewide grant program for preservation pursuant to sub-subparagraph (B) of subparagraph (II) of paragraph (d) of this subsection (5) at the end of the fiscal year to the state museum cash fund created pursuant to section 24-80-214, C.R.S. The state treasurer shall be the custodian of such funds pursuant to section 24-80-209, C.R.S.

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

(III) (A) FOR THE FISCAL YEAR COMMENCING JULY 1, 2010, THE STATE TREASURER SHALL TRANSFER FOUR MILLION DOLLARS FROM THE STATE HISTORICAL FUND, FROM THE PORTION RESERVED FOR THE STATEWIDE GRANT PROGRAM FOR PRESERVATION PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (II) OF PARAGRAPH (d) OF THIS SUBSECTION (5), AT THE BEGINNING OF THE FISCAL YEAR TO THE CAPITOL DOME RESTORATION FUND, ALSO REFERRED TO IN THIS SUBPARAGRAPH (III) AS THE "FUND", WHICH IS HEREBY CREATED IN THE STATE TREASURY. MONEYS IN THE FUND ARE SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY FOR REPAIRS AND SAFETY IMPROVEMENTS TO THE STATE CAPITOL DOME AND SUPPORTING STRUCTURES AND FOR NO OTHER PURPOSE, AND ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AS OF JUNE 30, 2011, SHALL NOT REVERT TO THE STATE HISTORICAL FUND OR ANY OTHER FUND.

(B) FOR THE FISCAL YEARS COMMENCING JULY 1, 2011, AND JULY 1, 2012, THE STATE TREASURER SHALL TRANSFER UP TO FOUR MILLION DOLLARS FROM THE STATE HISTORICAL FUND, FROM THE PORTION RESERVED FOR THE STATEWIDE GRANT PROGRAM FOR PRESERVATION PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (II) OF PARAGRAPH (d) OF THIS SUBSECTION (5), AT THE BEGINNING OF THE FISCAL YEAR TO THE CAPITOL DOME RESTORATION FUND; EXCEPT THAT THE SAID FOUR-MILLION-DOLLAR MAXIMUM AMOUNT SHALL BE REDUCED, DOLLAR FOR DOLLAR, BY THE COMBINED TOTAL OF DONATIONS RECEIVED THROUGH CAUSE-RELATED MARKETING, IF ANY, AND GRANTS FOR REPAIRS AND SAFETY IMPROVEMENTS TO THE STATE CAPITOL DOME AND SUPPORTING STRUCTURES MADE BY THE STATE HISTORICAL SOCIETY UNDER THE GRANTS PROCESS SET FORTH IN SUBSECTION (1) OF THIS SECTION. THIS DOLLAR-FOR-DOLLAR REDUCTION SHALL NOT APPLY TO EMERGENCY CONTINGENCY EXPENDITURES DEEMED NECESSARY BY THE STATE ARCHITECT AS REPORTED PURSUANT TO SECTION 2-3-1304.5, C.R.S., NOR TO AUTHORIZED FEES AND EXPENSES OF ANY FUNDRAISING FIRM SELECTED BY THE CAPITAL DEVELOPMENT COMMITTEE FOR CAUSE-RELATED MARKETING FOR CAPITOL DOME REPAIRS. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AFTER COMPLETION OF THE DOME RESTORATION PROJECT SHALL REVERT TO THE STATE HISTORICAL FUND AS OF JUNE 30, 2013.

(C) UNTIL COMPLETION OF THE CAPITOL DOME RESTORATION PROJECT AS REPORTED BY THE STATE ARCHITECT PURSUANT TO SECTION 2-3-1304.5, C.R.S., THE COLORADO HISTORICAL SOCIETY SHALL SUBMIT AN ANNUAL REPORT TO THE CAPITAL DEVELOPMENT COMMITTEE ON OR BEFORE DECEMBER 15 OF EACH YEAR CONCERNING ALL GRANTS AWARDED FROM THE STATE HISTORICAL FUND.

SECTION 2. 2-3-1304.5, Colorado Revised Statutes, is RECREATED AND REENACTED, WITH AMENDMENTS, to read:

2-3-1304.5. Reports from departments, institutions, and agencies in connection with capital construction requests - repeal. (1) THE STATE ARCHITECT SHALL REPORT TO THE CAPITAL DEVELOPMENT COMMITTEE, AT THE TIMES AND IN THE MANNER SO DIRECTED BY THE CHAIR OF THE COMMITTEE, CONCERNING THE PROGRESS OF REPAIRS AND SAFETY IMPROVEMENTS TO THE STATE CAPITOL DOME AND SUPPORTING STRUCTURES. SUCH REPORTS MAY INCLUDE:

(a) THE TARGET DATES FOR COMPLETION OF VARIOUS STAGES OF THE PROJECT,

AND PROGRESS IN THE COMPLETION OF EACH STAGE;

(b) COST PROJECTIONS, INCLUDING UPDATED INFORMATION ON COSTS AND ANY COST OVERRUNS; AND

(c) ANY UNFORESEEN COMPLICATIONS OR PROBLEMS ENCOUNTERED TO DATE.

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2013.

SECTION 3. Act subject to petition - 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 (August 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall not take effect unless approved by the people at the general election to be held in November 2010 and shall take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 25, 2010