

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0585.01 Kate Meyer x4348

HOUSE BILL 13-1139

HOUSE SPONSORSHIP

Rankin,

SENATE SPONSORSHIP

(None),

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE REPEAL OF OBSOLETE ENTITIES.**

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>.)

The bill repeals the following entities, which are each obsolete for various reasons (including significant period of inactivity, lack of appointees, fulfillment of duties, or prior transfer of functions to other bodies):

- ! The state officials' compensation commission;
- ! The state standards and assessments development and implementation council in the department of education;

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.*

- ! The microenterprise development advisory council;
- ! The gulf war syndrome advisory committee;
- ! The radiation advisory committee;
- ! The statewide poison control oversight board;
- ! The panel of experts appointed by the governor to advise the state department of health care policy and financing regarding the creation of a centennial care choices program; and
- ! The minerals, energy, and geology policy advisory board in the department of natural resources.

As a result of the above repeals, **sections 2 through 9** contain conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal** part 8 of
 3 article 3 of title 2, 22-7-404, 22-7-405, 22-7-406 (1) (a), (2), and (4),
 4 24-1-119 (10), article 48.6 of title 24, 25-4-1904, 25-32-103 (1),
 5 25-32-104, 25.5-1-125, and 34-20-104.

6 **SECTION 2.** In Colorado Revised Statutes, 22-7-402, **amend** (9);
 7 and **repeal** (5) as follows:

8 **22-7-402. Definitions.** As used in this part 4, unless the context
 9 otherwise requires:

10 (5) ~~"Council" means the state standards and assessments~~
 11 ~~development and implementation council.~~

12 (9) "Performance level" means the level of achievement by a
 13 student on an assessment relative to a content standard. The acceptable
 14 performance level ~~recommended by the council, pursuant to section~~
 15 ~~22-7-405 (2), and adopted by the board pursuant to section 22-7-406 (3)~~
 16 and the acceptable performance level adopted by any district pursuant to
 17 section 22-7-407 (2) ~~shall mean~~ MEANS the student has the subject matter
 18 knowledge and analytical skills necessary to succeed at subsequent grade
 19 levels. For graduating students, such acceptable performance level ~~shall~~

1 ~~mean~~ MEANS the student has the subject matter knowledge and analytical
2 skills that all high school graduates should have for democratic
3 citizenship, responsible adulthood, postsecondary education, and
4 productive careers.

5 **SECTION 3.** In Colorado Revised Statutes, 22-7-403, **amend** (1)
6 as follows:

7 **22-7-403. Commitment to equity and excellence.** (1) All
8 activities undertaken pursuant to this part 4 shall reflect a strong
9 commitment to equity and excellence on the part of ~~the council~~, the
10 department, the board, and districts. ~~The council, in the development and~~
11 ~~recommendation of state model content standards, state assessments, and~~
12 ~~model professional educator development materials and pilot programs~~
13 ~~pursuant to section 22-7-405~~; The board, in the adoption of the state
14 model content standards and state assessments pursuant to section
15 22-7-406, and districts, in the adoption of content standards and
16 implementation plans pursuant to section 22-7-407, ~~shall~~ MUST
17 consciously avoid gender or cultural bias and ~~shall~~ actively address the
18 needs of systems and methods for the education of exceptional students.

19 **SECTION 4.** In Colorado Revised Statutes, 22-7-406, **amend** (3)
20 as follows:

21 **22-7-406. Adoption of state model content standards, state**
22 **assessments, and timelines - resource bank.** (3) ~~On or before June 1,~~
23 ~~1996~~; The board ~~after careful consideration of the recommendations of~~
24 ~~the council~~, shall adopt state assessments in the areas of reading, writing,
25 mathematics, and science which are aligned with the state model content
26 standards and shall specify an acceptable performance level on each such
27 state assessment. Such performance level shall be continuously

1 reexamined. In addition, the board may, at its discretion, adopt additional
2 performance levels.

3 **SECTION 5.** In Colorado Revised Statutes, 22-7-504, **amend** (1)
4 as follows:

5 **22-7-504. Pupil assessments - individual literacy plans.** (1) The
6 state board shall determine the satisfactory reading readiness level for
7 kindergarten pupils and literacy and reading comprehension levels for
8 pupils in first, second, and third grades. ~~No later than December 1, 1997,~~
9 ~~the state board shall, after consultation with the state standards and~~
10 ~~assessments development and implementation council created in section~~
11 ~~22-7-404, approve and identify to each school district instruments for~~
12 ~~assessing the reading readiness of each pupil in kindergarten and the~~
13 ~~literacy and reading comprehension level of each pupil in first, second,~~
14 ~~or third grade.~~ The state board shall promulgate rules to permit exceptions
15 to the retention of pupils in third grade pursuant to paragraph (a) of
16 subsection (5) of this section in cases that have special circumstances.

17 **SECTION 6.** In Colorado Revised Statutes, 25-4-1905, **amend**
18 (1) as follows:

19 **25-4-1905. Confidentiality of information collected.** (1) The
20 ~~advisory committee~~ DEPARTMENT shall compile, analyze, and evaluate the
21 information and data submitted to the registry.

22 **SECTION 7.** In Colorado Revised Statutes, 25-32-105, **amend**
23 (1) introductory portion, (1) (a), and (1) (d) as follows:

24 **25-32-105. Department - poison control services - duties -**
25 **contract.** (1) The department ~~shall have~~ HAS the following powers and
26 duties with respect to the provision of poison control services on a
27 statewide basis and for the dissemination of information as provided in

1 this article:

2 (a) To solicit, receive, and review contract bids ~~with input from~~
3 ~~the board~~, for the provision of poison control services and the
4 dissemination of poison control information by means of a toll-free
5 telephone network;

6 (d) To contract with an auditor for a performance or financial
7 audit at the discretion of the department. A copy of such audit, when
8 performed, shall be sent to ~~the members of the board~~ and the joint budget
9 committee.

10 **SECTION 8.** In Colorado Revised Statutes, 34-20-103, **amend**
11 (7) as follows:

12 **34-20-103. Division of reclamation, mining, and safety -**
13 **creation - powers and duties - transfer of functions and property -**
14 **change of statutory references.** (7) The director of the division of
15 reclamation, mining, and safety shall prepare and submit to the executive
16 director of the department of natural resources a plan for encouraging the
17 development of minerals in the state. ~~Such~~ THE plan shall MUST be
18 formulated based upon the ~~annual report and~~ recommendations of the
19 ~~Colorado geological survey, the minerals, energy, and geology policy~~
20 ~~advisory board, and~~ the other divisions in the department.

21 **SECTION 9.** In Colorado Revised Statutes, 39-29-109.3, **amend**
22 (1) introductory portion as follows:

23 **39-29-109.3. Operational account of the severance tax trust**
24 **fund - repeal.** (1) For fiscal years commencing on and after July 1, 1997,
25 the executive director of the department of natural resources shall submit
26 with the department's budget request for each fiscal year a list and
27 description of the programs the executive director recommends to be

1 funded from the operational account of the severance tax trust fund
2 created in section 39-29-109 (2) (b), referred to in this section as the
3 "operational account". ~~The minerals, energy, and geology policy advisory~~
4 ~~board established pursuant to section 34-20-104, C.R.S., shall review the~~
5 ~~executive director's recommendation before submittal.~~ The general
6 assembly may appropriate moneys from the total moneys available in the
7 operational account to fund recommended programs as follows:

8 **SECTION 10. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly (August
11 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
12 referendum petition is filed pursuant to section 1 (3) of article V of the
13 state constitution against this act or an item, section, or part of this act
14 within such period, then the act, item, section, or part will not take effect
15 unless approved by the people at the general election to be held in
16 November 2014 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor.