

COLORADO LAWS ENACTED AFFECTING MUNICIPAL GOVERNMENTS

2012 LEGISLATIVE SESSION



CML

COLORADO MUNICIPAL LEAGUE

The Voice of Colorado's Cities and Towns

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FOREWORD

During the 2012 session of the Colorado General Assembly, CML tracked 224 of the 630 bills and resolutions introduced. Of the bills that CML supported, 71 percent passed. Of those CML opposed, 95 percent were defeated or were amended such that the League dropped its opposition.

Each year, CML analyzes the laws passed by the General Assembly that affect cities and towns. 2012 Colorado Laws Enacted Affecting Municipal Governments focuses on selected acts that have a particular significance for municipal operations, services, and powers — it is not a comprehensive listing of all new legislation enacted into law affecting municipal government.

As CML is committed to providing you with the information you need as inexpensively and easily as possible, 2012 Colorado Laws Enacted Affecting Municipalities will be available to all for free — along with several past years' editions — online at www.cml.org under Information > Publications.

Kevin Bommer
CML legislative advocacy manager
June 2012

This publication is available free at www.cml.org, Information > Publications.

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SB 12-158**AFFORDABLE HOUSING****Consolidate public housing agencies**

Provides for consolidation of the Division of Housing, which provides financial and other assistance to individuals in low- and moderate-income households, and various state housing programs and the supportive housing programs in such a manner that the Division of Housing in the Colorado Department of Local Affairs will be the only public housing agency, serving as the sole state agency for administering and distributing financial housing assistance to persons in low- and moderate-income households and to persons with disabilities. Moves the administration of homeless prevention activities program from a nongovernmental agency to the Division of Housing. Effective May 3, 2012. Lobbyist: Meghan Storrie, mstorrie@cml.org.

HB 12-1125**ANIMAL WELFARE****Procedures regarding impounded animal costs**

Modifies procedural requirements related to the payment of impoundment, care, and provision costs for an animal that has been impounded because of alleged neglect or abuse or other criminal acts involving the animal. Specifies that the owner must make that request for a hearing to contest the reasonableness of costs within 10 days after the date of impoundment. Requires the hearing to be conducted in a criminal court of competent jurisdiction no later than 10 days after the request. Requires that, upon request by the owner of an impounded animal, an impound agency allow a licensed veterinarian of the owner's choosing and at his or her expense to examine the animal within 24 hours after the impoundment and conduct follow-up visits as necessary. For owners that request hearings, delays the payment of costs by the owner until the date of the hearing. Expands the scope of the hearing to include a judicial determination as to whether probable cause existed to justify the impoundment. Describes circumstances under which a payment for impoundment, care, and provision costs must be refunded to an owner. Clarifies that the criminal law procedures governing impoundments do not apply to matters solely brought in an administrative context. Effective Sept. 1, 2012 Lobbyist: Meghan Storrie, mstorrie@cml.org.

SB 12-118**BEER & LIQUOR****Hotel/restaurant license meal requirement**

Specifies that the time period for determining whether an establishment with a hotel and restaurant alcohol license makes at least 25 percent of its gross income from the sale of meals is at least one year. Effective Aug. 9, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 12-1268**BUILDING CODES****Health facility transfer**

Transfers functions, personnel, and property directed principally for inspections of health care facilities for conformity to building and fire safety standards to the Colorado Department of Public Safety Division of Fire Safety. Makes the division responsible for adopting building

and fire safety standards, reviewing plans for construction, performing inspections, issuing certificates of occupancy and compliance, and otherwise assessing and enforcing compliance with building and fire safety standards when there is no appropriate local building or fire department, or upon request from a local jurisdiction, and with the exception of certain health facilities for which there are no central buildings used to provide health services to individuals. Leaves intact the existing authority of a local jurisdiction to adopt and enforce concurrent building and fire safety codes, and describes the interaction between local and division oversight and regulations. Contains numerous other provisions. Effective July 1, 2013, (contingent upon the state receiving a modification of its agreement with the United States department of health and human services pursuant to section 1864 of the federal Social Security Act). Section 5 effective May 29, 2012. Lobbyist: Meghan Storrie, mstorrie@cml.org.

HB 12-1346**CRIMINAL LAW****Sex offender registration with no fixed residence**

Creates a registration system for offenders who lack a fixed residence. Defines "lacks a fixed residence" and requires registrant to verify his or her registration with the registering agency every three months or every month, depending on the offender's registration requirements; classifies failure to do so as an unclassified misdemeanor. Requires law enforcement agencies that receive registrations that include a lack of a fixed residence to report semi-annually the number of such registrations to the Department of Public Safety for two years. Requires the Department of Public Safety to assess the effectiveness of the program after two years. Effective July 1, 2012. Lobbyist: Meghan Storrie, mstorrie@cml.org.

SB 12-020**CRIMINAL LAW****Immunity for reporters of overdoses**

Makes a person and one or two other persons acting in concert with the person immune from arrest and criminal prosecution for many drug related offenses if the offense arises from the same course of events from which an emergency drug or alcohol overdose event arose; the person reports the event in good faith to a law enforcement agency or to the 911 system; the person and, if applicable, one or two other persons, remain at the scene of the event until a law enforcement officer or an emergency medical responder arrives; and the person and, if applicable, one or two other persons, identify themselves to, and cooperate with, the law enforcement officer or emergency medical responder. Lists the offenses. Effective May 29, 2012. Lobbyist: Meghan Storrie, mstorrie@cml.org.

SB 12-116**CRIMINAL LAW****Possession and distribution of cathinones**

(Note – this bill was lost on the calendar but amended onto and passed as part of HB 12-1310.) Defines cathinones and establishes criminal penalties for possession of cathinones and for distributing, manufacturing, dispensing, or selling cathinones. Specifies that any person or entity

that sells a product that is labeled as a “bath salt” or any other trademark and contains any amount of a cathinone commits a deceptive trade practice and is subject to a civil penalty. Effective June 7, 2012. *Reprinted.* Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 12-1029 **ECONOMIC DEVELOPMENT**
Property tax incentives

Expands the ability of municipalities, counties, and special districts to use business personal property tax incentives as an economic development tool. Previous law allowed these jurisdictions to rebate up to 50 percent of business personal property tax collected from a new business facility or an expanded business facility; beginning Aug. 8, 2012, that ceiling is raised to 100 percent. Use of this incentive is at the discretion of each local government entity. Effective Aug. 8, 2012. Lobbyist: Mark Radtke, mradtke@cml.org.

HB 12-1241 **ECONOMIC DEVELOPMENT**
Enterprise zones

Creates a 15-member task force to review Colorado’s enterprise zone program, including criteria for designation of enterprise zones and the effectiveness of the tax credits in promoting economic development. Task force members will be appointed by the state economic development director. A final report to the legislature is due on Nov. 1, 2013. Effective June 6, 2012. Lobbyist: Mark Radtke, mradtke@cml.org.

HB 12-1292 **ELECTIONS**
Technical corrections, Election deadlines

Makes various technical and nonsubstantive changes to state election laws, primarily the Uniform Election Code, Articles 1-13 of Title 1, C.R.S. Alters certain election related deadlines, among other changes to the UEC. Effective May 17, 2012. Lobbyist: Geoff Wilson, gwilson@cml.org.

HB 12-1293 **ELECTIONS**
Recall elections

Makes various technical clarifying amendments and other changes to Article 12 of Title 1 of the Colorado Revised Statutes (the law that provides recall procedures for non-municipal incumbents in Colorado). Municipal officials’ recall statute is at Part 5 of Article 4, Title 31, C.R.S. Effective May 17, 2012. Lobbyist: Geoff Wilson, gwilson@cml.org.

HB 12-1283 **EMERGENCY MANAGEMENT**
Consolidate Homeland Security functions

Consolidates homeland security functions under the Colorado Department of Public Safety by renaming the Office of Preparedness, Security, and Fire Safety the Division of Homeland Security. The new division is composed of the Office of Anti-terrorism Planning and Training, which is renamed the Office of Prevention and Security, and the new Office of Preparedness, which is charged with improving homeland security-related communication, identifying opportunities for

training efficiencies, coordinating planning efforts, and administering federal grants for homeland security activities. Creates the Homeland Security and All-Hazards Senior Advisory Committee and schedules it for sunset review; CML is represented on the committee. Relocates the Division of Fire Safety to Division of Homeland Security. Transfers the Division of Emergency Management to the Department of Public Safety. Allocates all the powers, duties, and functions under the Division of Emergency Management to the Office of Emergency Management. Contains numerous other provisions. Effective July 1, 2012. Lobbyist: Meghan Storrie, mstorrie@cml.org.

HB 12-1315 **ENERGY**
Reorganize the Governor’s Energy Office

Changes the name of the Governor’s Energy Office to the Colorado Energy Office. Reorganizes numerous programs. Requires the office to notify the General Assembly when changes are made to office policies related to its strategic plan, the definition of “renewable energy,” energy transmission, or any policy that could negatively impact the use of traditional energy sources. Creates the clean and renewable energy fund and specifies that the fund be used by the office to work with communities, utilities, private and public organizations, and individuals to promote specified goals. Changes the name of the Clean Energy Fund to the Innovative Energy Fund, aligns the purposes of that fund with the new mission of the office, limits the expenditures from the fund for those projects related to the severance of minerals subject to taxation under state law, and transfers moneys to the innovative energy fund from severance tax revenues through July 2017 unless extended with new legislation. Contains numerous other provisions. Effective July 1, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 12-1070 **ETHICS**
Amendment 41

Makes amendments to the gifts and honoraria reporting law and the public officials code of ethics statute to conform those statutes to the language of Amendment 41, Colo. Const. Art. XXIX, Sec. 3. Contains other provisions. Effective Aug. 8, 2012. Lobbyist: Geoff Wilson, gwilson@cml.org.

SB 12-146 **ETHICS**
Limitation on receipt of benefits

Prohibits, among others, local government officials or employees from receiving goods or services for their personal benefit from those contracting for work with their local government, unless the transaction meets certain criteria, including that, in the totality of circumstances the transaction was legitimate, fair, supported by adequate consideration, and not a result of the local official or employee’s official or governmental status. Discourages public officials from using their public position to obtain gifts or employment for immediate family members. Effective April 12, 2012. Lobbyist: Geoff Wilson, gwilson@cml.org.

HB 12-1286**FILM****Film production activities in Colorado**

Creates a loan guarantee program for production activities and provides criteria in awarding a loan guarantee. Increases the amount of the incentive to 20 percent of the total amount of the production company's qualified local expenditures. Requires that, to be eligible for the incentive, in-state production activities to be made up of at least 50 percent Colorado residents instead of the previous 25 percent. Contains numerous other provisions. Effective July 1, 2012. Lobbyist: Meghan Storrie, mstorrie@cml.org.

HB 12-1032**FOREST HEALTH****Continuation of Forest Restoration Program**

Continues the forest restoration program and its associated funding from state severance taxes for five years. Specifies the program is no longer a pilot program. Extends annual transfers from the operational account of the severance tax trust fund of \$1.45 million to the Healthy Forests and Vibrant Communities Fund and \$50,000 to the Wildland-urban Interface Training Fund. Effective March 24, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 12-1285**FOREST HEALTH****Intergovernmental agreements for wildfire mitigation**

Amends existing statute to require a municipality that owns land for utility purposes either entirely or partially outside its own territorial boundaries and inside the territorial boundaries of a county and that contains at least 50 percent forest land or land that constitutes a wildland area to enter into an intergovernmental agreement for wildfire mitigation by July 1, 2012. Agreement must be either with each respective county or with the Colorado state forest service for the purpose of mitigating forest land or wildland fires affecting the contiguous land areas of the municipality and county. Requires consultation with any utility providers that have facilities in the areas subject to the agreement to the extent the provisions of the agreement will affect the providers. Contains other provisions. Effective April 6, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 12-1244**GOVERNMENTAL IMMUNITY ACT****Notices of claim filing**

Adds to current law regarding where notices of claim under the Governmental Immunity Act (GIA) must be filed, also a provision that sufficient filing will be with a public entity's agent designated on an inventory of such agents maintained by the Colorado Department of Local Affairs (DOLA). Requires each local government in Colorado to provide to DOLA by Aug. 8, 2013, the name and address of the government entity and of the government entity's agent for purposes of receiving notices of claim. Requires local governments to update information as required by DOLA. Provides that failure to update information will result in notice directed to the former agent being acceptable. Contains other provisions. Effective May 11, 2012. Lobbyist: Geoff Wilson, gwilson@cml.org.

SB 12-044**LAW ENFORCEMENT****Transit fare violations**

Failure to pay the fare to ride public transportation will now be a Class B traffic infraction (from a Class 2 petty offense theft charge). Keeps this offense from being added to an individual's criminal record. Previous violators are eligible to have past convictions sealed. Effective June 8, 2012. Lobbyist: Mark Radtke, mradtke@cml.org.

SB 12-092**LAW ENFORCEMENT****Motor vehicle video display**

Rewrites the current statute (42-4-201) to state that a video display visible to a motor vehicle driver may not be used to display entertainment, the Internet, social media, or email while the vehicle is in motion. Effective July 1, 2012. Lobbyist: Mark Radtke, mradtke@cml.org.

HB 12-1026**MUNICIPAL COURTS****Peace officer status for municipal prosecutors**

Confers peace officer status on a city attorney, town attorney, senior assistant city attorney, assistant city attorney, chief deputy city attorney, deputy city attorney, special deputy city attorney, prosecuting attorney, senior prosecuting attorney, senior prosecutor, or special prosecutor employed or contracted by a municipality, city, town, statutory city or town, or city and county. Attorney may be certified by the peace officers standards and training board. Status will not be conferred if the attorney also practices criminal defense or contracts with the local government on less than a full-time basis. Effective April 6, 2012. Lobbyist: Meghan Storrie, mstorrie@cml.org.

SB 12-175**MUNICIPAL COURTS****Court time periods**

Changes time intervals from 10-day or monthly periods (or multiples of those periods) to seven-day periods (or multiples of seven days) to avoid actions being due on weekends. Effective July 1, 2012. Lobbyist: Meghan Storrie, mstorrie@cml.org.

HB 12-1005**MUNICIPAL FINANCE****Public investments**

Creates a slightly lower ratings threshold to allow municipal funds investment in federal agency instruments. Effective March 7, 2012. Lobbyist: Mark Radtke, mradtke@cml.org.

HB 12-1216**MUNICIPAL FINANCE****Divert driver's license fee**

Continues for another three years the diversion of driver's license fees collected for the Highway Users Tax Fund (HUTF). Since first passed three years ago, this diversion has amounted to roughly \$3.6 million per year from the municipal share of HUTF. Future HUTF funding amounts for municipalities will not be reduced from current levels because this diversion has been in effect since 2009. The HUTF dollars are being used to replace state general fund dollars that traditionally have funded the driver's license bureau. Effective July 1, 2012. Lobbyist: Mark Radtke, mradtke@cml.org.

HB 12-1169**OPEN MEETINGS****Prohibition of secret votes**

Prohibits adoption of any proposed policy, position, resolution, rule, regulation, or formal action by secret ballot, which is defined as a vote cast in such a way that the identity of the person voting or the position taken in the vote is withheld from the public. Responds to the Colorado Court of Appeals decision in *Henderson v. City of Ft. Morgan*, 2011 WL 3332420 (Colo. App. 2011). Effective March 24, 2012. Lobbyist: Geoff Wilson, gwilson@cml.org.

HB 12-1036**OPEN RECORDS ACT****Voted ballots**

Provides that voted ballots are open records under the Colorado Open Records Act (CORA). Defines “ballot” to include digital or electronic images of ballots. Stays processing of CORA requests for voted ballots beginning on the 45th day prior to the election and extending through the day on the later of when the election results are certified or a recount is completed. Provides that ballots shall remain in the custody of the designated election official (DEO) during examination; provides that the DEO may determine the manner of examination. Requires the DEO to cover or redact any markings on a ballot that may identify a particular elector who cast the ballot. Provides special procedures for examination of certain classes of ballots when the number or nature of the ballots might aid identification of individual voters. Provides for recovery of actual costs incurred by the custodian in making ballots available for inspection. Contains other provisions. Effective June 7, 2012. Lobbyist: Geoff Wilson, gwilson@cml.org.

HB 12-1018**PENSIONS/RETIREMENT****Fire and police – Social Security supplemental plan**

Modifies the social security supplemental plan by repealing provisions related to optional affiliation by any employer that covers members under the federal Social Security Act, as amended, or any county that covers salaried employees whose duties are directly involved with the provision of law enforcement or fire protection, as certified by the county under the federal Social Security Act, as amended. Requires, with one exception, affiliation by social security employers with the Statewide Defined Benefit Plan. Contains additional provisions. Effective Aug. 8, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 12-1031**PENSIONS/RETIREMENT****Fire and police – Plan amendments**

Authorizes the board of the fire and police pension association to make amendments to plan for the administration of benefits, so long as the amendments do not result in an actuarial cost to the plans and the board deems the amendments prudent and necessary to consistently and uniformly manage the plans under the board’s administration. Effective Aug. 8, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 12-1224**PUBLIC SAFETY****Consolidated Communications System Authority**

Creates the Consolidated Communications System Authority and defines the membership of the authority as from specified entities that use the statewide digital trunked radio system as their primary means of public safety wireless communication. Specifies that the authority shall not assess any fee on its members or take any assets owned by a member without prior agreement. Terminates the authority on July 1, 2018, unless extended through the sunset review process. Contains other provisions. Effective May 9, 2012. *Reprinted*. Lobbyist: Kevin Bommer, kbommer@cml.org.

SB 12-149**PENSIONS/RETIREMENT****Modifications to benefits and age and service requirements**

Permits the board of a defined benefit plan or system created by a local government to (for a specified period of time) modify the benefits and the age and service requirements for any such plan or system when the board determines the modification is required to ensure the sustainability of the plan or system. Specifies that any modifications to the benefits and age and service requirements shall not adversely affect vested benefits already accrued by members of such defined benefit plans or systems. Allows boards of defined benefit plans or systems to provide written notice to each member, inactive member, and beneficiary that the possibility of a reduction of benefits to ensure the sustainability of the plan or system could occur in the future. Effective May 29, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 12-1229**PUBLICATION****Legal newspaper**

Amends the statutes concerning the requisites of a legal newspaper for purposes of meeting publication requirements to permit publication in a newspaper of general circulation in the county if no paper is published in the county or in an adjoining county. Defines “published” as meaning the newspaper maintains an office in the county to gather news, sell advertising, or conduct the general business of newspaper publication. Effective Aug. 8, 2012. Lobbyist: Geoff Wilson, gwilson@cml.org.

HB 12-1105**REAL PROPERTY****Wind energy rights**

Establishes a nonseverable wind energy right in real property. Contains numerous related provisions. Effective Aug. 8, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 12-1002**RULEMAKING****Administrative Procedures Act modifications**

Amends the State Administrative Procedures Act (APA) such that rules and written agency interpretations in effect shall govern when an application for a new permit or renewal is made. Requires the state agency to grandfather

such applications if the rules change following the application, unless certain enumerated exceptions apply. Contains numerous related provisions. Effective Aug. 8, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 12-1008 **RULEMAKING**
Public input to rulemaking

Requires state agencies to establish stakeholder groups to offer input on proposed rulemaking or participate in rulemaking proceedings. Requires that any agency proposing a rule to increase fees or fines to notify the General Assembly. Requires additional reporting requirements to legislative staff by state agencies. Effective May 17, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

SB 12-026 **RULEMAKING**
Prohibition on rules creating unfunded mandates

Prohibits state agencies from promulgating a rule that create a state mandate on local government in accordance with existing statutes barring the General Assembly from creating a state mandate on local government. Beginning in 2014, agencies will be required to report certain enumerated items to the director of the Office of State Planning and Budgeting. Requires the director to certify compliance with the statute before an agency can conduct a rulemaking proceeding. Requires each agency to establish by January 2014 a process for reporting to the director. Contains other provisions. Effective Aug. 8, 2012. *Reprinted.* Lobbyist: Kevin Bommer, kbommer@cml.org.

SB 12-031 **SEVERANCE TAX/
FEDERAL MINERAL LEASE**
Federal Mineral Lease Districts

Amends statutes regarding the formation of a federal mineral lease district, including changes to the district's and district board of director's powers. Specifies that a federal mineral lease district is an independent body politic, separate and distinct from the county that creates it. Enumerates powers and clarifies board member terms. Specifies that the district may reserve all or a portion of the federal mineral lease funding for use in subsequent years in order to maximize the usefulness of the direct or indirect distribution of funding for the areas socially or economically impacted by the development, processing, or energy conversion of fuels and minerals leased under a federal act. Effective April 6, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 12-1117 **SOLICITATION**
Exception for nonprofit and charitable organizations

Allows local governments, in their individual discretion, to allow nonprofit and charitable organizations to solicit contributions from motorists in public rights of way. Establishes a maximum of five days per charitable organization per calendar year. Effective March 22, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

SB 12-133 **SOLID WASTE**
Electronic devices, Landfill ban

Bans disposal of electronic devices in landfills after July 1, 2013, but allows the county commissioners of a county that does not have two electronic recycling events per year or an ongoing electronics recycling program to vote to opt out of the ban in two-year, renewable periods. Defines "electronic device." Contains other provisions. Effective Aug. 8, 2012. Lobbyist: Geoff Wilson, gwilson@cml.org.

HB 12-1037 **TAXATION**
Sales and use tax, Registered pesticides

Provides that registered pesticides and adjuvants shall be exempt from local sales and use taxation. Repeals language making this exemption a local decision. Defines terms. Effective June 4, 2012. Lobbyist: Geoff Wilson, gwilson@cml.org.

SB 12-094 **TAXATION**
Sales and use tax, Food

Amends the state tax definition of "food" in Title 39, C.R.S., to provide that in determining whether a food product is for domestic home consumption, unless a vendor is on a statutory list located at C.R.S. 39-26-104(1)(e), no inference shall be drawn from the type of vendor selling the product, the location of the product within a store, or the manner in which the product is marketed. Change will apply to sales of food on or after July 1, 2012. Makes no amendments to the municipal statutes, does not by its terms purport to apply to home rule municipalities that locally collect their sales tax, and does not contain a declaration of statewide concern. Effective March 9, 2012. Lobbyist: Geoff Wilson, gwilson@cml.org.

SB 12-013 **TRANSPORTATION**
Low-speed electric vehicles

Permits municipalities to work with the Colorado Department of Transportation (CDOT) to address special circumstances in which it makes sense to allow neighborhood electric vehicles (NEVs) on roadways with a 40 mph speed limit. NEVs are currently allowed on roadways up to 35 mph. A separate section of the bill sets the minimum age for drivers of golf carts on public roads at 16. Municipalities have limited authority to allow golf carts on streets by ordinance. Effective May 3, 2012. Lobbyist: Mark Radtke, mradtke@cml.org.

SJR 12-025 **TRANSPORTATION**
Amtrak Southwest Chief

Formalizes the General Assembly in joining with Colorado local governments and business groups in support of continued routing of the Amtrak Southwest Chief passenger train through Colorado. Urges Amtrak to retain its Colorado route and recognizes the important economic benefits it brings to the state. Effective May 9, 2012. Lobbyist: Mark Radtke, mradtke@cml.org.

HB 12-1127 UNEMPLOYMENT INSURANCE

Elimination of new employer rate increase

Eliminates rate increase for new employers scheduled to take effect once solvency in the unemployment insurance fund is achieved and instead keeps the rate at 0.0170 percent. Specifies that the new employer rate continues to be determined at the unrated level or the computed rate, whichever is higher. Effective March 19, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 12-1078 WATER/WASTEWATER

**Drinking water facility exemption from
certificate of designation**

Exempts certain drinking water treatment facilities from the requirement to get a certificate of designation as a solid waste disposal site and facility regardless of when the solid wastes were handled. Allows a drinking water treatment facility to dispose of drinking water treatment residuals that were generated on-site on the facility's property in compliance with the rules of the solid and hazardous waste commission for waste impoundments and solid wastes disposal. Effective Aug. 8, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

HB 12-1119 WATER/WASTEWATER

Stormwater discharge violations

Prohibits the Department of Public Health and Environment from commencing an enforcement action against a violator for a minor inspection-related or paperwork violation of either a provision of the Colorado Water Quality Control Act or of a permit issued under the act that governs stormwater discharges occurring in connection with construction activities. Creates an exception if the division notifies the violator of the violation and the violator fails to cure the violation within a reasonable time, as determined by the division. Allows the department to assess a penalty of up to twice the amount of the penalty authorized by existing law. Requires the department to create a stakeholder group to develop processes for preventing violations and initiating enforcement. Requires a report to the General Assembly no later than Dec. 1, 2012. Effective June 6, 2012. Lobbyist: Kevin Bommer, kbommer@cml.org.

An Act

HOUSE BILL 12-1224

BY REPRESENTATIVE(S) Becker, Gerou, Levy, Hamner, Hullinghorst,
Jones, Tyler, Wilson;
also SENATOR(S) Lambert, Hodge, Steadman, Boyd, Heath, Schwartz.

CONCERNING THE CREATION OF A CONSOLIDATED COMMUNICATIONS
SYSTEM AUTHORITY.

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

SECTION 1. In Colorado Revised Statutes, **add** article 24.5 to title
29 as follows:

ARTICLE 24.5

Consolidated Communications System Authority

29-24.5-101. Legislative declaration. (1) THE GENERAL ASSEMBLY
HEREBY FINDS AND DECLARES THAT:

(a) WIRELESS COMMUNICATION IS A CRITICAL COMPONENT OF PUBLIC
SAFETY AND EMERGENCY SERVICES;

(b) PARTNERSHIPS BETWEEN THE STATE, LOCAL, TRIBAL, AND
FEDERAL GOVERNMENTS ARE AN EFFECTIVE WAY TO PROVIDE IMPROVED

COMMUNICATION SERVICES, AVOID COSTLY DUPLICATION, AND REDUCE OVERALL COSTS;

(c) THE PROGRAM TO CREATE A STATEWIDE DIGITAL TRUNKED RADIO SYSTEM HAS SIGNIFICANTLY IMPROVED WIRELESS COMMUNICATION FOR STATE AGENCIES WHERE THE SYSTEM IS IN OPERATION;

(d) THE STATE, LOCAL, TRIBAL, AND FEDERAL GOVERNMENTS, IN PARTNERSHIP, HAVE CONTRIBUTED SIGNIFICANT INFRASTRUCTURE AND INVESTMENTS TO CREATE THE SYSTEM; AND

(e) MONEYS TO FUND THE EXPANSION, IMPROVEMENT, AND MAINTENANCE OF THE STATEWIDE DIGITAL TRUNKED RADIO SYSTEM ARE AVAILABLE TO POLITICAL SUBDIVISIONS OF THE STATE.

(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT THE CONSOLIDATED COMMUNICATIONS SYSTEM AUTHORITY IS CREATED FOR THE BENEFIT OF AND TO PROMOTE THE HEALTH AND SAFETY OF THE PEOPLE OF COLORADO, AND IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THIS ARTICLE SHALL BE LIBERALLY CONSTRUED TO EFFECT ITS PURPOSE.

29-24.5-102. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "AUTHORITY" MEANS THE CONSOLIDATED COMMUNICATIONS SYSTEM AUTHORITY CREATED IN THIS ARTICLE.

(2) "BOARD" MEANS THE BOARD OF DIRECTORS OF THE AUTHORITY AS DESCRIBED IN SECTION 29-24.5-103 (5) AND IN THE BYLAWS OF THE AUTHORITY.

(3) "MEMBER" MEANS ONE OF THE FOLLOWING ENTITIES THAT USES THE STATEWIDE DIGITAL TRUNKED RADIO SYSTEM AS A MEANS OF PUBLIC SAFETY WIRELESS COMMUNICATION IN THE PERFORMANCE OF ITS DUTIES:

(a) A LAW ENFORCEMENT AGENCY OR FIRE DEPARTMENT;

(b) A LICENSED AMBULANCE OR EMERGENCY MEDICAL SERVICE USING THE NETWORK FOR DISPATCHING 9-1-1 OR EMERGENCY CALLS OR FOR COMMUNICATING WITH A LICENSED HOSPITAL OR TRAUMA CENTER;

(c) A SCHOOL DISTRICT OR SCHOOL;

(d) AN AGENCY OF A CITY, COUNTY, CITY AND COUNTY, SPECIAL DISTRICT, OR OTHER POLITICAL SUBDIVISION OF THE STATE;

(e) AN AGENCY OF AN INDIAN TRIBE;

(f) AN AGENCY OF THE STATE OR FEDERAL GOVERNMENT; OR

(g) A PERSON OR ENTITY ELIGIBLE TO HOLD AN AUTHORIZATION IN THE PUBLIC SAFETY RADIO POOL PURSUANT TO RULE 47 CFR 90.20 OF THE FEDERAL COMMUNICATIONS COMMISSION OR A SUCCESSOR RULE.

(4) "SYSTEM" MEANS THE STATEWIDE DIGITAL TRUNKED RADIO SYSTEM.

29-24.5-103. Authority - creation - purposes. (1) THERE IS HEREBY CREATED THE CONSOLIDATED COMMUNICATIONS SYSTEM AUTHORITY, WHICH SHALL BE A BODY CORPORATE AND POLITIC AND A POLITICAL SUBDIVISION OF THE STATE. THE AUTHORITY IS NOT AN AGENCY OF STATE GOVERNMENT. THE AUTHORITY SHALL HAVE PERPETUAL EXISTENCE AND SUCCESSION. THE AUTHORITY IS A PUBLIC ENTITY FOR PURPOSES OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT", ARTICLE 10 OF TITLE 24, C.R.S. THE AUTHORITY IS A POLITICAL SUBDIVISION OF THE STATE FOR PURPOSES OF SECTIONS 24-6-402 (1) (c) AND 24-72-202 (5), C.R.S. THE AUTHORITY IS NOT A LOCAL GOVERNMENT FOR PURPOSES OF THE "COLORADO LOCAL GOVERNMENT AUDIT LAW", PART 6 OF ARTICLE 1 OF THIS TITLE; EXCEPT THAT THE STATE AUDITOR MAY ORDER THE AUTHORITY TO COMPLY WITH THE REQUIREMENTS OF SECTION 29-1-603 FOR ANY FISCAL YEAR.

(2) THE PURPOSES OF THE AUTHORITY ARE:

(a) TO SOLICIT AND ACCEPT APPROPRIATIONS, GRANTS, AND OTHER MONEYS TO BE USED FOR THE PURPOSE OF EXPANDING, UPGRADING, AND OPERATING THE SYSTEM;

(b) TO REPRESENT THE MEMBERS IN MATTERS CONCERNING NETWORK GROWTH, MAINTENANCE, UPGRADE, OPERATION, TECHNOLOGY, RULES, SPECTRUM ALLOCATIONS, AND RADIO FREQUENCY LICENSING; AND

(c) TO ADVISE THE GOVERNOR AND THE GENERAL ASSEMBLY ON THE DEVELOPMENT, MAINTENANCE, UPGRADE, AND OPERATION OF THE SYSTEM.

(3) THE DUTIES OF THE AUTHORITY ARE TO PRESENT AN ANNUAL REPORT TO THE JOINT BUDGET COMMITTEE IN WRITING NO LATER THAN OCTOBER 15 THAT INCLUDES:

(a) OPERATIONAL AND CAPITAL INFRASTRUCTURE NEEDS TO MAINTAIN THE SYSTEM; AND

(b) POTENTIAL FUNDING OPTIONS TO MEET THE OPERATIONAL AND CAPITAL INFRASTRUCTURE NEEDS OF THE SYSTEM.

(4) THE AUTHORITY SHALL NOT:

(a) LEVY ANY TAXES;

(b) ASSESS ANY FEE ON ITS MEMBERS; OR

(c) TAKE ANY ASSETS OWNED BY A MEMBER WITHOUT PRIOR AGREEMENT.

(5) THE BOARD CONSISTS OF THE FOLLOWING TWENTY MEMBERS:

(a) (I) TWELVE MEMBERS REPRESENTING LOCAL GOVERNMENT AS FOLLOWS:

(A) ONE MEMBER REPRESENTING THE FIVE STATEWIDE DIGITAL TRUNKED RADIO SYSTEM MUTUAL AID CHANNEL REGIONS, WHO IS APPOINTED AS SPECIFIED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a);

(B) TWO MEMBERS REPRESENTING THE FOUR ZONE SWITCH USERS, WHO ARE APPOINTED AS SPECIFIED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a);

(C) ONE MEMBER REPRESENTING THE LICENSED AMBULANCE OR EMERGENCY MEDICAL SERVICE AND THE LICENSED HOSPITAL OR TRAUMA CENTER, WHO IS SELECTED BY THE STATE EMERGENCY MEDICAL AND TRAUMA SERVICES ADVISORY COUNCIL CREATED IN SECTION 25-3.5-104, C.R.S.;

(D) FIVE MEMBERS REPRESENTING THE NINE ALL-HAZARD REGIONS, WHO ARE APPOINTED AS SPECIFIED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a);

(E) ONE MEMBER REPRESENTING THE STATEWIDE FIRE DEPARTMENTS, WHO IS SELECTED BY THE COLORADO STATE FIRE CHIEFS' ASSOCIATION; AND

(F) TWO MEMBERS REPRESENTING THE LAW ENFORCEMENT AGENCIES, ONE WHO IS SELECTED BY THE COLORADO ASSOCIATION OF CHIEFS OF POLICE AND ONE WHO IS SELECTED BY THE COUNTY SHERIFFS OF COLORADO.

(II) FOR THE MEMBERS REPRESENTING THE ENTITIES DESCRIBED IN SUB-SUBPARAGRAPHS (A), (B), AND (D) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), EACH ENTITY MAY NOMINATE ONE OR MORE PERSONS TO THE GOVERNOR FOR APPOINTMENT TO THE POSITIONS. THE GOVERNOR SHALL CONSIDER GEOGRAPHIC REPRESENTATION AND TECHNICAL EXPERTISE IN CHOOSING WHICH NOMINEES TO APPOINT. THE GOVERNOR SHALL NOTIFY THE ENTITIES IN WRITING REGARDING THE APPOINTMENTS MADE. EACH APPOINTEE SERVES AT THE PLEASURE OF THE GOVERNOR. SUCH APPOINTMENTS ARE NOT SUBJECT TO THE CONSENT OF THE SENATE.

(b) SIX MEMBERS REPRESENTING STATE GOVERNMENT, WITH ONE EACH FROM:

(I) THE CHIEF INFORMATION OFFICER OF THE GOVERNOR'S OFFICE OF INFORMATION TECHNOLOGY, OR HIS OR HER DESIGNEE;

(II) THE CHIEF OF THE COLORADO STATE PATROL, OR HIS OR HER DESIGNEE;

(III) THE DIRECTOR OF THE COLORADO DEPARTMENT OF CORRECTIONS, OR THE DIRECTOR'S DESIGNEE;

(IV) THE DIRECTOR OF THE COLORADO DEPARTMENT OF TRANSPORTATION, OR THE DIRECTOR'S DESIGNEE;

(V) THE DIRECTOR OF THE COLORADO DEPARTMENT OF NATURAL RESOURCES, OR THE DIRECTOR'S DESIGNEE; AND

(VI) THE DIRECTOR OF THE COLORADO DEPARTMENT OF LOCAL AFFAIRS, OR THE DIRECTOR'S DESIGNEE.

(c) TWO MEMBERS REPRESENTING THE TWO TRIBAL NATIONS IN THE STATE, ONE SELECTED BY EACH OF THE TWO TRIBAL NATIONS.

(6) (a) THE BOARD SHALL ELECT FROM ITS MEMBERSHIP A CHAIR, A VICE-CHAIR, A SECRETARY, AND OTHER APPROPRIATE OFFICERS. OFFICERS ARE ELECTED FOR TERMS OF TWO YEARS, TAKING OFFICE ON JANUARY 1 OF THE YEAR DIRECTLY FOLLOWING THE ELECTION.

(b) THE MEMBERS OF THE BOARD APPOINTED OR SELECTED PURSUANT TO PARAGRAPHS (a) AND (c) OF SUBSECTION (5) OF THIS SECTION SERVE AT THE PLEASURE OF THE APPOINTING OR SELECTING AUTHORITY.

(7) ON THE EFFECTIVE DATE OF THIS SECTION, EVERY AGENCY THAT IS CURRENTLY A MEMBER OF THE COLORADO CORPORATION CREATED TO PROVIDE THE GOVERNANCE STRUCTURE FOR MANAGING THE STATEWIDE DIGITAL TRUNKED RADIO SYSTEM AND THAT QUALIFIES TO COOPERATE WITH OTHER GOVERNMENTS ACCORDING TO SECTION 29-1-203 BECOMES A MEMBER OF THE AUTHORITY UNLESS THE GOVERNING BODY OF SUCH AGENCY SPECIFICALLY EXCLUDES ITSELF FROM THE AUTHORITY. ANY AGENCY WISHING TO BE EXCLUDED FROM THE AUTHORITY MUST NOTIFY THE SECRETARY OF THE AUTHORITY IN WRITING.

(8) AFTER THE EFFECTIVE DATE OF THIS SECTION, NEW MEMBERS OF THE AUTHORITY SHALL BE ADMITTED IN ACCORDANCE WITH ANY BYLAWS OR POLICIES ESTABLISHED BY THE AUTHORITY.

29-24.5-104. Exemption from taxation. THE INCOME AND OTHER REVENUE OF THE AUTHORITY AND ALL PROPERTY INTERESTS OF THE AUTHORITY ARE EXEMPT FROM ALL STATE AND LOCAL TAXES AND ASSESSMENTS.

29-24.5-105. Consolidated communications system authority - subject to termination - repeal. (1) THE PROVISIONS OF SECTION 24-34-104, C.R.S., CONCERNING THE TERMINATION OF REGULATORY AGENCIES OF THE STATE UNLESS EXTENDED AS PROVIDED IN SAID SECTION, ARE APPLICABLE TO THE CONSOLIDATED COMMUNICATIONS SYSTEM AUTHORITY CREATED IN THIS ARTICLE. IN THE EVENT THE AUTHORITY IS

EXTENDED AS PROVIDED IN SECTION 24-34-104, C.R.S., THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT THE AUTHORITY SHOULD BE SUBJECT TO REVIEW PURSUANT TO SAID SECTION AT LEAST EVERY FIVE YEARS.

(2) THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2018. PRIOR TO SUCH REPEAL, THE FUNCTIONS OF THE CONSOLIDATED COMMUNICATIONS SYSTEM AUTHORITY SHALL BE REVIEWED AS PROVIDED FOR IN SECTION 24-34-104, C.R.S.

SECTION 2. In Colorado Revised Statutes, 24-34-104, **add** (49) (i) as follows:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (49) The following agencies, functions, or both, shall terminate on July 1, 2018:

(i) THE CONSOLIDATED COMMUNICATIONS SYSTEM AUTHORITY CREATED IN SECTION 29-24.5-103, C.R.S.

SECTION 3. In Colorado Revised Statutes, 24-77-102, **add** (15) (b) (XVIII) as follows:

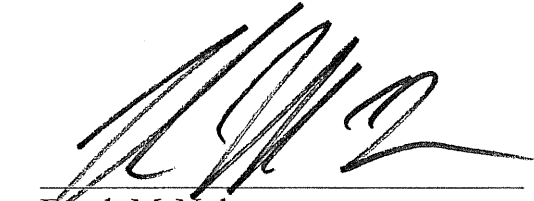
24-77-102. Definitions. As used in this article, unless the context otherwise requires:

(15) (b) "Special purpose authority" includes, but is not limited to:

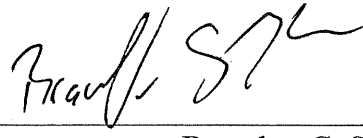
(XVIII) THE CONSOLIDATED COMMUNICATIONS SYSTEM AUTHORITY CREATED IN SECTION 29-24.5-103, C.R.S.

SECTION 4. Safety clause. The general assembly hereby finds,

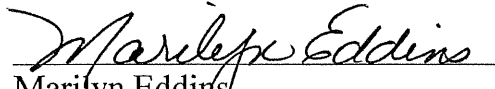
determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.



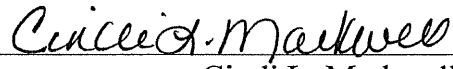
Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Brandon C. Shaffer
PRESIDENT OF
THE SENATE

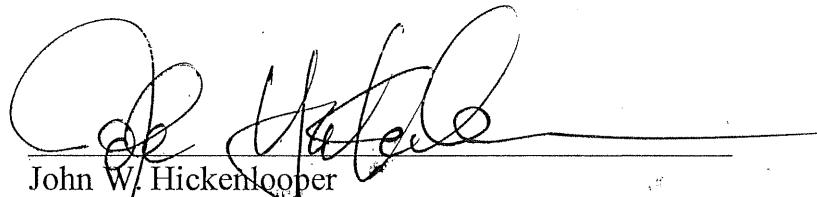


Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED 11:21 am 5/4/12



John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO

An Act

SENATE BILL 12-026

BY SENATOR(S) Cadman, Aguilar, Brophy, Grantham, Jahn, King K., King S., Lambert, Lundberg, Mitchell, Neville, Renfroe, Roberts, Scheffel, Spence, White;
also REPRESENTATIVE(S) Vaad, Barker, Beezley, Bradford, Brown, Coram, Gerou, Kerr J., Labuda, Miklosi, Pabon, Pace, Scott, Summers, Tyler.

CONCERNING A STATE AGENCY RULE THAT CREATES A STATE MANDATE ON
A LOCAL GOVERNMENT.

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

SECTION 1. In Colorado Revised Statutes, 24-4-103, **amend** (6) (a), (8.1) (b) (VIII), and (8.1) (b) (IX); and **add** (2.7), (8.1) (b) (X), and (8.1) (d) as follows:

24-4-103. Rule-making - procedure - definitions - repeal.
(2.7) (a) AS USED IN THIS SUBSECTION (2.7):

(I) "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE OF STATE PLANNING AND BUDGETING.

(II) "STATE MANDATE" HAS THE SAME MEANING AS SET FORTH IN

SECTION 29-1-304.5 (3) (d), C.R.S.

(b) NO AGENCY SHALL PROMULGATE A RULE CREATING A STATE MANDATE ON A LOCAL GOVERNMENT UNLESS THE AGENCY COMPLIES WITH THE REQUIREMENTS OF SECTION 29-1-304.5, C.R.S.

(c) (I) BEGINNING JANUARY 1, 2014, FOR EACH PROPOSED RULE THAT INCLUDES A STATE MANDATE, AN AGENCY SHALL PROVIDE TO THE DIRECTOR A DESCRIPTION OF:

(A) THE PROPOSED RULE;

(B) THE NATURE AND EXTENT OF ANY CONSULTATIONS THAT THE AGENCY HAD WITH ELECTED OFFICIALS OR OTHER REPRESENTATIVES OF THE LOCAL GOVERNMENTS THAT WOULD BE AFFECTED BY THE PROPOSED STATE MANDATE;

(C) THE NATURE OF ANY CONCERNS OF THE ELECTED OFFICIALS OR OTHER REPRESENTATIVES OF THE LOCAL GOVERNMENTS;

(D) ANY WRITTEN COMMUNICATIONS OR COMMENTS SUBMITTED TO THE AGENCY BY AN ELECTED OFFICIAL OR OTHER REPRESENTATIVE OF A LOCAL GOVERNMENT; AND

(E) THE AGENCY'S REASONING SUPPORTING THE NEED TO PROMULGATE THE RULE CONTAINING THE STATE MANDATE.

(II) THE DIRECTOR SHALL REVIEW THE INFORMATION PROVIDED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (c) AND, IF IT COMPLIES WITH THE REQUIREMENTS OF THIS PARAGRAPH (c), THE DIRECTOR SHALL SEND A WRITTEN NOTICE OF COMPLIANCE TO THE AGENCY. AN AGENCY SHALL NOT CONDUCT A PUBLIC RULE-MAKING PROCEEDING UNLESS THE AGENCY HAS RECEIVED THE WRITTEN NOTICE OF COMPLIANCE FROM THE DIRECTOR.

(d) EACH AGENCY SHALL DEVELOP A PROCESS TO ACTIVELY SOLICIT THE MEANINGFUL AND TIMELY INPUT OF ELECTED OFFICIALS AND OTHER REPRESENTATIVES OF LOCAL GOVERNMENTS INTO THE DEVELOPMENT OF PROPOSED RULES WITH STATE MANDATES AFFECTING LOCAL GOVERNMENTS. EACH AGENCY SHALL IMPLEMENT ITS PROCESS NO LATER THAN JANUARY 1,

PAGE 2-SENATE BILL 12-026

2014, AND POST THE PROCESS ON THE AGENCY'S WEB SITE.

(e) THE EXECUTIVE DIRECTOR OF EACH DEPARTMENT SHALL BE RESPONSIBLE FOR ENSURING IMPLEMENTATION OF AND COMPLIANCE WITH THIS SUBSECTION (2.7).

(f) THE GENERAL ASSEMBLY SHALL APPROPRIATE ANY MONEYS NECESSARY FOR THE IMPLEMENTATION OF THIS SUBSECTION (2.7) TO THE OFFICE OF STATE PLANNING AND BUDGETING IN THE ANNUAL GENERAL APPROPRIATION ACT FOR THE FISCAL YEAR 2013-14.

(6) (a) A temporary or emergency rule may be adopted without compliance with the procedures prescribed in subsection (4) of this section and with less than the twenty days' notice prescribed in subsection (3) of this section, or where circumstances imperatively require, without notice, only if the agency finds that immediate adoption of the rule is imperatively necessary to comply with a state or federal law or federal regulation or for the preservation of public health, safety, or welfare and compliance with the requirements of this section would be contrary to the public interest and makes such a finding on the record. Such findings and a statement of the reasons for the action shall be published with the rule. A temporary or emergency rule may be adopted without compliance with ~~subsection (2.5)~~ SUBSECTIONS (2.5) AND (2.7) of this section, but shall not become permanent without compliance with such ~~subsection (2.5)~~ SUBSECTIONS (2.5) AND (2.7). A temporary or emergency rule shall become effective on adoption or on such later date as is stated in the rule, shall be published promptly, and shall have effect for not more than one hundred twenty days after its adoption or for such shorter period as may be specifically provided by the statute governing such agency, unless made permanent by compliance with subsections (3) and (4) of this section.

(8.1) (b) The agency rule-making record shall contain:

(VIII) A copy of any objection to the rule presented to the committee on legal services of the general assembly by its staff pursuant to paragraph (d) of subsection (8) of this section and the agency's response; and

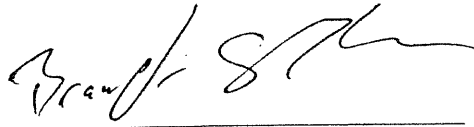
(IX) A copy of any filed executive order with respect to the rule;
AND

(X) A COPY OF ANY INFORMATION PROVIDED TO THE DIRECTOR PURSUANT TO PARAGRAPH (c) OF SUBSECTION (2.7) OF THIS SECTION AND THE WRITTEN NOTICE OF COMPLIANCE FROM THE DIRECTOR.

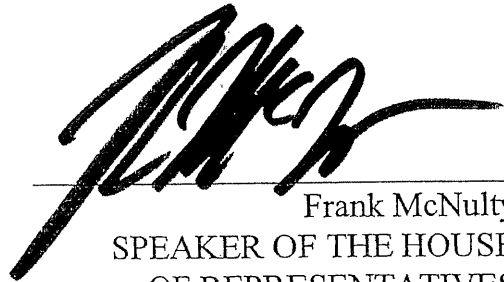
(d) IF AN AGENCY INCLUDES INFORMATION REQUIRED BY SUBPARAGRAPH (X) OF PARAGRAPH (b) OF THIS SUBSECTION (8.1) IN THE RULE-MAKING RECORD, THE AGENCY SHALL PROVIDE A COPY OF THE PORTION OF THE RECORD THAT INCLUDES SUCH INFORMATION WITH THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL IN ACCORDANCE WITH THE PROVISIONS OF SECTION 24-1-136 (9).

SECTION 2. Act subject to petition - effective date. This act takes 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 8, 2012, if adjournment sine die is on May 9, 2012); 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 will not take effect unless

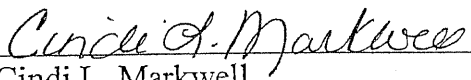
approved by the people at the general election to be held in November 2012 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



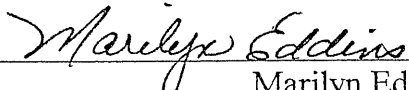
Brandon C. Shaffer
PRESIDENT OF
THE SENATE



Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

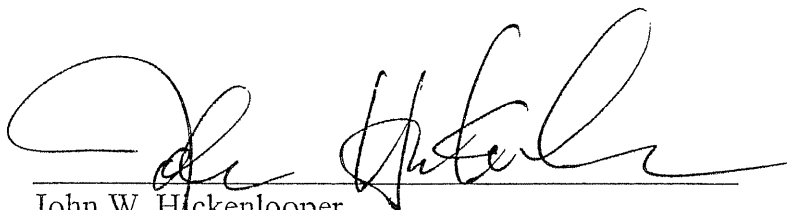


Cindi L. Markwell
SECRETARY OF
THE SENATE



Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED 12:44 pm 5/24/12



John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO

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