

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 10-0811.01 Sharon Eubanks

SENATE BILL 10-213

SENATE SPONSORSHIP

Shaffer B., Morse, Penry

HOUSE SPONSORSHIP

Weissmann, Carroll T., May

Senate Committees
State, Veterans & Military Affairs

House Committees
State, Veterans, & Military Affairs

A BILL FOR AN ACT

101 CONCERNING COMMITTEES CREATED BY THE COLORADO GENERAL
102 ASSEMBLY THAT OPERATE DURING THE 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>.)

Executive Committee of the Legislative Council. The legislative council of the general assembly is prohibited from creating or authorizing the conduct of any interim studies during the 2010 interim.

The activities of the following committees and task forces are suspended during the 2010 interim:

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
Am ended 2nd Reading
May 10, 2010

SENATE
3rd Reading Unamended
May 7, 2010

SENATE
Am ended 2nd Reading
May 6, 2010

- ! Economic opportunity poverty reduction task force;
- ! Legislative emergency epidemic response committee;
- ! Health care task force;
- ! Legislative oversight committee for the continuing examination of the treatment of persons with mental illness who are involved in the criminal and juvenile justice systems;
- ! Mentally ill offender task force;
- ! Early childhood and school readiness legislative commission;
- ! Police officers' and firefighters' pension reform commission;
- ! Water resources review committee;
- ! Transportation legislation review committee.

Reporting requirements related to the activities of these committees and task forces are suspended or postponed due to the suspension of their activities during the 2010 interim.

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
 3 to read:

4 **2-3-303.3. Interim studies.** (1) (a) EXCEPT AS OTHERWISE
 5 PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (1), the legislative
 6 council created in section 2-3-301 (1) shall meet during the regular
 7 session each year for the purpose of reviewing and prioritizing bills and
 8 joint resolutions that create or authorize any studies to be conducted
 9 during the interim or that allocate any additional legislative staff
 10 resources during the interim. After the general assembly has adjourned,
 11 if issues are brought to the attention of the executive committee of the
 12 legislative council and the executive committee determines that the issues
 13 are appropriate for being addressed by an interim study and are the result
 14 of changed circumstances or new circumstances, EXCEPT AS OTHERWISE
 15 PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (1), the executive
 16 committee of the legislative council may provide for the conduct of

1 additional interim studies by adopting a resolution.

2 (b) NO STUDIES SHALL BE CREATED OR AUTHORIZED TO BE
3 CONDUCTED DURING THE 2010 INTERIM.

4 (2) THE LEGISLATIVE COUNCIL CREATED IN SECTION 2-3-301 (1)
5 SHALL BE THE COMMITTEE OF REFERENCE FOR ALL BILLS AND JOINT
6 RESOLUTIONS THAT CREATE OR AUTHORIZE ANY STUDIES TO BE
7 CONDUCTED DURING THE INTERIM OR THAT ALLOCATE ANY ADDITIONAL
8 LEGISLATIVE STAFF RESOURCES DURING THE INTERIM. IN ADDITION, IF AT
9 ANY POINT IN THE LEGISLATIVE PROCESS A BILL OR JOINT RESOLUTION IS
10 AMENDED TO INCLUDE THE CREATION OR AUTHORIZATION OF AN INTERIM
11 STUDY, THE BILL OR JOINT RESOLUTION SHALL BE REFERRED TO THE
12 LEGISLATIVE COUNCIL FOR CONSIDERATION.

13 **SECTION 2.** 2-2-1404 (4) (b), Colorado Revised Statutes, is
14 amended to read:

15 **2-2-1404. Economic opportunity poverty reduction task force**
16 **- creation - membership.** (4) (b) The task force shall meet during each
17 interim at least four times and additionally as convened by the
18 chairperson; EXCEPT THAT THE TASK FORCE SHALL NOT MEET DURING THE
19 2010 INTERIM UNLESS FEDERAL MONEYS, GRANTS, GIFTS, DONATIONS,
20 SERVICES, OR IN-KIND DONATIONS ARE GIVEN TO THE LEGISLATIVE
21 COUNCIL PURSUANT TO THIS SECTION NO LATER THAN JUNE 15, 2010, IN
22 SUCH AMOUNTS AND QUANTITIES, AS APPLICABLE, SUFFICIENT TO COVER
23 THE COSTS OF ALL DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE
24 DUTIES OF THE TASK FORCE DURING THE 2010 INTERIM, INCLUDING BUT
25 NOT LIMITED TO ALL PER DIEM AND EXPENSE PAYMENTS FOR LEGISLATIVE
26 MEMBERS OF THE TASK FORCE.

27 **SECTION 3.** 2-2-1405 (3) (a), Colorado Revised Statutes, is

1 amended to read:

2 **2-2-1405. Economic opportunity poverty reduction task force**

3 - **duties.** (3) (a) (I) On or before ~~January 15, 2010~~ JANUARY 15, 2012,
4 and on or before January 15 each year thereafter, the task force shall
5 prepare a written report to the general assembly that includes a summary
6 of the work accomplished by the task force and such legislative
7 recommendations to the general assembly as it deems necessary
8 concerning matters studied by the task force.

9 (II) ON OR BEFORE JANUARY 15, 2011, IF THE TASK FORCE MEETS
10 DURING THE 2010 INTERIM AS AUTHORIZED BY SECTION 2-2-1404 (4) (b),
11 THE TASK FORCE SHALL PREPARE A WRITTEN REPORT TO THE GENERAL
12 ASSEMBLY THAT INCLUDES A SUMMARY OF THE WORK ACCOMPLISHED BY
13 THE TASK FORCE AND SUCH LEGISLATIVE RECOMMENDATIONS TO THE
14 GENERAL ASSEMBLY AS IT DEEMS NECESSARY CONCERNING MATTERS
15 STUDIED BY THE TASK FORCE.

16 **SECTION 4.** 2-3-1503 (1) (a), Colorado Revised Statutes, is
17 amended to read:

18 **2-3-1503. Legislative emergency epidemic response committee**

19 - **creation - membership - duties.** (1) (a) There is hereby created a
20 legislative emergency epidemic response committee. The legislative
21 committee shall develop a plan for the response by, and continuation of
22 operations of, the general assembly and the legislative service agencies
23 in the event of an emergency epidemic. The legislative committee shall
24 cooperate and coordinate with the council, the division, the department,
25 and the GEEERC in developing the plan. The legislative committee shall
26 develop and submit the plan to the speaker of the house of
27 representatives, the president of the senate, the governor, the executive

1 director of the department, the council, the director of the division, and
2 the GEEERC no later than July 1, 2008. The legislative committee shall
3 meet at least annually to review and amend the plan as necessary and
4 shall provide any updated plan to the persons or entities specified in this
5 paragraph (a); EXCEPT THAT THE LEGISLATIVE COMMITTEE SHALL NOT
6 MEET DURING THE 2010 INTERIM. The legislative committee shall provide
7 information to and fully cooperate with the council, the division, the
8 department, and the GEEERC in fulfilling its duties under this section.

9 **SECTION 5.** 10-16-221 (1) (f), Colorado Revised Statutes, is
10 amended to read:

11 **10-16-221. Health care task force - creation - duties - repeal.**

12 (1) (f) The task force shall meet at least four times per year and as
13 convened by the chairperson; EXCEPT THAT THE TASK FORCE SHALL NOT
14 MEET DURING THE 2010 INTERIM.

15 **SECTION 6.** 18-1.9-103 (2) (a), (2) (b), and (2) (c) (I), Colorado
16 Revised Statutes, are amended to read:

17 **18-1.9-103. Legislative oversight committee for the continuing**
18 **examination of the treatment of persons with mental illness who are**
19 **involved in the criminal and juvenile justice systems - creation -**

20 **duties.** (2) **Duties.** (a) The committee shall meet at least once on or
21 before August 1, 2004. Beginning in 2005 and continuing each year
22 thereafter through 2014, the committee shall meet at least three times
23 each year and at such other times as it deems necessary; EXCEPT THAT THE
24 COMMITTEE SHALL NOT MEET DURING THE 2010 INTERIM.

25 (b) (I) The committee shall be responsible for the oversight of the
26 task force and shall submit annual reports to the general assembly
27 regarding the findings and recommendations of the task force. In

1 addition, the committee may recommend legislative changes ~~which~~ THAT
2 shall be treated as bills recommended by an interim legislative committee
3 for purposes of any introduction deadlines or bill limitations imposed by
4 the joint rules of the general assembly.

5 (II) THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH
6 (b) SHALL NOT APPLY DURING THE SUSPENSION OF THE COMMITTEE
7 DURING THE 2010 INTERIM.

8 (c) (I) The committee shall submit a report to the general assembly
9 by January 15, 2005, ~~and~~ by each January 15 thereafter through JANUARY
10 15, 2010, AND BY JANUARY 15, 2012, AND BY EACH JANUARY 15
11 THEREAFTER THROUGH January 15, 2015. The annual reports shall
12 summarize the issues addressing the treatment of persons with mental
13 illness who are involved in the criminal and juvenile justice systems that
14 have been considered and any recommended legislative proposals.

15 **SECTION 7.** The introductory portion to 18-1.9-104 (2) (f),
16 18-1.9-104 (3) (a) and (3) (b), and the introductory portion to 18-1.9-104
17 (3) (e), Colorado Revised Statutes, are amended to read:

18 **18-1.9-104. Mentally ill offender task force - creation -**
19 **membership - duties.** (2) **Issues for study.** The task force shall
20 examine the identification, diagnosis, and treatment of persons with
21 mental illness who are involved in the state criminal and juvenile justice
22 systems, including an examination of liability, safety, and cost as they
23 relate to these issues. The task force shall specifically consider, but need
24 not be limited to, the following issues:

25 (f) Beginning ~~July 1, 2009~~ JULY 1, 2011, through July 1, 2014, the
26 following issues:

27 (3) **Additional duties of the task force.** The task force shall

1 provide guidance and make findings and recommendations to the
2 committee for its development of reports and legislative
3 recommendations for modification of the criminal and juvenile justice
4 systems, with respect to persons with mental illness who are involved in
5 these systems. In addition, the task force shall:

6 (a) On or before August 1, 2004, and by each August 1 thereafter
7 through August 1, 2013, EXCEPT DURING THE SUSPENSION OF THE
8 COMMITTEE DURING THE 2010 INTERIM, select a chair and a vice-chair
9 from among its members;

10 (b) Meet at least six times each year from the date of the first
11 meeting until January 1, 2015, or more often as directed by the chair of
12 the committee; EXCEPT THAT THE COMMITTEE SHALL NOT MEET DURING
13 THE 2010 INTERIM;

14 (e) Submit a report to the committee by October 1, 2004, and by
15 each October 1 thereafter through OCTOBER 1, 2009, AND BY OCTOBER 1,
16 2011, AND BY EACH OCTOBER 1 THEREAFTER THROUGH October 1, 2014,
17 at a minimum specifying the following:

18 **SECTION 8.** 26-6.5-203 (2) (a) and (2) (d), Colorado Revised
19 Statutes, are amended to read:

20 **26-6.5-203. Early childhood and school readiness legislative**
21 **commission - creation - membership - duties - funding.**

22 (2) (a) Beginning on or before August 1, 2009, the commission shall
23 meet at least six times annually and as needed thereafter; EXCEPT THAT
24 THE COMMISSION SHALL NOT MEET DURING THE 2010 INTERIM.

25 (d) The commission shall submit a report to the general assembly
26 by ~~January 15, 2010~~ JANUARY 15, 2012, and by January 15 each year
27 thereafter. The annual reports shall summarize the issues studied by the

1 commission concerning early childhood and school readiness, including
2 but not limited to health care, mental health, parental involvement, and
3 education.

4 **SECTION 9.** 26-22-105 (5) and (6), Colorado Revised Statutes,
5 are amended to read:

6 **26-22-105. Evaluation and reporting.** (5) On or before ~~June 1,~~
7 ~~2010~~ JUNE 1, 2011, the division of criminal justice shall complete a
8 comprehensive evaluation of the selected demonstration programs based
9 on the data provided pursuant to subsection (3) of this section. Prior to
10 preparing the evaluation, the division of criminal justice shall develop
11 with the selected demonstration programs the comparison groups for the
12 evaluation. The evaluation shall include analysis of the comparison
13 groups. The division of criminal justice shall submit a final report,
14 including an executive summary and recommendations, to the task force,
15 the demonstration programs, and family advocacy coalitions for review.
16 The division of criminal justice, the division of mental health, family
17 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.

20 (6) On or before ~~July 1, 2010~~ JULY 1, 2011, the legislative
21 oversight committee, after receiving a recommendation from the task
22 force, shall make recommendations to the chairs of the health and human
23 services committees of the house of representatives and the senate, or any
24 successor committees, and the chairs of the judiciary committees of the
25 house of representatives and the senate, or any successor committees,
26 related to continuation or expansion throughout the state of the selected
27 demonstration programs.

1 **SECTION 10.** 31-31-1001, Colorado Revised Statutes, is
2 amended BY THE ADDITION OF A NEW SUBSECTION to read:

3 **31-31-1001. Police officers' and firefighters' pension reform**
4 **commission - creation - duties - repeal.** (3) (a) THE COMMISSION SHALL
5 NOT MEET DURING THE 2010 INTERIM.

6 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2011.

7 **SECTION 11.** 37-98-102 (1) (a), Colorado Revised Statutes, is
8 amended to read:

9 **37-98-102. Water resources review committee - creation.**

10 (1) (a) For the purposes of contributing to and monitoring the
11 conservation, use, development, and financing of the water resources of
12 Colorado for the general welfare of its inhabitants and to review and
13 propose water resources legislation, there is hereby created the water
14 resources review committee, referred to in this article as the committee.
15 The committee shall meet at the call of the chair as often as six times
16 during even-numbered years and eight times during odd-numbered years
17 to review and to propose water resources legislation and matters relating
18 thereto. No more than two of such meetings may occur during periods
19 other than the interim period; EXCEPT THAT THE COMMITTEE SHALL NOT
20 MEET DURING THE 2010 INTERIM PERIOD. In connection with such review,
21 EXCEPT DURING THE 2010 INTERIM PERIOD, the committee may take up to
22 two field trips per year in connection with its mandate and shall consult
23 with experts in the field of water conservation, quality, use, finance, and
24 development. The department of natural resources, the state engineer,
25 and the attorney general, together with the members and staff of the
26 Colorado water conservation board, the Colorado water resources and
27 power development authority, the Colorado water quality control

1 commission, the department of public health and environment, the
2 department of agriculture, and the great outdoors Colorado program, shall
3 cooperate with the committee and with any persons assisting the
4 committee in pursuing its responsibilities pursuant to this section.
5 Further, the committee may utilize the legislative council staff to assist its
6 members in researching any matters.

7 **SECTION 12.** 37-98-103 (1), Colorado Revised Statutes, is
8 amended to read:

9 **37-98-103. Annual recommendations - bill limitation -**
10 **deadlines for introduction - repeal.** (1) The committee may report no
11 more than three bills or other measures to the legislative council created
12 in section 2-3-301, C.R.S., unless a two-thirds majority of the members
13 of the committee vote to report a greater number; EXCEPT THAT THE
14 COMMITTEE SHALL NOT REPORT ANY BILLS TO THE LEGISLATIVE COUNCIL
15 IN 2010. No bill shall be reported to the legislative council unless a
16 two-thirds majority of the appointed members of the committee vote to
17 report such bill to the legislative council. Such greater number shall not
18 exceed one bill or other measure per member. These bills shall be exempt
19 from any applicable bill limit imposed on the individual committee
20 members sponsoring such bills if the bills have been approved by the
21 legislative council no later than October 15 in even-numbered years and
22 November 15 in odd-numbered years.

23 **SECTION 13.** 42-4-307 (13), Colorado Revised Statutes, is
24 amended to read:

25 **42-4-307. Powers and duties of the department of public**
26 **health and environment - division of administration - automobile**
27 **inspection and readjustment program - basic emissions program -**

1 **enhanced emissions program - clean screen program.** (13) Beginning
2 July 1, 2007, and on or before October 15 of each year thereafter
3 THROUGH OCTOBER 15, 2009, AND NO LATER THAN OCTOBER 15, 2011,
4 ANDEACH OCTOBER 15 THEREAFTER, the department of public health and
5 environment, in cooperation with the contractor, shall brief the
6 transportation legislation review committee on the cost and effectiveness
7 of the high emitter program. The briefing shall compare the effectiveness
8 of the high emitter program to other emissions reduction options,
9 including, but not limited to, the elimination of the AIR program, the
10 elimination of the requirement for regular motor vehicle emissions
11 inspections, and the appropriate reduction of the emissions inspection fee.

12 **SECTION 14.** 43-2-145 (1) (b) and (1.3) (b), Colorado Revised
13 Statutes, are amended to read:

14 **43-2-145. Transportation legislation review - committee -**
15 **repeal.** (1) (b) The committee shall meet at least once each year to
16 review transportation, traffic, and motor vehicle legislation and may
17 consult with experts in the fields of traffic regulation, the licensing of
18 drivers, the registration and titling of motor vehicles, and highway
19 construction and planning and may consult with the personnel of the
20 department of transportation or the department of revenue as may be
21 necessary; EXCEPT THAT THE COMMITTEE SHALL NOT MEET DURING THE
22 2010 INTERIM. All personnel of the department of transportation,
23 department of revenue, or any state agency or political subdivision of
24 Colorado that regulates motor vehicles or traffic shall cooperate with the
25 committee and with any persons assisting the committee in carrying out
26 its duties pursuant to this section. The committee may review any phase
27 of department of transportation operations, including planning and

1 construction of highway projects, prior to and during the completion of
2 such projects.

3 (1.3) (b) Each agency shall share information and coordinate
4 efforts with other agencies in the research, planning, and development of
5 mass transit systems to avoid the creation of duplicative or conflicting
6 mass transit systems in the state. The committee may review the
7 operations of any agency to ensure compliance with the provisions of this
8 paragraph (b). In connection with the review of the committee, any
9 agency required to share information and coordinate efforts in accordance
10 with this paragraph (b) shall report to the committee no later than August
11 15, 2001, and each August 15 thereafter THROUGH AUGUST 15, 2009, AND
12 NO LATER THAN AUGUST 15, 2011, AND EACH AUGUST 15 THEREAFTER
13 regarding compliance with this paragraph (b).

14 **SECTION 15. Safety clause.** The general assembly hereby finds,
15 determines, and declares that this act is necessary for the immediate
16 preservation of the public peace, health, and safety.