

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 10-0494.01 Julie Pelegrin

HOUSE BILL 10-1354

HOUSE SPONSORSHIP

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House Committees

State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING POLICY STUDIES CONDUCTED BY THE GENERAL**
102 **ASSEMBLY DURING THE LEGISLATIVE INTERIM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Under **section 1** of the bill, all interim studies will be one-year studies conducted by the appropriate joint committee of reference of the general assembly, based on the issues to be studied. If a legislator seeks authorization for an interim study, he or she will introduce a joint resolution (resolution) that, at a minimum, identifies the issues to be

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
3rd Reading Unamended
April 5, 2010

HOUSE
Amended 2nd Reading
April 1, 2010

studied and the joint committee of reference that will conduct the study. The legislative council will be the committee of reference for all resolutions that authorize an interim study. If the legislative council approves the resolution, the legislative council must amend the resolution to specify the number of interim committee days that are allocated to the interim study. The legislative council will not allocate more than 25 interim committee days in any one interim or such other number of days as may be budgeted for in the legislative department budget for the applicable budget year.

The chairs of the joint committee of reference may appoint subcommittees of the committee to conduct the study or studies assigned to it, but any bills or joint resolutions recommended as a result of a study must be approved by a majority of the members of the joint committee of reference. The chairs may also appoint a task force of interested persons from the community to advise the joint committee of reference or a subcommittee and shall appoint such a task force if required by the resolution that authorized the study.

Any bills that a joint committee of reference chooses to recommend must be pertinent to the policy issues identified in the resolution that authorized the interim study. The joint committee of reference may also recommend a joint resolution to continue the interim study for another year if necessary. The recommended bills will be considered interim committee bills and will not count against a legislator's 5-bill limit only if the interim study met the statutory requirements for interim studies and was approved by the legislative council.

The president of the senate and the speaker of the house of representatives shall each appoint to the joint committee of reference a prime sponsor of the resolution if at least one of the prime sponsors in each house is not a member of the joint committee of reference.

The legislative staff agencies will provide staff support, as necessary, for each joint committee of reference, or subcommittee, that conducts an interim study. A joint committee of reference conducting an interim study will not be allowed to accept in-kind donations of services from a private organization unless the services are in addition to and not in lieu of the services normally provided by legislative staff.

Sections 2 through 27 of the bill repeal the interim committees that currently are established in statute and make conforming amendments, including specifying the appropriate committees of reference for reports that, under current law, are submitted to statutory interim committees.

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

2 **SECTION 1.** 2-3-303.3, Colorado Revised Statutes, is amended

1 to read:

2 **2-3-303.3. Interim studies.** (1) IT IS THE INTENT OF THE
3 GENERAL ASSEMBLY THAT:

4 (a) AN INTERIM STUDY SHALL NOT BE APPROVED EXCEPT BY JOINT
5 RESOLUTION AS PROVIDED IN THIS SECTION OR AS OTHERWISE PROVIDED
6 IN SUBSECTION (10) OF THIS SECTION; AND

7 (b) AN INTERIM STUDY SHALL NOT CONTINUE OVER MULTIPLE
8 LEGISLATIVE INTERIMS UNLESS APPROVED BY A JOINT RESOLUTION
9 PURSUANT TO THIS SECTION THAT IS PASSED DURING THE REGULAR
10 LEGISLATIVE SESSION THAT PRECEDES EACH LEGISLATIVE INTERIM IN
11 WHICH THE INTERIM STUDY IS TO BE CONDUCTED.

12 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
13 REQUIRES:

14 (a) "INTERIM COMMITTEE DAY" MEANS A ONE-DAY MEETING OF
15 TWENTY LEGISLATORS OR ITS APPROXIMATE EQUIVALENT IN PER DIEM AND
16 TRAVEL COSTS.

17 (b) "JOINT COMMITTEE OF REFERENCE" MEANS THE APPOINTED
18 MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES COMMITTEES
19 OF REFERENCE THAT OVERSEE THE SAME SUBJECT MATTER WHEN THEY
20 MEET AS A SINGLE COMMITTEE.

21 (3) (a) A MEMBER OF THE GENERAL ASSEMBLY WHO SEEKS
22 AUTHORIZATION FOR A STUDY OF ONE OR MORE POLICY ISSUES BY THE
23 GENERAL ASSEMBLY DURING THE LEGISLATIVE INTERIM SHALL INTRODUCE
24 A JOINT RESOLUTION TO REQUEST THAT A JOINT COMMITTEE OF REFERENCE
25 CONDUCT THE PROPOSED STUDY. THE LEGISLATOR SHALL INTRODUCE THE
26 JOINT RESOLUTION DURING THE LEGISLATIVE SESSION THAT IMMEDIATELY
27 PRECEDES THE INTERIM IN WHICH THE INTERIM STUDY WOULD BE

1 CONDUCTED.

2 (b) AT A MINIMUM, THE JOINT RESOLUTION SHALL SPECIFY:

3 (I) THE POLICY ISSUE OR ISSUES TO BE STUDIED; AND

4 (II) THE JOINT COMMITTEE OF REFERENCE THAT WOULD CONDUCT
5 THE INTERIM STUDY.

6 (c) THE JOINT RESOLUTION MAY ALSO PROVIDE FOR APPOINTMENT
7 OF A TASK FORCE OF MEMBERS OF THE PUBLIC TO ADVISE THE JOINT
8 COMMITTEE OF REFERENCE. A TASK FORCE SPECIFIED IN A JOINT
9 RESOLUTION SHALL BE APPOINTED AND OPERATE PURSUANT TO
10 PARAGRAPH (c) OF SUBSECTION (6) OF THIS SECTION.

11 (4) IF THE GENERAL ASSEMBLY AUTHORIZES A JOINT COMMITTEE
12 OF REFERENCE TO CONDUCT AN INTERIM STUDY PURSUANT TO THIS
13 SECTION, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE
14 OF REPRESENTATIVES SHALL EACH APPOINT ONE OF THE PRIME SPONSORS
15 OF THE JOINT RESOLUTION THAT AUTHORIZED THE INTERIM STUDY TO
16 SERVE AS SPECIAL APPOINTEES TO THE JOINT COMMITTEE OF REFERENCE
17 FOR MEETINGS AT WHICH IT CONDUCTS THE INTERIM STUDY; EXCEPT THAT:

18 (a) IF ONE OF THE PRIME SPONSORS OF THE JOINT RESOLUTION IN
19 THE SENATE IS A MEMBER OF THE JOINT COMMITTEE OF REFERENCE, THEN
20 THE PRESIDENT OF THE SENATE SHALL NOT APPOINT AN ADDITIONAL PRIME
21 SPONSOR; OR

22 (b) IF ONE OF THE PRIME SPONSORS OF THE JOINT RESOLUTION IN
23 THE HOUSE OF REPRESENTATIVES IS A MEMBER OF THE JOINT COMMITTEE
24 OF REFERENCE, THEN THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
25 SHALL NOT APPOINT AN ADDITIONAL PRIME SPONSOR.

26 (5) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO RESTRICT
27 THE AUTHORITY OF THE SPEAKER AND THE MINORITY LEADER OF THE

1 HOUSE OF REPRESENTATIVES TO APPOINT OR REMOVE MEMBERS OF A
2 COMMITTEE OF REFERENCE PURSUANT TO THE RULES OF THE HOUSE OF
3 REPRESENTATIVES OR TO RESTRICT THE AUTHORITY OF THE MAJORITY
4 LEADER AND THE MINORITY LEADER OF THE SENATE TO APPOINT OR
5 REMOVE MEMBERS OF A COMMITTEE OF REFERENCE PURSUANT TO THE
6 RULES OF THE SENATE.

7 (6) (a) EACH JOINT COMMITTEE OF REFERENCE THAT CONDUCTS AN
8 INTERIM STUDY SHALL OPERATE SUBJECT TO THE JOINT RULES OF THE
9 SENATE AND THE HOUSE OF REPRESENTATIVES FOR INTERIM STUDIES.

10 (b) THE CHAIRS OF A JOINT COMMITTEE OF REFERENCE THAT IS
11 AUTHORIZED TO CONDUCT AN INTERIM STUDY MAY APPOINT A
12 SUBCOMMITTEE OF THE JOINT COMMITTEE OF REFERENCE TO CONDUCT THE
13 AUTHORIZED STUDY. IF THE JOINT COMMITTEE OF REFERENCE IS
14 AUTHORIZED TO CONDUCT MULTIPLE INTERIM STUDIES, THE CHAIRS OF THE
15 JOINT COMMITTEE OF REFERENCE MAY APPOINT MULTIPLE
16 SUBCOMMITTEES TO CONDUCT THE STUDIES. IN APPOINTING
17 SUBCOMMITTEES, THE CHAIRS OF THE JOINT COMMITTEE OF REFERENCE:

18 (I) SHALL, TO THE EXTENT POSSIBLE, MAINTAIN THE BALANCE OF
19 REPRESENTATIVES AND SENATORS AND POLITICAL PARTIES THAT EXISTS
20 ON THE FULL JOINT COMMITTEE OF REFERENCE;

21 (II) SHALL APPOINT ONLY LEGISLATORS WHO ARE MEMBERS OF THE
22 JOINT COMMITTEE OF REFERENCE; AND

23 (III) MAY APPOINT THE PRIME SPONSORS OF THE JOINT
24 RESOLUTION THAT AUTHORIZED THE INTERIM COMMITTEE STUDY TO SERVE
25 ON THE SUBCOMMITTEE, SO LONG AS THEY ARE MEMBERS OF THE JOINT
26 COMMITTEE OF REFERENCE.

27 (c) THE CHAIRS OF A JOINT COMMITTEE OF REFERENCE THAT IS

1 AUTHORIZED TO CONDUCT AN INTERIM STUDY MAY APPOINT A TASK FORCE
2 OF PERSONS FROM THE COMMUNITY WHO HAVE SPECIAL INTEREST OR
3 EXPERTISE IN THE POLICY ISSUE BEING STUDIED AND SHALL APPOINT SUCH
4 A TASK FORCE IF REQUIRED IN THE JOINT RESOLUTION THAT AUTHORIZES
5 THE INTERIM STUDY. A TASK FORCE SHALL OPERATE IN AN ADVISORY
6 CAPACITY TO THE JOINT COMMITTEE OF REFERENCE OR TO A
7 SUBCOMMITTEE OF THE JOINT COMMITTEE OF REFERENCE AND REPORT TO
8 THE JOINT COMMITTEE OF REFERENCE AS OFTEN AS REQUESTED BY THE
9 JOINT COMMITTEE CHAIRS. THE MEMBERS OF A TASK FORCE SHALL SERVE
10 WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.
11 A TASK FORCE MAY ACCEPT DONATIONS OF IN-KIND SERVICES FROM A
12 NONPROFIT ORGANIZATION IN FULFILLING ITS DUTIES OF ADVISING THE
13 JOINT COMMITTEE OF REFERENCE.

14 (7) (a) A JOINT COMMITTEE OF REFERENCE THAT IS AUTHORIZED
15 TO CONDUCT AN INTERIM STUDY PURSUANT TO THIS SECTION MAY
16 RECOMMEND BILLS PURSUANT TO RULE 24 (b) (1) (D) OF THE JOINT RULES
17 OF THE SENATE AND HOUSE OF REPRESENTATIVES THAT ARE NOT
18 INCLUDED IN A MEMBER'S BILL INTRODUCTION LIMIT. IN RECOMMENDING
19 LEGISLATION, A JOINT COMMITTEE OF REFERENCE MAY RECOMMEND ONLY:

20 (I) BILLS THAT ADDRESS ONLY THE POLICY ISSUES SPECIFIED IN
21 THE JOINT RESOLUTION THAT AUTHORIZED THE INTERIM STUDY; AND

22 (II) A JOINT RESOLUTION TO AUTHORIZE THE JOINT COMMITTEE OF
23 REFERENCE TO CONTINUE THE INTERIM STUDY IN THE NEXT LEGISLATIVE
24 INTERIM, IF NECESSARY TO COMPLETE THE STUDY.

25 (b) A JOINT COMMITTEE OF REFERENCE MAY RECOMMEND BILLS OR
26 JOINT RESOLUTIONS PURSUANT TO THIS SUBSECTION (7) ONLY BY THE
27 AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS OF THE JOINT

1 COMMITTEE OF REFERENCE, INCLUDING ANY PERSONS SPECIALLY
2 APPOINTED PURSUANT TO SUBSECTION (4) OF THIS SECTION, REGARDLESS
3 OF WHETHER A SUBCOMMITTEE OF THE JOINT COMMITTEE OF REFERENCE
4 CONDUCTED THE INTERIM STUDY.

5 (8) (a) The legislative council created in section 2-3-301 (1) shall
6 ~~meet during the regular session each year for the purpose of reviewing~~
7 ~~and prioritizing bills and joint resolutions that create or authorize any~~
8 ~~studies to be conducted during the interim or~~ BE THE COMMITTEE OF
9 REFERENCE FOR ALL JOINT RESOLUTIONS DESCRIBED IN SUBSECTION (3) OF
10 THIS SECTION AND FOR ANY BILLS OR JOINT RESOLUTIONS that allocate any
11 additional legislative staff resources during the interim. IN ADDITION, IF
12 AT ANY POINT IN THE LEGISLATIVE PROCESS A JOINT RESOLUTION IS
13 AMENDED TO INCLUDE AUTHORIZATION OF AN INTERIM STUDY, THE JOINT
14 RESOLUTION SHALL BE REFERRED TO THE LEGISLATIVE COUNCIL FOR A
15 HEARING PURSUANT TO THIS SUBSECTION (8).

16 (b) IF THE LEGISLATIVE COUNCIL REFERS A JOINT RESOLUTION
17 THAT IT HEARS PURSUANT TO THIS SUBSECTION (8) TO ANOTHER
18 COMMITTEE OR TO THE COMMITTEE OF THE WHOLE FOR FURTHER
19 CONSIDERATION, THE LEGISLATIVE COUNCIL SHALL AMEND THE JOINT
20 RESOLUTION TO SPECIFY THE NUMBER OF INTERIM COMMITTEE DAYS THAT
21 THE JOINT COMMITTEE OF REFERENCE IDENTIFIED IN THE JOINT
22 RESOLUTION IS AUTHORIZED TO MEET TO CONDUCT THE INTERIM STUDY.
23 IN AMENDING A JOINT RESOLUTION PURSUANT TO THIS PARAGRAPH (b),
24 THE LEGISLATIVE COUNCIL SHALL ENSURE THAT THE TOTAL NUMBER OF
25 INTERIM COMMITTEE DAYS ALLOCATED FOR A SINGLE LEGISLATIVE
26 INTERIM DOES NOT EXCEED TWENTY-FIVE, OR SUCH OTHER NUMBER AS
27 MAY BE BUDGETED FOR IN THE LEGISLATIVE DEPARTMENT BUDGET FOR

1 THE APPLICABLE LEGISLATIVE INTERIM.

2 (9) A MEMBER OF THE GENERAL ASSEMBLY MAY INTRODUCE A BILL
3 THAT IS NOT INCLUDED IN THE MEMBER'S BILL INTRODUCTION LIMIT, AS
4 PROVIDED IN RULE 24 (b) (1) (D) OF THE JOINT RULES OF THE SENATE AND
5 THE HOUSE OF REPRESENTATIVES, ONLY IF THE INTERIM STUDY THAT
6 RESULTED IN THE BILL MET THE REQUIREMENTS SPECIFIED IN THIS SECTION
7 AND THE JOINT RESOLUTION THAT AUTHORIZED THE INTERIM STUDY WAS
8 APPROVED BY THE LEGISLATIVE COUNCIL AS PROVIDED IN SUBSECTION (8)
9 OF THIS SECTION; EXCEPT THAT THE RESTRICTIONS OF THIS SUBSECTION (9)
10 SHALL NOT APPLY TO BILLS RECOMMENDED BY THE LEGISLATIVE
11 COMMITTEES CREATED IN THIS ARTICLE OR BY THE COMMITTEES OF
12 REFERENCE PERFORMING DUTIES REQUIRED IN SECTIONS 24-1-136 AND
13 24-34-104, C.R.S., OR TO BILLS RECOMMENDED AS A RESULT OF AN
14 INTERIM STUDY AUTHORIZED PURSUANT TO SUBSECTION (11) OF THIS
15 SECTION.

16 (10) THE LEGISLATIVE COUNCIL STAFF, THE OFFICE OF LEGISLATIVE
17 LEGAL SERVICES, AND THE JOINT BUDGET COMMITTEE STAFF SHALL
18 PROVIDE STAFF SERVICES, AS NEEDED, TO EACH JOINT COMMITTEE OF
19 REFERENCE, INCLUDING ANY SUBCOMMITTEE, THAT CONDUCTS AN
20 INTERIM STUDY AUTHORIZED AS PROVIDED IN THIS SECTION. A JOINT
21 COMMITTEE OF REFERENCE OR SUBCOMMITTEE SHALL NOT ACCEPT IN-KIND
22 DONATIONS OF SERVICES FROM A PRIVATE ORGANIZATION IN CONDUCTING
23 AN INTERIM STUDY UNLESS SAID SERVICES ARE IN ADDITION TO, AND NOT
24 IN LIEU OF, SERVICES NORMALLY PROVIDED BY LEGISLATIVE STAFF.

25 (11) After the general assembly has adjourned, if issues are
26 brought to the attention of the executive committee of the legislative
27 council and the executive committee determines that the issues are

1 appropriate for being addressed by an interim study and are the result of
2 changed circumstances or new circumstances, the executive committee
3 of the legislative council may provide for the conduct of additional
4 interim studies by adopting a resolution THAT, AT A MINIMUM, IDENTIFIES
5 THE JOINT COMMITTEES OF REFERENCE THAT WILL CONDUCT THE
6 ADDITIONAL INTERIM STUDIES AND THE NUMBER OF INTERIM COMMITTEE
7 DAYS AUTHORIZED FOR THE STUDIES; EXCEPT THAT THE NUMBER OF
8 INTERIM COMMITTEE DAYS ALLOCATED FOR THE ADDITIONAL INTERIM
9 STUDIES, COMBINED WITH THE NUMBER OF INTERIM COMMITTEE DAYS
10 ALLOCATED BY THE LEGISLATIVE COUNCIL PURSUANT TO SUBSECTION (8)
11 OF THIS SECTION, SHALL NOT EXCEED TWENTY-FIVE, OR SUCH OTHER
12 TOTAL NUMBER OF INTERIM COMMITTEE DAYS AS MAY BE BUDGETED FOR
13 IN THE LEGISLATIVE DEPARTMENT BUDGET FOR THE APPLICABLE
14 LEGISLATIVE INTERIM.

15 **SECTION 2. Repeal.** Part 14 of article 2 of title 2, [REDACTED] [REDACTED]
16 8-45-125, 10-16-221, 18-1.9-103, part 2 of article 6.5 of title 26, part 10
17 of article 31 of title 31, article 98 of title 37, 42-1-220 (2), 42-2-306 (1)
18 (a) (IV), and 43-2-145, Colorado Revised Statutes, are repealed.

19 **SECTION 3.** 10-16-136 (5) (b), Colorado Revised Statutes, is
20 amended to read:

21 **10-16-136. Wellness and prevention programs - individual and**
22 **small group health coverage plans - voluntary participation -**
23 **incentives or rewards - definitions - legislative declaration.**

24 (5) (b) The division shall determine the percentage of carriers issuing
25 individual health coverage plans or small group plans in the state that
26 offer wellness and prevention programs and shall provide that
27 information and the information collected pursuant to paragraph (a) of

1 this subsection (5) to the ~~health care task force created in section~~
2 ~~10-16-221~~ HEALTH AND HUMAN SERVICES COMMITTEES OF THE HOUSE OF
3 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

4

5 **SECTION 4.** 18-1.9-101 (4), Colorado Revised Statutes, is
6 amended to read:

7 **18-1.9-101. Legislative declaration.** (4) Therefore, the general
8 assembly declares that it is necessary to create a task force to continue to
9 examine the identification, diagnosis, and treatment of persons with
10 mental illness who are involved in the state criminal and juvenile justice
11 systems and to make additional recommendations to a ~~legislative~~
12 ~~oversight committee~~ THE JUDICIARY COMMITTEES OF THE HOUSE OF
13 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, for
14 the continuing development of legislative proposals related to this issue.

15 **SECTION 5.** 18-1.9-102, Colorado Revised Statutes, is amended
16 to read:

17 **18-1.9-102. Definitions.** As used in this article, unless the context
18 otherwise requires:

19 (1) ~~"Committee" means the legislative oversight committee~~
20 ~~established pursuant to section 18-1.9-103.~~

21 (1.5)(1) "Co-occurring disorder" means a disorder that commonly
22 coincides with mental illness and may include, but is not limited to,
23 substance abuse, developmental disability, fetal alcohol syndrome, and
24 traumatic brain injury.

25 (2) "JOINT COMMITTEE CHAIRS" MEANS THE CHAIRS OF THE
26 JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE
27 SENATE, OR ANY SUCCESSOR COMMITTEES.

1 (3) "JOINT JUDICIARY COMMITTEES" MEANS THE JUDICIARY
2 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR
3 ANY SUCCESSOR COMMITTEES, MEETING JOINTLY.

4 (2) (4) "Task force" means the task force for the continuing
5 examination of the treatment of persons with mental illness who are
6 involved in the criminal and juvenile justice systems established pursuant
7 to section 18-1.9-104.

8 **SECTION 6.** The introductory portion to 18-1.9-104 (1) (c),
9 18-1.9-104 (1) (e), the introductory portion to 18-1.9-104 (3), 18-1.9-104
10 (3) (b), and the introductory portion to 18-1.9-104 (3) (e), Colorado
11 Revised Statutes, are amended to read:

12 **18-1.9-104. Mentally ill offender task force - creation - membership**
13 **- duties.** (1) **Creation.** (c) The ~~chair and vice-chair of the committee~~ JOINT
14 COMMITTEE CHAIRS shall appoint twenty-six members as follows:

15 (e) A vacancy occurring in a position filled by the ~~chair and vice-chair~~
16 ~~of the~~ JOINT committee CHAIRS pursuant to paragraph (c) of this subsection (1)
17 shall be filled as soon as possible by the ~~chair and vice-chair of the~~ JOINT
18 committee CHAIRS in accordance with the limitations specified in paragraph (c)
19 of this subsection (1). In addition, the ~~chair and vice-chair of the~~ JOINT
20 committee CHAIRS may remove and replace any appointment to the task force
21 made pursuant to paragraph (c) of this subsection (1).

22 (3) **Additional duties of the task force.** The task force shall provide
23 guidance and make findings and recommendations to the ~~committee for its~~
24 ~~development of reports and legislative recommendations~~ JOINT JUDICIARY
25 COMMITTEES for modification of the criminal and juvenile justice systems, with
26 respect to persons with mental illness who are involved in these systems. In
27 addition, the task force shall:

1 (b) Meet at least six times each year from the date of the first meeting
2 until January 1, 2015, or more often as directed by the ~~chair of the~~ JOINT
3 committee CHAIRS;

4 (e) Submit a report to the ~~committee by October 1, 2004, and by each~~
5 ~~October 1 thereafter through October 1, 2014~~ JOINT JUDICIARY COMMITTEES BY
6 JANUARY 20, 2011, AND BY JANUARY 20 EACH YEAR THEREAFTER THROUGH
7 2015. At a minimum, ~~specifying~~ THE REPORT SHALL SPECIFY the following:

8 **SECTION 7.** 18-1.9-106 (2), Colorado Revised Statutes, is amended
9 to read:

10 **18-1.9-106. Cash fund.** (2) Compensation as provided in sections
11 18-1.9-103 (1) (d) and 18-1.9-105 (2) for ~~members of the general assembly and~~
12 ~~for staff assistance to the committee and~~ task force provided by the director of
13 research of the legislative council and the director of the office of legislative
14 legal services shall be approved by the chair of the legislative council and paid
15 by vouchers and warrants drawn as provided by law from moneys appropriated
16 for such purpose and allocated to the legislative council from the fund.

17 **SECTION 8. Repeal.** 25-3-705 (7), Colorado Revised Statutes,
18 is repealed as follows:

19 **25-3-705. Health care charge transparency - hospital charge**
20 **report.** (7) ~~The health care task force created in section 10-16-221,~~
21 ~~C.R.S., shall study the feasibility of ambulatory surgical centers reporting~~
22 ~~charge information to the association of hospitals for inclusion on the web~~
23 ~~site. The task force will report back to the general assembly in 2009,~~
24 ~~prior to any requirement that ambulatory surgical centers report any~~
25 ~~charge data. The task force shall study the method of reporting and the~~
26 ~~appropriate data to be gathered and any recommended time frames for~~
27 ~~reporting.~~

1 **SECTION 9.** 25-17-202.7 (1), Colorado Revised Statutes, is
2 amended to read:

3 **25-17-202.7. Reports - repeal.** (1) On and after July 1, 2005,
4 and each July 1 thereafter, the department of public health and
5 environment shall report to the transportation ~~legislation review~~
6 ~~committee, created in section 43-2-145, C.R.S.~~ AND ENERGY COMMITTEE
7 OF THE HOUSE OF REPRESENTATIVES AND THE TRANSPORTATION
8 COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEES, the total
9 number of waste tires recycled in this state according to the information
10 submitted to the department of public health and environment pursuant
11 to section 30-20-109, C.R.S.

12 **SECTION 10. Repeal.** 26-22-102 (7), Colorado Revised
13 Statutes, is repealed as follows:

14 **26-22-102. Definitions.** As used in this article, unless the context
15 otherwise requires:

16 (7) ~~"Legislative oversight committee" means the legislative~~
17 ~~oversight committee for the continuing examination of the treatment of~~
18 ~~persons with mental illness who are involved in the criminal and juvenile~~
19 ~~justice systems, created in section 18-1.9-103, C.R.S.~~

20 ██████████ ██████████

21 **SECTION 11.** 26-22-105 (1), (4), (5), and (6), Colorado Revised
22 Statutes, are amended to read:

23 **26-22-105. Evaluation and reporting.** (1) On or before January
24 1, 2008, the division of mental health shall prepare an initial descriptive
25 report of the selected demonstration programs and provide the report to
26 ~~the legislative oversight committee,~~ the task force, the family advocacy
27 coalition, and the demonstration programs selected pursuant to section

1 26-22-104 (4).

2 (4) On or before January 15, 2009, and on or before January 15,
3 2010, the division of criminal justice shall submit a compilation of the
4 data provided pursuant to subsection (3) of this section, with an executive
5 summary, to ~~the legislative oversight committee,~~ the task force, family
6 advocacy coalitions, and the selected demonstration programs.

7 (5) On or before June 1, 2010, the division of criminal justice
8 shall complete a comprehensive evaluation of the selected demonstration
9 programs based on the data provided pursuant to subsection (3) of this
10 section. Prior to preparing the evaluation, the division of criminal justice
11 shall develop with the selected demonstration programs the comparison
12 groups for the evaluation. The evaluation shall include analysis of the
13 comparison groups. The division of criminal justice shall submit a final
14 report, including an executive summary and recommendations, to the task
15 force, the demonstration programs, and family advocacy coalitions
16 for review. The division of criminal justice, the division of mental health,
17 family advocacy coalitions, and the task force shall review the evaluation
18 findings and jointly develop recommendations to be made to the
19 ~~legislative oversight committee~~ HEALTH AND HUMAN SERVICES
20 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR
21 ANY SUCCESSOR COMMITTEES, AND THE JUDICIARY COMMITTEES OF THE
22 HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
23 COMMITTEES.

24 (6) ~~On or before July 1, 2010, the legislative oversight committee,~~
25 ~~after receiving a recommendation from the task force, shall make~~
26 ~~recommendations to the chairs of the health and human services~~
27 ~~committees of the house of representatives and the senate, or any~~

1 ~~successor committees, and the chairs of the judiciary committees of the~~
2 ~~house of representatives and the senate, or any successor committees,~~
3 ~~related to continuation or expansion throughout the state of the selected~~
4 ~~demonstration programs.~~

5 **SECTION 12. Repeal.** 31-30.5-302 (1), Colorado Revised
6 Statutes, is repealed as follows:

7 **31-30.5-302. Definitions.** As used in this part 3, unless the
8 context otherwise requires:

9 (1) ~~"Commission" means the police officers' and firefighters'~~
10 ~~pension reform commission established pursuant to section 31-31-1001.~~

11 **SECTION 13.** 31-31-202, Colorado Revised Statutes, is amended
12 **BY THE ADDITION OF A NEW SUBSECTION to read:**

13 **31-31-202. Powers and duties of the board.** (7) (a) **ON OR**
14 **BEFORE JANUARY 20, 2011, AND ON OR BEFORE JANUARY 20 EACH YEAR**
15 **THEREAFTER, THE BOARD SHALL SUBMIT TO THE FINANCE COMMITTEES OF**
16 **THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR**
17 **COMMITTEES, A REPORT CONCERNING IMPLEMENTATION OF THE**
18 **PROVISIONS OF THIS ARTICLE AND ARTICLE 30.5 OF THIS TITLE FOR THE**
19 **PRECEDING FISCAL YEAR AND ANY RECOMMENDATIONS FOR LEGISLATION**
20 **PERTAINING TO THIS ARTICLE AND ARTICLE 30.5 OF THIS TITLE.**

21 (b) **THE CHAIRPERSONS OF THE FINANCE COMMITTEES OF THE**
22 **HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR**
23 **COMMITTEES, OR DESIGNEES OF THE CHAIRPERSONS, MAY ANNUALLY**
24 **INTRODUCE NO MORE THAN FOUR BILLS BASED ON THE**
25 **RECOMMENDATIONS MADE IN THE ANNUAL REPORT. ANY BILLS**
26 **INTRODUCED PURSUANT TO THIS PARAGRAPH (b) SHALL NOT BE SUBJECT**
27 **TO ANY LIMITATIONS IMPOSED BY LEGISLATIVE RULE ON THE NUMBER OF**

1 ~~BILLS THAT A LEGISLATOR MAY INTRODUCE. ANY BILLS INTRODUCED~~
2 ~~PURSUANT TO THIS PARAGRAPH (b) SHALL BE SUBJECT TO THE FINAL~~
3 ~~INTRODUCTION DEADLINE FOR BILLS IN THE HOUSE OF INTRODUCTION~~
4 ~~UNLESS THE INTRODUCTION DEADLINE IS WAIVED AS PROVIDED IN THE~~
5 ~~JOINT RULES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.~~

6 **SECTION 14.** 32-9-119.5 (8) (a), Colorado Revised Statutes, is
7 amended to read:

8 **32-9-119.5. Competition to provide vehicular service within**
9 **the regional transportation district.** (8) (a) For purposes of providing
10 legislative oversight of the operation of this section, the transportation
11 ~~legislation review committee~~ AND ENERGY COMMITTEE OF THE HOUSE OF
12 REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE OF THE
13 SENATE, OR ANY SUCCESSOR COMMITTEES, shall review the district's
14 implementation of this section and recommend any necessary changes to
15 the general assembly.

16 **SECTION 15.** 32-9-119.7 (4) and (7), Colorado Revised Statutes,
17 are amended to read:

18 **32-9-119.7. Farebox recovery ratios - plans.** (4) The district
19 shall prepare annual budgets based on the percentages required by
20 subsection (3) of this section. The district shall submit copies of its
21 annual budget to the transportation ~~legislation review committee~~ created
22 ~~in section 43-2-145, C.R.S.~~ AND ENERGY COMMITTEE OF THE HOUSE OF
23 REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE OF THE
24 SENATE, OR ANY SUCCESSOR COMMITTEES.

25 (7) The district shall submit to the transportation ~~legislation~~
26 ~~review committee~~ AND ENERGY COMMITTEE OF THE HOUSE OF
27 REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE OF THE

1 SENATE, OR ANY SUCCESSOR COMMITTEES, any information, data,
2 testimony, audits, or other information the committee may request.

3 **SECTION 16.** 37-60-115 (6) (d), Colorado Revised Statutes, is
4 amended to read:

5 **37-60-115. Water studies - rules - repeal. (6) Precipitation**
6 **harvesting pilot projects.** (d) Each sponsor shall submit an annual
7 preliminary report to the board and the state engineer summarizing the
8 information set forth in paragraph (a) of this subsection (6). The board
9 and the state engineer shall brief the ~~water resources review committee~~
10 ~~created in section 37-98-102~~ AGRICULTURE AND NATURAL RESOURCES
11 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE AGRICULTURE,
12 LIVESTOCK, AND NATURAL RESOURCES COMMITTEE OF THE SENATE, OR
13 ANY SUCCESSOR COMMITTEES, on the reported results of the pilot projects
14 by July 1, 2014. Each sponsor shall submit a final report to the board and
15 the state engineer by January 15, 2019. The board and the state engineer
16 shall provide a final briefing to the ~~water resources review committee~~
17 AGRICULTURE AND NATURAL RESOURCES COMMITTEE OF THE HOUSE OF
18 REPRESENTATIVES AND THE AGRICULTURE, LIVESTOCK, AND NATURAL
19 RESOURCES COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEES,
20 by July 1, 2019.

21 **SECTION 17.** 42-4-305 (11), Colorado Revised Statutes, is
22 amended to read:

23 **42-4-305. Powers and duties of executive director - automobile**
24 **inspection and readjustment program - basic emissions program -**
25 **enhanced emissions program - clean screen program.** (11) The
26 executive director shall report to the transportation ~~legislation review~~
27 ~~committee~~ AND ENERGY COMMITTEE OF THE HOUSE OF REPRESENTATIVES

1 AND TRANSPORTATION COMMITTEE OF THE SENATE, OR ANY SUCCESSOR
2 COMMITTEES, annually on the effectiveness of the quality assurance and
3 enforcement measures contained in this section, the overall motorist
4 compliance rates with inspections for registration denial, and the status
5 of state implementation plan compliance pertaining to quality assurance.
6 This annual report shall be submitted to the commission in May of each
7 year for incorporation into appropriate annual and biennial reporting
8 requirements. Reports shall cover the previous calendar year.

9 **SECTION 18.** 42-4-307 (13), Colorado Revised Statutes, is
10 amended to read:

11 **42-4-307. Powers and duties of the department of public**
12 **health and environment - division of administration - automobile**
13 **inspection and readjustment program - basic emissions program -**
14 **enhanced emissions program - clean screen program.** (13) Beginning
15 July 1, 2007, and on or before October 15 of each year thereafter, the
16 department of public health and environment, in cooperation with the
17 contractor, shall brief the transportation ~~legislation review committee~~ AND
18 ENERGY COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
19 TRANSPORTATION COMMITTEE OF THE SENATE, OR ANY SUCCESSOR
20 COMMITTEES, on the cost and effectiveness of the high emitter program.
21 The briefing shall compare the effectiveness of the high emitter program
22 to other emissions reduction options, including, but not limited to, the
23 elimination of the AIR program, the elimination of the requirement for
24 regular motor vehicle emissions inspections, and the appropriate
25 reduction of the emissions inspection fee.

26 **SECTION 19.** 42-7-602, Colorado Revised Statutes, is amended
27 to read:

1 **42-7-602. Uninsured motorist identification database program**
2 **- creation.** The general assembly hereby directs the transportation
3 ~~legislation review committee~~ AND ENERGY COMMITTEE OF THE HOUSE OF
4 REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE OF THE
5 SENATE, OR ANY SUCCESSOR COMMITTEES, to conduct an examination of
6 the problem of uninsured motorists in this state and to propose legislation
7 ~~which~~ THAT shall alleviate if not eliminate the problem. The general
8 assembly further directs the transportation ~~legislation review committee~~
9 AND ENERGY COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
10 TRANSPORTATION COMMITTEE OF THE SENATE, OR ANY SUCCESSOR
11 COMMITTEES, to examine Colorado's compulsory motor vehicle insurance
12 system. Such examination shall include a review of whether such system
13 should be maintained or repealed and whether there are more effective
14 enforcement mechanisms that might be employed. The ~~committee~~
15 COMMITTEES shall also study the effectiveness of other enforcement
16 mechanisms including, but not limited to, uninsured motorist database
17 programs that have been employed in other compulsory insurance states.

18 **SECTION 20.** 43-1-106 (17) (b), Colorado Revised Statutes, is
19 amended to read:

20 **43-1-106. Transportation commission - powers and duties.**
21 (17) (b) The efficiency and accountability committee shall periodically
22 report to the commission and the executive director regarding means by
23 which the commission and the department may execute their duties more
24 efficiently. The executive director or the executive director's designee
25 shall report at least once per calendar year to ~~either the committees~~ THE
26 TRANSPORTATION AND ENERGY COMMITTEE of the house of
27 representatives and THE TRANSPORTATION COMMITTEE OF the senate, ~~that~~

1 ~~have jurisdiction over transportation or the transportation legislation~~
2 ~~review committee created in section 43-2-145 (1)~~ OR ANY SUCCESSOR
3 COMMITTEES, regarding the activities and recommendations of the
4 efficiency and accountability committee and any actions taken by the
5 commission or the department to implement recommendations of the
6 committee.

7 **SECTION 21.** 43-1-1302 (3), Colorado Revised Statutes, is
8 amended, and the said 43-1-1302 is further amended BY THE
9 ADDITION OF A NEW SUBSECTION, to read:

10 **43-1-1302. Definitions.** As used in this part 13, unless the
11 context otherwise requires:

12 (1.5) "JOINT TRANSPORTATION COMMITTEES" MEANS THE
13 TRANSPORTATION AND ENERGY COMMITTEE OF THE HOUSE OF
14 REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE OF THE
15 SENATE, OR ANY SUCCESSOR COMMITTEES, MEETING JOINTLY.

16 (3) ~~"TLRC" means the transportation legislation review~~
17 ~~committee created in section 43-2-145.~~

18 **SECTION 22.** 43-1-1303 (2) and (3), Colorado Revised Statutes,
19 are amended to read:

20 **43-1-1303. Duties of the executive director - joint**
21 **transportation committee approval - property eligible for acquisition.**

22 (2) The commission shall review any property determined to be eligible
23 for acquisition and approve the acquisition before the executive director
24 submits the prioritized list of rail lines or rights-of-way to be acquired to
25 the ~~TLRC~~ JOINT TRANSPORTATION COMMITTEES pursuant to subsection
26 (3) of this section.

27 (3) The executive director shall submit a prioritized list with

1 recommendations to the ~~FLRC~~ JOINT TRANSPORTATION COMMITTEES
2 concerning the railroad rights-of-way or rail lines proposed to be acquired
3 by the state and their proposed uses.

4 **SECTION 23.** 43-1-1305 (3), Colorado Revised Statutes, is
5 amended to read:

6 **43-1-1305. Acquisition for state rail bank - acquisition of the**
7 **Towner line - repeal.** (3) The commission shall review any property
8 determined to be eligible for acquisition and approve the acquisition
9 before the executive director submits the prioritized list of rail line or
10 right-of-way to be acquired to the ~~FLRC~~ JOINT TRANSPORTATION
11 COMMITTEES pursuant to section 43-1-1303 (3).

12 **SECTION 24.** 43-1-1306 (5), Colorado Revised Statutes, is
13 amended to read:

14 **43-1-1306. Disposition of state rail bank property.** (5) The
15 executive director may convert property in the state rail bank to other
16 transportation uses following appropriate studies and upon approval by
17 the commission and the ~~FLRC~~ JOINT TRANSPORTATION COMMITTEES.

18 **SECTION 25.** 43-1-1307, Colorado Revised Statutes, is amended
19 to read:

20 **43-1-1307. Powers and duties of the joint transportation**
21 **committees concerning state acquisition of abandoned railroad**
22 **rights-of-way.** (1) The JOINT transportation ~~legislation-review~~
23 ~~committee~~ COMMITTEES shall study the recommendations of the executive
24 director made pursuant to section 43-1-1303 (3) for acquisition of, and
25 use or uses for, abandoned or proposed to be abandoned railroad
26 rights-of-way. On or before October 1 of each year, the executive
27 director shall submit a prioritized list that shall include recommendations

1 for the acquisition and proposed use of abandoned or proposed to be
2 abandoned railroad rights-of-way. The members of the JOINT
3 transportation ~~legislation review committee~~ COMMITTEES shall determine
4 which abandoned railroad rights-of-way may be acquired by the
5 department and funded out of the state rail bank fund, created in section
6 43-1-1309, based upon the greatest need and its proposed use or uses.

7 (2) The JOINT transportation ~~legislation review committee~~
8 COMMITTEES may hold such hearings as ~~it determines~~ THEY DETERMINE
9 necessary to consider reports, studies, and other pertinent information
10 from any source, including affected individuals, political subdivisions,
11 railroad companies, or other entities, with respect to the acquisition of
12 abandoned railroad rights-of-way.

13 (3) The JOINT transportation ~~legislation review committee~~
14 COMMITTEES may determine the priority of acquisition of, and use or uses
15 for, abandoned railroad rights-of-way by the department.

16 **SECTION 26.** 43-1-1308, Colorado Revised Statutes, is amended
17 to read:

18 **43-1-1308. Recommendations and findings of the joint**
19 **transportation committees.** The members of the JOINT transportation
20 ~~legislation review committee~~ COMMITTEES shall make a written report
21 setting forth ~~its~~ THEIR recommendations, findings, and comments as to
22 each recommendation for the acquisition of abandoned railroad
23 rights-of-way and their uses and submit the report to the general
24 assembly.

25 **SECTION 27.** 43-4-404 (1) and (2), Colorado Revised Statutes,
26 are amended to read:

27 **43-4-404. Formula for allocation of moneys.** (1) The office of

1 transportation safety shall allocate not less than thirty percent and not
2 more than fifty percent of the moneys allocated to the office pursuant to
3 section 43-4-402 (2) to counties that have established a qualified drunken
4 driving prevention and law enforcement program. The intent of the
5 general assembly is that these moneys be expended in a manner that will
6 improve enforcement of drunken driving laws. To this end, rules for the
7 distribution of these moneys shall be developed by the office of
8 transportation safety. The office shall report annually to the
9 transportation ~~legislation review committee~~ AND ENERGY COMMITTEE OF
10 THE HOUSE OF REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE
11 OF THE SENATE, OR ANY SUCCESSOR COMMITTEES, on the distribution and
12 expenditure of these funds and the nature and purpose of the programs.
13 All moneys appropriated hereunder shall be used for drunken driving
14 prevention and law enforcement improvement by counties and not for
15 statewide programs.

16 (2) The office of transportation safety shall allocate not less than
17 fifty percent and not more than seventy percent of the moneys to
18 municipalities and city and counties that have established a qualified
19 drunken driving prevention and law enforcement program. The intent of
20 the general assembly is that these moneys be expended in a manner that
21 will improve enforcement of drunken driving laws. To this end, rules for
22 the distribution of these moneys shall be developed by the office of
23 transportation safety. The office shall report annually to the
24 transportation ~~legislation review committee~~ AND ENERGY COMMITTEE OF
25 THE HOUSE OF REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE
26 OF THE SENATE, OR ANY SUCCESSOR COMMITTEES, on the distribution and
27 expenditure of these funds and the nature and purpose of the programs.

1 All moneys appropriated hereunder shall be used for drunken driving
2 prevention and law enforcement improvement by municipalities and city
3 and counties and not for statewide programs.

4 **SECTION 28.** 43-4-514 (1) (c), (3), and (4), Colorado Revised
5 Statutes, are amended to read:

6 **43-4-514. Notice - coordination of information - reports.**

7 (1) (c) At the time the notice required in paragraph (a) or (b) of this
8 subsection (1) is sent to the division, a copy shall be filed with the
9 transportation ~~legislation review committee~~ AND ENERGY COMMITTEE OF
10 THE HOUSE OF REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE
11 OF THE SENATE, OR ANY SUCCESSOR COMMITTEES.

12 (3) (a) The division shall file an annual report with the
13 transportation ~~legislation review committee~~ AND ENERGY COMMITTEE OF
14 THE HOUSE OF REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE
15 OF THE SENATE, OR ANY SUCCESSOR COMMITTEES, concerning the
16 activities of authorities created pursuant to this part 5. Such report shall
17 detail how many authorities have been created, describe their boundaries,
18 and specify the public highways which are being constructed and how
19 they are being financed.

20 (b) The division shall notify the transportation ~~legislation review~~
21 ~~committee~~ AND ENERGY COMMITTEE OF THE HOUSE OF REPRESENTATIVES
22 AND THE TRANSPORTATION COMMITTEE OF THE SENATE, OR ANY
23 SUCCESSOR COMMITTEES, either in the report required by paragraph (a) of
24 this subsection (3) or by letter, if it deems that immediate notification is
25 warranted, of any situation relating to the creation of an authority or value
26 capture area, the imposition of any fee, or the issuance of any bonds by
27 an authority that the division believes or has reason to believe will

1 adversely affect the tax-raising ability or the credit or bond rating of any
2 governmental unit or any school district.

3 (4) The authority shall report annually in the month of August to
4 the transportation ~~legislation review committee~~ AND ENERGY COMMITTEE
5 OF THE HOUSE OF REPRESENTATIVES AND THE TRANSPORTATION
6 COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEES, on its
7 activities during the preceding twelve months and on its proposed
8 activities during the succeeding twelve months. The board and staff of
9 the authority shall cooperate with the transportation ~~legislation review~~
10 ~~committee~~ AND ENERGY COMMITTEE OF THE HOUSE OF REPRESENTATIVES
11 AND THE TRANSPORTATION COMMITTEE OF THE SENATE, OR ANY
12 SUCCESSOR COMMITTEES, in carrying out ~~its~~ THEIR duties. ~~pursuant to~~
13 ~~section 43-2-145 (1.5)~~.

14 **SECTION 29.** 43-4-614 (4), Colorado Revised Statutes, is
15 amended to read:

16 **43-4-614. Notice - coordination of information.** (4) The board
17 and staff of the authority shall cooperate with the transportation
18 ~~legislation review committee~~ AND ENERGY COMMITTEE OF THE HOUSE OF
19 REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE OF THE
20 SENATE, OR ANY SUCCESSOR COMMITTEES, in carrying out the ~~committee's~~
21 duties ~~pursuant to section 43-2-145 (1.9)~~ OF THE COMMITTEES.

22 **SECTION 30. Safety clause.** The general assembly hereby finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, and safety.