

CHAPTER 336

HUMAN SERVICES - SOCIAL SERVICES

SENATE BILL 10-195

BY SENATOR(S) Newell, Foster, Hudak, Steadman, Williams;
also REPRESENTATIVE(S) Solano, Apuan, Court, Fischer, Kefalas, Labuda, Merrifield, Peniston, Primavera, Ryden, Schafer S.,
Todd.

AN ACT**CONCERNING CREATION OF THE EARLY CHILDHOOD LEADERSHIP COMMISSION.**

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

SECTION 1. Title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 44.7
Early Childhood Leadership Commission

24-44.7-101. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

(a) PUBLIC INVESTMENTS FOR YOUNG CHILDREN FROM BIRTH TO EIGHT YEARS OF AGE FALL BEHIND INVESTMENTS FOR OLDER COLORADO CHILDREN AND LAG BEHIND NATIONAL TRENDS;

(b) RESOURCES THAT ARE AVAILABLE FOR SERVICES AND SUPPORTS FOR YOUNG CHILDREN ARE DERIVED FROM, AT A MINIMUM, TWENTY-THREE DIFFERENT PUBLIC FUNDING SOURCES;

(c) PROGRAMS THAT PROVIDE SERVICES AND SUPPORTS FOR YOUNG CHILDREN BLEND MULTIPLE SOURCES OF PUBLIC FUNDING, ALTHOUGH EACH SOURCE HAS ITS OWN PROGRAM STANDARDS AND ELIGIBILITY, REPORTING, DATA TRACKING, AND FUNDING REQUIREMENTS;

(d) THE EARLY CHILDHOOD SYSTEM IN COLORADO COMPRISES FOUR SYSTEM SECTORS THAT ADDRESS THE NEEDS OF CHILDREN, INCLUDING EARLY LEARNING,

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

CHILD HEALTH, CHILD MENTAL HEALTH, AND FAMILY SUPPORT AND PARENT EDUCATION. RESEARCH CONFIRMS THAT THESE AREAS ARE INTERRELATED AND THAT IT IS DIFFICULT, IF NOT IMPOSSIBLE, TO SEPARATE CHILDREN'S LEARNING NEEDS FROM THEIR HEALTH AND WELLNESS OR FROM THE INVOLVEMENT AND SUPPORT OF THEIR FAMILIES.

(e) THE SUPPORT SYSTEMS AND SERVICES THAT COMPOSE COLORADO'S EARLY CHILDHOOD SYSTEM ARE CURRENTLY SPREAD ACROSS MULTIPLE PUBLIC AGENCIES, INCLUDING BUT NOT LIMITED TO THE DEPARTMENTS OF EDUCATION, HUMAN SERVICES, PUBLIC HEALTH AND ENVIRONMENT, HEALTH CARE POLICY AND FINANCING, AND HIGHER EDUCATION, AS WELL AS VARIOUS PRIVATE ENTITIES;

(f) THERE ARE AT LEAST SIX SEPARATE COUNCILS OR COMMISSIONS CREATED IN STATUTE OR BY EXECUTIVE ORDER THAT ADDRESS ISSUES RELATING TO SERVICES AND SUPPORTS FOR YOUNG CHILDREN AND A MYRIAD OF RELATED GROUPS CREATED BY PUBLIC AND PRIVATE ORGANIZATIONS THAT SPECIALIZE IN EARLY CHILDHOOD ISSUES;

(g) FOR THE STATE'S EARLY CHILDHOOD SYSTEM TO OPERATE EFFECTIVELY, THE EFFORTS OF THE PUBLIC AND PRIVATE AGENCIES THAT COMPOSE THE SYSTEM MUST BE EFFICIENTLY COORDINATED, ALIGNED TO STATE AND FEDERAL STANDARDS, AND MADE ACCOUNTABLE ACROSS STATE SYSTEMS; AND

(h) WHILE THERE ARE SEVERAL PLANNING EFFORTS RELATED TO EARLY CHILDHOOD SERVICES AND COLLABORATIVE BODIES WITHIN STATE AND LOCAL GOVERNMENTS, THERE IS NO SINGLE VENUE TO ALLOW HIGH-LEVEL DECISION MAKING AMONG POLICY MAKERS, TO COLLECTIVELY STUDY RECOMMENDATIONS, AND TO MAKE JOINT POLICY AND FUNDING RECOMMENDATIONS.

(2) THE GENERAL ASSEMBLY FURTHER FINDS THAT:

(a) A COMMISSION TO ASSIST IN COORDINATING SERVICES AND SUPPORTS FOR YOUNG CHILDREN FROM BIRTH TO EIGHT YEARS OF AGE WILL IMPROVE THE DELIVERY OF THOSE SERVICES AND IMPROVE THE EDUCATIONAL, HEALTH, EMOTIONAL AND MENTAL HEALTH, CHILD WELFARE, AND EMPLOYMENT OUTCOMES FOR THESE CHILDREN AND THEIR FAMILIES; AND

(b) A COMMISSION TO ASSIST IN COORDINATING THE DELIVERY OF SERVICES AND SUPPORTS FOR YOUNG CHILDREN WILL ALSO SIGNIFICANTLY IMPROVE COLORADO'S WORKFORCE AND ECONOMIC DEVELOPMENT BY:

(I) HELPING TO ENSURE A HEALTHY, WELL-EDUCATED WORKFORCE FAR INTO THE FUTURE;

(II) SUPPORTING THOSE PERSONS WHO CURRENTLY PROVIDE EARLY CHILDHOOD SERVICES AND SUPPORTS AND CREATING ADDITIONAL EMPLOYMENT OPPORTUNITIES;

(III) SUPPORTING PARENTS OF YOUNG CHILDREN WHO NEED DEPENDABLE, HIGH-QUALITY CHILD CARE AND SUPPORTIVE SERVICES IN ORDER TO BE FULLY ENGAGED AND PRODUCTIVE IN THEIR JOBS; AND

(IV) SUPPORTING THE MARKET IN EARLY CHILDHOOD SERVICES AND PRODUCTS AS A VIBRANT ELEMENT OF THE STATE'S ECONOMY.

(3) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS ESSENTIAL TO CREATE A HIGH-LEVEL, INTERAGENCY, PUBLIC-PRIVATE LEADERSHIP COMMISSION TO IDENTIFY OPPORTUNITIES FOR, AND ADDRESS BARRIERS TO, THE COORDINATION OF FEDERAL AND STATE EARLY CHILDHOOD POLICIES AND PROCEDURES THAT AFFECT THE HEALTH AND WELL-BEING OF COLORADO'S CHILDREN.

24-44.7-102. Early childhood leadership commission - created - mission.

(1) THERE IS HEREBY CREATED IN THE OFFICE OF THE GOVERNOR THE EARLY CHILDHOOD LEADERSHIP COMMISSION, REFERRED TO IN THIS ARTICLE AS THE "COMMISSION". THE PURPOSE OF THE COMMISSION SHALL BE TO ENSURE AND ADVANCE A COMPREHENSIVE SERVICE DELIVERY SYSTEM FOR CHILDREN FROM BIRTH TO EIGHT YEARS OF AGE USING DATA TO IMPROVE DECISION-MAKING, ALIGNMENT, AND COORDINATION AMONG FEDERALLY FUNDED AND STATE-FUNDED SERVICES AND PROGRAMS FOR YOUNG CHILDREN AND THEIR FAMILIES. AT A MINIMUM, THE COMPREHENSIVE SERVICE DELIVERY SYSTEM FOR CHILDREN SHALL INCLUDE SERVICES IN THE AREAS OF CHILD HEALTH, CHILD MENTAL HEALTH, EARLY LEARNING, AND FAMILY SUPPORT AND PARENT EDUCATION.

(2) THE COMMISSION SHALL CONSIST OF UP TO THIRTY-FIVE MEMBERS AS FOLLOWS:

(a) THE EXECUTIVE DIRECTORS OF EACH OF THE FOLLOWING AGENCIES OR THEIR DESIGNEES:

(I) THE DEPARTMENT OF HUMAN SERVICES;

(II) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

(III) THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING; AND

(IV) THE DEPARTMENT OF HIGHER EDUCATION;

(b) THE COMMISSIONER OF EDUCATION OR HIS OR HER DESIGNEE;

(c) THE EXECUTIVE DIRECTOR OF THE OFFICE OF INFORMATION TECHNOLOGY OR HIS OR HER DESIGNEE;

(d) THE DIRECTOR OF THE OFFICE OF ECONOMIC DEVELOPMENT OR HIS OR HER DESIGNEE;

(e) THE HEAD START-STATE COLLABORATION DIRECTOR FOR COLORADO;

(f) NO MORE THAN TWENTY-THREE PERSONS APPOINTED BY THE GOVERNOR, WHICH PERSONS COLLECTIVELY HAVE THE FOLLOWING EXPERTISE, AFFILIATIONS, OR BACKGROUNDS:

(I) REPRESENTATIVES OF LOCAL GOVERNMENT GROUPS;

(II) A REPRESENTATIVE FROM THE STATE WORK FORCE DEVELOPMENT COUNCIL CREATED IN ARTICLE 46.3 OF THIS TITLE;

(III) REPRESENTATIVES OF SCHOOL DISTRICTS;

(IV) REPRESENTATIVES OF HEAD START PROGRAMS;

(V) PROVIDERS OF EARLY CHILDHOOD SUPPORTS AND SERVICES;

(VI) PERSONS WHOSE FAMILIES RECEIVE EARLY CHILDHOOD SUPPORTS OR SERVICES;

(VII) REPRESENTATIVES OF STATEWIDE, NONPROFIT ORGANIZATIONS INVOLVED IN EARLY CHILDHOOD ISSUES; AND

(VIII) MEMBERS OF THE BUSINESS COMMUNITY; AND

(g) FOUR LEGISLATIVE MEMBERS APPOINTED AS FOLLOWS:

(I) TWO REPRESENTATIVES, ONE EACH APPOINTED BY THE SPEAKER AND THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES; AND

(II) TWO SENATORS, ONE EACH APPOINTED BY THE PRESIDENT AND THE MINORITY LEADER OF THE SENATE.

(3) (a) IN APPOINTING PERSONS TO THE COMMISSION, THE GOVERNOR SHALL ENSURE THAT THE APPOINTED PERSONS REFLECT THE GENDER BALANCE AND ETHNIC DIVERSITY IN THE STATE AND PROVIDE REPRESENTATION FROM THROUGHOUT THE STATE AND THAT THE COMMISSION INCLUDES REPRESENTATION OF PERSONS WITH DISABILITIES.

(b) THE PERSONS APPOINTED TO THE COMMISSION PURSUANT TO PARAGRAPH (f) OF SUBSECTION (2) OF THIS SECTION SHALL:

(I) SERVE AT THE PLEASURE OF THE GOVERNOR; AND

(II) SERVE WITHOUT COMPENSATION BUT MAY RECEIVE REIMBURSEMENT FOR REASONABLE EXPENSES INCURRED IN FULFILLING THEIR DUTIES ON THE COMMISSION, SUBJECT TO THE AVAILABILITY OF MONEYS PURSUANT TO SECTION 24-44.7-104.

(c) IF A VACANCY OCCURS IN THE POSITIONS APPOINTED PURSUANT TO PARAGRAPH (f) OF SUBSECTION (2) OF THIS SECTION, THE GOVERNOR SHALL APPOINT A PERSON TO FILL THE VACANCY.

(d) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE GOVERNOR MAY IDENTIFY ONE OR MORE OF THE PERSONS APPOINTED AS OF MARCH 11, 2010, TO THE GOVERNOR'S EARLY CHILDHOOD LEADERSHIP COMMISSION CREATED BY EXECUTIVE ORDER B 2010-002 AS A MEMBER INITIALLY APPOINTED TO THE COMMISSION PURSUANT TO PARAGRAPH (f) OF SUBSECTION (2) OF THIS SECTION.

(4) (a) THE APPOINTING AUTHORITIES SPECIFIED IN PARAGRAPH (g) OF

SUBSECTION (2) OF THIS SECTION SHALL APPOINT THE LEGISLATIVE MEMBERS IN JANUARY OF EACH ODD-NUMBERED YEAR, BEGINNING IN JANUARY 2011. THE LEGISLATIVE MEMBERS SHALL SERVE TWO-YEAR TERMS. THE APPOINTING AUTHORITIES MAY APPOINT PERSONS TO SERVE CONSECUTIVE TERMS. IF A VACANCY ARISES IN A LEGISLATIVE POSITION, THE APPROPRIATE APPOINTING AUTHORITY SHALL FILL THE VACANCY FOR THE REMAINDER OF THE UNEXPIRED TERM ON THE COMMISSION.

(b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF THIS SUBSECTION (4) TO THE CONTRARY, THE APPOINTING AUTHORITIES SPECIFIED IN PARAGRAPH (g) OF SUBSECTION (2) OF THIS SECTION SHALL EACH APPOINT A LEGISLATIVE MEMBER WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION WHO SHALL SERVE AS MEMBERS OF THE COMMISSION THROUGH DECEMBER 2010.

(c) THE LEGISLATIVE MEMBERS APPOINTED PURSUANT TO PARAGRAPH (g) OF SUBSECTION (2) OF THIS SECTION SHALL SERVE WITHOUT COMPENSATION BUT MAY RECEIVE REIMBURSEMENT FOR REASONABLE EXPENSES INCURRED IN FULFILLING THEIR DUTIES ON THE COMMISSION, SUBJECT TO THE AVAILABILITY OF MONEYS PURSUANT TO SECTION 24-44.7-104.

(5) THE GOVERNOR SHALL APPOINT THREE PERSONS FROM AMONG THE MEMBERS OF THE COMMISSION, ONE REPRESENTING BUSINESS INTERESTS, ONE REPRESENTING PRIVATE, NONPROFIT ENTITIES, AND ONE REPRESENTING PUBLIC ENTITIES, TO SERVE AS CO-CHAIRS OF THE COMMISSION. THE COMMISSION SHALL MEET REGULARLY AT THE DIRECTION OF THE CO-CHAIRS AND AS OFTEN AS NECESSARY TO FULFILL ITS DUTIES. THE CO-CHAIRS MAY APPOINT WORKING GROUPS AND SUBCOMMITTEES TO ASSIST THE COMMISSION IN ITS WORK OR TO ADDRESS SPECIFIC ISSUES. THE WORKING GROUPS AND SUBCOMMITTEES, AT THE DISCRETION OF THE CO-CHAIRS, MAY CONSIST OF ANY COMBINATION OF MEMBERS OF THE COMMISSION AND OTHER PERSONS FROM THE COMMUNITY.

(6) THE COMMISSION MAY APPOINT AN EXECUTIVE DIRECTOR TO ASSIST THE COMMISSION IN FULFILLING ITS DUTIES PURSUANT TO THIS ARTICLE. THE EXECUTIVE DIRECTOR MAY APPOINT SUCH ADDITIONAL PERSONS AS MAY BE NECESSARY TO ASSIST THE COMMISSION. THE EXECUTIVE DIRECTOR AND ANY OTHER PERSONS APPOINTED PURSUANT TO THIS SUBSECTION (6) SHALL BE COMPENSATED FROM MONEYS CREDITED TO THE EARLY CHILDHOOD LEADERSHIP COMMISSION FUND CREATED IN SECTION 24-44.7-104.

(7) THE GOVERNOR'S OFFICE AND THE AGENCIES REPRESENTED ON THE COMMISSION MAY, AT THE REQUEST OF THE COMMISSION AND WITHIN EXISTING APPROPRIATIONS, PROVIDE NECESSARY SUPPORT TO THE COMMISSION, INCLUDING BUT NOT LIMITED TO ADMINISTRATIVE SUPPORT, DATA, AND OTHER ANALYTICAL INFORMATION. IN ADDITION, THE COMMISSION MAY ACCEPT IN-KIND CONTRIBUTIONS FROM PUBLIC AND PRIVATE ENTITIES TO THE EXTENT NECESSARY TO COVER THE EXPENSES OF THE COMMISSION.

24-44.7-103. Early childhood leadership commission - duties. (1) IN ADDITION TO ANY OTHER DUTIES SPECIFIED IN LAW, THE COMMISSION SHALL HAVE THE FOLLOWING DUTIES:

(a) TO PROVIDE ADVICE AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY CONCERNING METHODS TO PROMOTE THE SHARING AND USE OF COMMON DATA FOR PLANNING AND ACCOUNTABILITY BY STATE PROGRAMS AND AGENCIES THAT SUPPORT YOUNG CHILDREN. THE COMMISSION SHALL WORK WITH THE GOVERNMENT DATA ADVISORY BOARD CREATED IN SECTION 24-37.5-703 IN DEVELOPING THESE RECOMMENDATIONS.

(b) TO IDENTIFY OPPORTUNITIES FOR, AND BARRIERS TO, THE ALIGNMENT OF STANDARDS, RULES, POLICIES, AND PROCEDURES ACROSS PROGRAMS AND AGENCIES THAT SUPPORT YOUNG CHILDREN AND TO RECOMMEND TO THE GENERAL ASSEMBLY AND TO GOVERNMENT AND NONPROFIT AGENCIES AND POLICY BOARDS CHANGES TO ENHANCE THE ALIGNMENT AND PROVISION OF SERVICES AND SUPPORTS FOR YOUNG CHILDREN;

(c) TO CONSIDER AND RECOMMEND WAIVERS FROM STATE REGULATIONS ON BEHALF OF EARLY CHILDHOOD COUNCILS AS PROVIDED IN SECTION 26-6.5-104 (1), C.R.S.;

(d) TO DEVELOP METHODS FOR USING INTERAGENCY DATA TO INFORM COMPREHENSIVE POLICY AND BUDGET DECISIONS RELATING TO CHILDREN'S SERVICES AND SUPPORTS;

(e) TO ENSURE THE INTERAGENCY DATA SYSTEM INFRASTRUCTURE ALLOWS FOR STATEWIDE NEEDS ASSESSMENTS CONCERNING THE QUALITY AND AVAILABILITY OF EARLY CHILDHOOD SERVICES, INCLUDING BUT NOT LIMITED TO HEALTH, MENTAL HEALTH, BEHAVIORAL HEALTH, CHILD PROTECTION, FAMILY SUPPORT, AND EARLY LEARNING SERVICES; AND

(f) TO DEVELOP RECOMMENDATIONS REGARDING A QUALITY, COHESIVE PROFESSIONAL DEVELOPMENT AND CAREER ADVANCEMENT SYSTEM, INCLUDING PERFORMANCE METRICS TO GUIDE CONTINUOUS IMPROVEMENT PROCESSES FOR PROFESSIONALS WORKING WITH YOUNG CHILDREN.

(2) THE COMMISSION SHALL REVIEW THE OVERALL GOVERNANCE SYSTEM FOR EARLY CHILDHOOD SERVICES AND SUPPORTS WITHIN THE STATE AND DEVELOP RECOMMENDATIONS CONCERNING THE FEASIBILITY AND EFFICACY OF CREATING A STATE-LEVEL OVERSIGHT AND COORDINATION STRUCTURE FOR THE DELIVERY OF SERVICES AND SUPPORTS TO YOUNG CHILDREN.

(3) IN FULFILLING ITS DUTIES, THE COMMISSION SHALL COLLABORATE, AT A MINIMUM, WITH:

(a) THE COLORADO EARLY CHILDHOOD COUNCIL ADVISORY TEAM ESTABLISHED IN SECTION 26-6.5-105, C.R.S.;

(b) MEMBERS OF THE EARLY CHILDHOOD COUNCILS ESTABLISHED PURSUANT TO SECTION 26-6.5-103, C.R.S.;

(c) THE PREVENTION LEADERSHIP COUNCIL CREATED IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT THROUGH THE IMPLEMENTATION OF SECTION 25-20.5-107, C.R.S.;

(d) THE STATE WORK FORCE DEVELOPMENT COUNCIL CREATED IN ARTICLE 46.3 OF THIS TITLE;

(e) THE GOVERNMENT DATA ADVISORY BOARD CREATED IN SECTION 24-37.5-703;

(f) THE ECONOMIC OPPORTUNITY POVERTY REDUCTION TASK FORCE CREATED IN SECTION 2-2-1404, C.R.S.;

(g) ANY OTHER BOARDS, COMMISSIONS, AND COUNCILS EXISTING WITHIN THE EXECUTIVE BRANCH AGENCIES THAT ADDRESS SERVICES AND SUPPORTS FOR YOUNG CHILDREN; AND

(h) ANY STATEWIDE ORGANIZATIONS THAT WORK IN THE AREAS OF CHILD PROTECTION OR CRIMINAL JUSTICE.

(4) ON OR BEFORE JANUARY 31, 2011, AND ON OR BEFORE JANUARY 31 EACH YEAR THEREAFTER, THE COMMISSION SHALL MEET IN A JOINT SESSION WITH THE GOVERNOR AND THE HEALTH AND HUMAN SERVICES COMMITTEES AND EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, TO REPORT ITS ADVICE AND RECOMMENDATIONS, INCLUDING ANY RECOMMENDED LEGISLATIVE OR REGULATORY CHANGES, CONCERNING THE ISSUES SPECIFIED IN THIS SECTION. AT THE JOINT MEETING HELD ON OR BEFORE JANUARY 31, 2012, THE COMMISSION SHALL REPORT ITS RECOMMENDATIONS CONCERNING CREATION OF A STATE-LEVEL OVERSIGHT AND COORDINATION STRUCTURE FOR THE DELIVERY OF SERVICES AND SUPPORTS TO YOUNG CHILDREN.

24-44.7-104. Early childhood leadership commission fund - created.

(1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE EARLY CHILDHOOD LEADERSHIP COMMISSION FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE FUND SHALL CONSIST OF SUCH FEDERAL MONEYS AS THE GOVERNOR MAY ALLOCATE TO THE FUND. THE FUND SHALL NOT INCLUDE APPROPRIATIONS OF MONEYS FROM THE STATE GENERAL FUND. THE MONEYS IN THE FUND ARE AVAILABLE TO THE COMMISSION FOR ADMINISTRATIVE COSTS AND THE EXPENSES INCURRED BY THE COMMISSION IN FULFILLING ITS DUTIES PURSUANT TO THIS ARTICLE.

(2) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE EXPENSES OF THE COMMISSION MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

24-44.7-105. Repeal of article. THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2013.

SECTION 2. 26-6.5-104 (1), Colorado Revised Statutes, is amended to read:

26-6.5-104. Early childhood councils - waivers - rules - funding - application.

(1) A local council may request a waiver of any rule that would prevent a council

from implementing council projects. The local council shall submit the request to the ~~state department, which~~ EARLY CHILDHOOD LEADERSHIP COMMISSION CREATED IN ARTICLE 44.7 OF TITLE 24, C.R.S. THE EARLY CHILDHOOD LEADERSHIP COMMISSION SHALL CONSULT WITH THE AFFECTED STATE AGENCY AND shall work in collaboration with the advisory team in reviewing the request. The state department OR OTHER AFFECTED STATE AGENCY shall grant waivers upon ~~approval~~ RECOMMENDATION BY THE COMMISSION.

SECTION 3. The introductory portion to 26-6.5-105 (3) and 26-6.5-105 (3) (d) and (3) (e), Colorado Revised Statutes, are amended, and the said 26-6.5-105 (3) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

26-6.5-105. Early childhood council advisory team - creation - duties.

(3) The duties and functions of the advisory team, in collaboration with the state department, ~~and~~ the office of the lieutenant governor, AND THE EARLY CHILDHOOD LEADERSHIP COMMISSION CREATED IN SECTION 24-44.7-102, C.R.S., shall include but need not be limited to:

(d) Advising on the development and implementation of an evaluation of the barriers to successful operation of the local councils, including the efficiency and effectiveness of the state department, in collaboration with the advisory team, in supporting the needs of the councils; ~~and~~

(e) Advising on the development and implementation of technical assistance to councils related to developing a local early childhood system and infrastructure to improve and coordinate early childhood services; AND

(f) REPORTING ANNUALLY TO THE EARLY CHILDHOOD LEADERSHIP COMMISSION CREATED IN ARTICLE 44.7 OF TITLE 24, C.R.S., REGARDING THE ACTIVITIES AND RECOMMENDATIONS OF THE ADVISORY TEAM.

SECTION 4. 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: June 3, 2010