

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

REENGROSSED

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

LLS NO. 13-0585.01 Kate Meyer x4348

HOUSE BILL 13-1139

HOUSE SPONSORSHIP

Rankin,

SENATE SPONSORSHIP

Crowder,

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.*

HOUSE
3rd Reading Unamended
March 11, 2013

HOUSE
Amended 2nd Reading
March 5, 2013

- ! 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** [redacted] [redacted]
 3 22-7-404, 22-7-405, 22-7-406 (1) (a), (2), and (4), 24-1-119 (10), [redacted]
 4 article 48.6 of title 24, 25-4-1904, [redacted] 25-32-103 (1), 25-32-104,
 5 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, 24-1-135.1, **amend**
18 (1) (a) as follows:

19 **24-1-135.1. Effect of congressional redistricting related to 2000**
20 **federal decennial census - definition.** (1) (a) The appointing authority
21 of the boards, commissions, or committees established pursuant to
22 sections 13-91-104, 14-10-115, 21-2-101, 23-1-102, 23-21-503,
23 23-60-104, 24-32-706, 25-1-103, 25-1-902, ~~25-32-104~~, 25.5-1-301,
24 26-11-101, 33-11-105, and 35-65-401, C.R.S., which require members to
25 be appointed as residents of designated congressional districts, shall
26 determine whether the current appointments to such boards, commissions,
27 or committees adequately represent Colorado's new congressional

1 districts. Notwithstanding any provision of law to the contrary, such
2 appointing authority shall terminate the terms of current members and
3 appoint new members to replace such members on the boards,
4 commissions, or committees as is necessary to ensure proper
5 representation from the new congressional districts; except that the term
6 of a member who continues to reside in the district that such member was
7 designated to represent shall not be terminated. Such changes shall be
8 made no later than January 1, 2003. If the current members adequately
9 represent the new congressional districts, the membership of the board,
10 commission, or committee shall remain unchanged. Any member who
11 continues to serve on a board, commission, or committee shall not be
12 required to be reappointed.

13 **SECTION 7.** In Colorado Revised Statutes, 25-4-1905, **amend**
14 (1) as follows:

15 **25-4-1905. Confidentiality of information collected.** (1) The
16 ~~advisory committee~~ DEPARTMENT shall compile, analyze, and evaluate the
17 information and data submitted to the registry.

18 **SECTION 8.** In Colorado Revised Statutes, 25-32-105, **amend**
19 (1) introductory portion, (1) (a), and (1) (d) as follows:

20 **25-32-105. Department - poison control services - duties -**
21 **contract.** (1) The department ~~shall have~~ HAS the following powers and
22 duties with respect to the provision of poison control services on a
23 statewide basis and for the dissemination of information as provided in
24 this article:

25 (a) To solicit, receive, and review contract bids ~~with input from~~
26 ~~the board~~, for the provision of poison control services and the
27 dissemination of poison control information by means of a toll-free

1 telephone network;

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

6 **SECTION 9.** In Colorado Revised Statutes, 34-20-103, **amend**
7 (7) as follows:

8 **34-20-103. Division of reclamation, mining, and safety -**
9 **creation - powers and duties - transfer of functions and property -**
10 **change of statutory references.** (7) The director of the division of
11 reclamation, mining, and safety shall prepare and submit to the executive
12 director of the department of natural resources a plan for encouraging the
13 development of minerals in the state. ~~Such~~ THE plan shall MUST be
14 formulated based upon the ~~annual report and~~ recommendations of the
15 ~~Colorado geological survey, the minerals, energy, and geology policy~~
16 ~~advisory board, and~~ the other divisions in the department.

17 **SECTION 10.** In Colorado Revised Statutes, 39-29-109.3,
18 **amend** (1) introductory portion as follows:

19 **39-29-109.3. Operational account of the severance tax trust**
20 **fund - repeal.** (1) For fiscal years commencing on and after July 1, 1997,
21 the executive director of the department of natural resources shall submit
22 with the department's budget request for each fiscal year a list and
23 description of the programs the executive director recommends to be
24 funded from the operational account of the severance tax trust fund
25 created in section 39-29-109 (2) (b), referred to in this section as the
26 "operational account". ~~The minerals, energy, and geology policy advisory~~
27 ~~board established pursuant to section 34-20-104, C.R.S., shall review the~~

1 ~~executive director's recommendation before submittal.~~ The general
2 assembly may appropriate moneys from the total moneys available in the
3 operational account to fund recommended programs as follows:

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