

CHAPTER 225

GENERAL ASSEMBLY

HOUSE BILL 11-1310

BY REPRESENTATIVE(S) Sonnenberg, Brown, Vigil, Baumgardner, Casso, Duran, Fields, Fischer, Gerou, Hamner, Kerr J., Labuda, Liston, Nikkel, Peniston, Priola, Schafer S., Soper, Stephens, Todd, Waller;
also SENATOR(S) Bacon, Schwartz, Renfroe, Aguilar, King S., Steadman.

AN ACT**CONCERNING THE FUNDING FOR THE RESTORATION OF THE STATE CAPITOL DOME.**

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

SECTION 1. 2-3-1304.3 (3), (6) (a) (II), and (7), Colorado Revised Statutes, are amended to read:

2-3-1304.3. Additional powers and duties of capital development committee - approval and oversight of fund-raising for restoration of the capitol dome - legislative declaration - capitol dome restoration trust fund - repeal. (3) The fund-raising program approved by the capital development committee pursuant to this section shall conclude prior to ~~July 1, 2012~~ DECEMBER 31, 2014.

(6) (a) (II) Subject to the capital development committee approving a capital construction request, including requests for separate phases of the project, from the department of personnel for the repair and restoration of the state capitol dome and subject to appropriations by the general assembly for the capital construction request or the process outlined in section 24-75-111, C.R.S., for an overexpenditure in regard to a capital construction budget item, the department of personnel is authorized to accept and expend donations of moneys and in-kind gifts and donations raised by the nonprofit, statewide historic preservation organization as described in subsection (2) of this section for the purposes of the repair and restoration of the state capitol dome; except that the department of personnel may not accept a gift, grant, or donation that is subject to conditions that are inconsistent with this part 13 or any other law of the state. THE DEPARTMENT OF PERSONNEL, IN COOPERATION WITH THE NONPROFIT, STATEWIDE HISTORIC PRESERVATION ORGANIZATION CONDUCTING THE FUND-RAISING PROGRAM, SHALL CALCULATE THE VALUE OF ANY IN-KIND GIFTS AND DONATIONS THAT RESULT IN THE REDUCTION OF

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

THE TOTAL COST OF THE REPAIRS AND SAFETY IMPROVEMENTS TO THE STATE CAPITOL DOME AND SUPPORTING STRUCTURES. THE DEPARTMENT OF PERSONNEL SHALL PRESENT THE CALCULATION OF THE VALUE OF ALL IN-KIND GIFTS AND DONATIONS TO THE CAPITAL DEVELOPMENT COMMITTEE FOR APPROVAL, NO LATER THAN SIXTY DAYS AFTER THE RECEIPT OF AN IN-KIND GIFT AND DONATION.

~~(7) (a) Subsections (1) to (5) of this section are repealed, effective July 1, 2012.~~

~~(b) This subsection (7) and subsection (6) of this section are IS repealed, effective July 1, 2014~~ JULY 1, 2015.

SECTION 2. 12-47.1-1201 (5) (c) (III), Colorado Revised Statutes, is amended to read:

12-47.1-1201. State historical fund - administration - legislative declaration - state museum cash fund - capitol dome restoration fund. (5) (c) (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. THE FOUR MILLION DOLLAR TRANSFER SPECIFIED IN THIS SUB-SUBPARAGRAPH (A) SHALL BE REDUCED, DOLLAR FOR DOLLAR, BY MONEYS DEPOSITED INTO THE CAPITOL DOME RESTORATION TRUST FUND AS SPECIFIED IN SECTION 2-3-1304.3 (6) (b), C.R.S., IF ANY. THIS DOLLAR-FOR-DOLLAR REDUCTION SHALL NOT REDUCE THE AUTHORIZED FEES AND EXPENSES OF ANY FUNDRAISING FIRM SELECTED BY THE CAPITAL DEVELOPMENT COMMITTEE FOR CAUSE-RELATED MARKETING FOR CAPITOL DOME REPAIRS.

(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~~ MONEYS DEPOSITED INTO THE CAPITOL DOME RESTORATION TRUST FUND AS SPECIFIED IN SECTION 2-3-1304.3 (6) (b), C.R.S., 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~~ REDUCE ANY 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) FOR THE FISCAL YEAR COMMENCING JULY 1, 2013, THE STATE TREASURER SHALL TRANSFER UP TO FIVE 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 FIVE-MILLION-DOLLAR MAXIMUM AMOUNT SHALL BE REDUCED, DOLLAR FOR DOLLAR, BY THE COMBINED TOTAL OF MONEYS DEPOSITED INTO THE CAPITOL DOME RESTORATION TRUST FUND AS SPECIFIED IN SECTION 2-3-1304.3 (6) (b), C.R.S., 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 REDUCE THE AUTHORIZED FEES AND EXPENSES OF ANY FUND-RAISING FIRM SELECTED BY THE CAPITAL DEVELOPMENT COMMITTEE FOR CAUSE-RELATED MARKETING FOR CAPITOL DOME REPAIRS.

(D) IN THE EVENT OF AN EMERGENCY CONTINGENCY EXPENDITURE DEEMED NECESSARY BY THE STATE ARCHITECT AND APPROVED BY THE OFFICE OF STATE PLANNING AND BUDGETING AND THE CAPITAL DEVELOPMENT COMMITTEE, SUPPLEMENTAL APPROPRIATIONS OUT OF THE CAPITOL DOME RESTORATION TRUST FUND CREATED IN SECTION 2-3-1304.3 (6) (b), C.R.S., AND THE CAPITOL DOME RESTORATION FUND CREATED IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III) MAY BE MADE FROM ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE SPECIFIED FUNDS AT ANY TIME.

(E) PRIOR TO THE END OF THE 2014-15 STATE FISCAL YEAR AND AFTER A COMPLETE ACCOUNTING IS AVAILABLE OF THE TOTAL IN-KIND AND MONETARY DONATIONS RECEIVED THROUGH THE FUNDRAISING PROGRAM ESTABLISHED IN SECTION 2-3-1304.3, C.R.S., AN END-OF-PROJECT ACCOUNTING SHALL OCCUR BASED ON THE FINAL TOTAL COST OF THE DOME RESTORATION CONSTRUCTION PROJECT TO ENSURE, THROUGH THE ANNUAL GENERAL APPROPRIATIONS ACT, SUPPLEMENTAL APPROPRIATIONS ACTS, OR TRANSFERS BETWEEN FUNDS, AS NECESSARY, THAT ALL OF THE TRANSFERS FROM THE STATE HISTORICAL FUND SPECIFIED IN SUB-SUBPARAGRAPHS (A), (B), AND (C) OF THIS SUBPARAGRAPH (III) ARE REDUCED, DOLLAR FOR DOLLAR, BY THE COMBINED TOTAL OF MONEYS DEPOSITED INTO THE CAPITOL DOME RESTORATION TRUST FUND AS SPECIFIED IN SECTION 2-3-1304.3 (6) (b), C.R.S., 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, ANY MONEY RECEIVED FOR THE RECYCLING OF SALVAGED BUILDING MATERIALS FROM THE STATE CAPITOL DOME DURING THE CONSTRUCTION PERIOD, AND ANY IN-KIND GIFTS AND DONATIONS, SUCH AS MATERIALS OR LABOR, THAT RESULTED IN THE REDUCTION OF THE TOTAL COST OF THE CONSTRUCTION. THE TOTAL VALUE OF ANY IN-KIND GIFTS AND DONATIONS FOR PURPOSES OF THE DOLLAR-FOR-DOLLAR REDUCTION SPECIFIED IN THIS SUB-SUBPARAGRAPH (E) SHALL BE CALCULATED BY THE DEPARTMENT OF PERSONNEL AND APPROVED BY THE CAPITAL DEVELOPMENT COMMITTEE AS SPECIFIED IN SECTION 2-3-1304.3 (6) (a) (II), C.R.S.

~~(E)~~ (F) 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 3. 2-3-1304.5 (2), Colorado Revised Statutes, is amended to read:

2-3-1304.5. Reports from departments, institutions, and agencies in connection with capital construction requests - repeal. (2) This section is repealed, effective ~~July 1, 2013~~ JULY 1, 2016.

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 10, 2011, if adjournment sine die is on May 11, 2011); 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 2012 and shall take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 27, 2011