

CHAPTER 265

GOVERNMENT - STATE

HOUSE BILL 13-1301

BY REPRESENTATIVE(S) Ryden and Gardner, Buckner, Exum, Gerou, Hullinghorst, Kagan, Lee, May, Mitsch Bush, Pettersen, Primavera, Rosenthal, Salazar, Tyler, Young, Williams;
also SENATOR(S) Todd and Grantham, Crowder, Kerr, Newell.

AN ACT

CONCERNING THE FUTURE OPERATION OF CENTERS THAT OFFER PROCUREMENT TECHNICAL ASSISTANCE IN COLORADO, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** 24-48.5-118 and 24-48.5-119 as follows:

24-48.5-118. Procurement technical assistance task force - members - duties - legislative declaration - repeal. (1) (a) ~~THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:~~

(I) ~~COLORADO BUSINESSES AND ENTREPRENEURS NEED THE CAPABILITY AND CAPACITY TO COMPETE FOR GOVERNMENT CONTRACTS AT THE FEDERAL, STATE, AND LOCAL LEVELS;~~

(II) ~~GOVERNMENT CONTRACTING, AT ALL LEVELS, IS A COMPETITIVE PROCESS;~~

(III) ~~A PROCUREMENT TECHNICAL ASSISTANCE PROGRAM OFFERS EDUCATION, COUNSELING, AND TECHNICAL ASSISTANCE TO BUSINESSES AND ENTREPRENEURS TO COMPETE FOR GOVERNMENT CONTRACTS; AND~~

(IV) ~~THE FEDERAL GOVERNMENT WILL MATCH THE STATE'S INVESTMENT IN A PROGRAM TO PROVIDE PROCUREMENT TECHNICAL ASSISTANCE ON A ONE-TO-ONE BASIS.~~

(b) ~~THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT THE CREATION OF A TASK FORCE TO DISCUSS AND DETERMINE THE FUTURE STRUCTURE AND~~

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

OVERSIGHT OF PROCUREMENT TECHNICAL ASSISTANCE CENTERS IN COLORADO IS NECESSARY TO ENSURE THAT SUCH CENTERS MAY CONTINUE TO PROVIDE EFFICIENT AND EFFECTIVE PROCUREMENT TECHNICAL ASSISTANCE RESOURCES TO COLORADO BUSINESSES AND ENTREPRENEURS.

(2) THERE IS HEREBY CREATED THE PROCUREMENT TECHNICAL ASSISTANCE TASK FORCE, REFERRED TO IN THIS SECTION AS THE "TASK FORCE". THE TASK FORCE CONSISTS OF EIGHT MEMBERS AS FOLLOWS:

(a) FOUR MEMBERS OF THE GENERAL ASSEMBLY, APPOINTED AS FOLLOWS:

(I) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

(II) ONE MEMBER OF THE HOUSE OF REPRESENTATIVES APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES;

(III) ONE MEMBER OF THE SENATE APPOINTED BY THE PRESIDENT OF THE SENATE; AND

(IV) ONE MEMBER OF THE SENATE APPOINTED BY THE MINORITY LEADER OF THE SENATE;

(b) TWO REPRESENTATIVES FROM THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT APPOINTED BY THE EXECUTIVE DIRECTOR OF THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT;

(c) THE EXECUTIVE DIRECTOR OF THE NONPROFIT ORGANIZATION THAT CURRENTLY PROVIDES PROCUREMENT TECHNICAL ASSISTANCE IN THE STATE; AND

(d) A BOARD MEMBER OF THE NONPROFIT ORGANIZATION THAT CURRENTLY PROVIDES PROCUREMENT TECHNICAL ASSISTANCE IN THE STATE, WHO SHALL BE CHOSEN BY THE TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES WHO ARE APPOINTED TO SERVE ON THE TASK FORCE.

(3) THE TASK FORCE SHALL BE CO-CHAIRLED BY ONE LEGISLATIVE MEMBER OF THE TASK FORCE, WHO SHALL BE CHOSEN BY THE MEMBERS OF THE TASK FORCE, AND BY ONE MEMBER FROM THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT, WHO SHALL BE CHOSEN BY THE EXECUTIVE DIRECTOR OF THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT.

(4) THE TASK FORCE SHALL MEET AS NECESSARY, AS DETERMINED BY THE MEMBERS OF THE TASK FORCE, AFTER THE FIRST REGULAR SESSION OF THE SIXTY-NINTH GENERAL ASSEMBLY. THE TASK FORCE MAY INVITE REPRESENTATIVES FROM STATE AND LOCAL GOVERNMENTAL ENTITIES, BUSINESSES OR ENTREPRENEURS, CHAMBERS OF COMMERCE, OR OTHER PUBLIC OR PRIVATE ORGANIZATIONS TO PARTICIPATE IN THE MEETINGS OF THE TASK FORCE, AS DEEMED NECESSARY AND APPROPRIATE BY THE MEMBERS OF THE TASK FORCE. THE TASK FORCE SHALL COMPLETE ITS WORK AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY, IF NECESSARY, ON OR BEFORE JANUARY 1, 2014.

(5) THE TASK FORCE SHALL:

(a) DISCUSS BEST MANAGEMENT PRACTICES AND CREATE A MANAGEMENT STRATEGY FOR THE FUTURE OF PROCUREMENT TECHNICAL ASSISTANCE CENTERS IN THE STATE;

(b) DEVELOP A PLAN FOR THE LONG-TERM FUNDING AND SUSTAINABILITY OF PROCUREMENT TECHNICAL ASSISTANCE CENTERS IN THE STATE;

(c) FORMULATE A FRAMEWORK FOR PROCUREMENT TECHNICAL ASSISTANCE CENTERS IN THE STATE THAT WILL ENSURE LONG-TERM EFFICIENCY AND EFFECTIVENESS OF THE PROGRAM;

(d) EVALUATE BEST PRACTICES DERIVED FROM THE OTHER PROCUREMENT TECHNICAL ASSISTANCE CENTERS THROUGHOUT THE UNITED STATES, INCLUDING THE POSSIBILITY OF INTEGRATING PROCUREMENT TECHNICAL ASSISTANCE CENTERS INTO THE EXISTING SMALL BUSINESS RESOURCE CENTER STRUCTURE OF THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT;

(e) DEVELOP A PUBLIC-PRIVATE PARTNERSHIP TO ENHANCE THE PROCUREMENT TECHNICAL ASSISTANCE PROGRAM; AND

(f) IF DEEMED NECESSARY BY THE MEMBERS OF THE TASK FORCE, MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY REGARDING HOW TO BEST ACHIEVE THE DESIRED RESULTS FOR THE FUTURE OF THE PROCUREMENT TECHNICAL ASSISTANCE PROGRAM.

(6) ALL STAFF NEEDED TO ASSIST THE TASK FORCE IN CONDUCTING ITS DUTIES SHALL BE PROVIDED BY THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT.

(7) ALL NONLEGISLATIVE MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT COMPENSATION. THIS SECTION SHALL NOT BE CONSTRUED TO PREVENT NONLEGISLATIVE MEMBERS OF THE TASK FORCE FROM RECEIVING THEIR REGULAR SALARY IF THEY PARTICIPATE IN TASK FORCE MEETINGS DURING THEIR REGULAR BUSINESS HOURS.

(8) THE LEGISLATIVE MEMBERS OF THE TASK FORCE SHALL BE COMPENSATED FOR ATTENDANCE AT MEETINGS OF THE TASK FORCE AND SHALL RECEIVE REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES AS MEMBERS OF THE TASK FORCE, AS PROVIDED IN SECTION 2-2-307, C.R.S. THE TOTAL AMOUNT AVAILABLE FOR REIMBURSEMENT AND COMPENSATION PURSUANT TO THIS SUBSECTION (8) SHALL NOT EXCEED FIVE THOUSAND DOLLARS.

(9) FOR THE 2013-14 FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE TO THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS TO BE USED BY THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT TO COVER ITS COSTS IN CONNECTION WITH THE DUTIES OF THE TASK FORCE PURSUANT TO THIS SECTION.

(10) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2014.

24-48.5-119. Procurement technical assistance centers - funding for 2013-14 fiscal year - repeal. (1) SUBJECT TO AVAILABLE APPROPRIATIONS FOR THE PURPOSES OF THIS SECTION, FOR THE 2013-14 FISCAL YEAR, THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT SHALL ASSIST AN ORGANIZATION IN THE STATE THAT OFFERS PROCUREMENT TECHNICAL ASSISTANCE TO BUSINESSES AND ENTREPRENEURS AND THAT WAS THE RECIPIENT OF A GRANT FROM THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT FOR SUCH PURPOSES DURING THE 2012-13 FISCAL YEAR, IN SATISFYING ITS FINANCIAL OBLIGATIONS TO RECEIVE MATCHING MONEYS FROM THE FEDERAL GOVERNMENT FOR THE PURPOSE OF PROVIDING PROCUREMENT TECHNICAL ASSISTANCE.

(2) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2014.

SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the governor - lieutenant governor - state planning and budgeting for the fiscal year beginning July 1, 2013, the sum of \$215,000, or so much thereof as may be necessary, for allocation to economic development programs for administrative support and procurement technical assistance related to the implementation of this act.

SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the legislative department, for the fiscal year beginning July 1, 2013, the sum of \$5,000, or so much thereof as may be necessary, for allocation to legislative council for reimbursement and compensation related to the implementation of this act.

SECTION 4. 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: May 24, 2013