

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

**ENGROSSED**

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

LLS NO. 14-0464.02 Jason Gelender x4330

**HOUSE BILL 14-1161**

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**A BILL FOR AN ACT**

101 **CONCERNING INTERSTATE RAIL SERVICE IN SOUTHERN COLORADO,**  
102 **AND, IN CONNECTION THEREWITH, CREATING A COMMISSION**  
103 **AND A FUND FOR THE PURPOSES OF ENCOURAGING AMTRAK TO**  
104 **CONTINUE ITS SOUTHWEST CHIEF RAIL LINE SERVICE AT ALL**  
105 **CURRENT COLORADO STOPS, EXPANDING SUCH SERVICE TO**  
106 **INCLUDE A STOP IN PUEBLO, ■■■ STUDYING THE POTENTIAL**  
107 **BENEFITS OF EXPANDING SUCH SERVICE TO INCLUDE A STOP IN**  
108 **WALSENBURG, AND MAKING AN APPROPRIATION.**

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**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*

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  
Amended 2nd Reading  
March 18, 2014

*applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills/summaries>.)*

The bill:

- ! Creates a 9-member southwest chief rail line economic development, rural tourism, and infrastructure repair and maintenance commission (commission) consisting of:
  - ! 7 voting members, including one member of each house of the general assembly, 2 residents of southeastern Colorado counties, and representatives of the freight rail, passenger rail, and tourist industries; and
  - ! 2 nonvoting members, including an employee of Amtrak and an employee of the Colorado department of transportation;
- ! Specifies that the mission of the commission is to coordinate and oversee efforts by the state and local governments and cooperate with the states of Kansas and New Mexico, Amtrak, and the Burlington Northern and Santa Fe railway (BNSF) to ensure continuation of existing Amtrak southwest chief rail line service in the state, expansion of such service to include a stop in Pueblo, and exploration of the benefits of adding an additional stop in Walsenburg;
- ! Grants the commission the powers and duties necessary to further the accomplishment of its mission;
- ! Creates a southwest chief rail line economic development, rural tourism, and infrastructure repair and maintenance fund (fund);
- ! Specifies that moneys received by the state from the federal government, local governments, public-private partnerships, or any other person, or as a result of any voter-approved ballot measure, that are dedicated for the purposes of ensuring that the Amtrak southwest chief rail line continues to pass through Colorado and that an additional stop in Pueblo is added to the southwest chief rail line, and any other moneys that the general assembly may appropriate or transfer, are credited to the fund; and
- ! Specifies that, subject to annual appropriation by the general assembly and specified conditions regarding funding commitments from the states of Kansas and New Mexico, Amtrak and BNSF, and southwest chief rail service commitments from Amtrak, the commission may expend moneys from the fund for rail replacement on or other improvements to the portion of the BNSF railway line

used to provide existing Amtrak southwest chief rail line service in Colorado and to pay costs associated with the expansion of southwest chief rail line service to include a stop in Pueblo.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 10 to article  
3 4 of title 43 as follows:

4 PART 10

5 INTERSTATE RAIL

6 **43-4-1001. Preservation and expansion of southwest chief rail**  
7 **line service in Colorado - commission - membership and powers -**  
8 **legislative declaration - definitions.** (1) THE GENERAL ASSEMBLY  
9 HEREBY FINDS AND DECLARES THAT:

10 (a) THE AMTRAK SOUTHWEST CHIEF RAIL LINE, WHICH PROVIDES  
11 INTERSTATE RAIL SERVICE FROM CHICAGO TO LOS ANGELES WITH STOPS  
12 IN THE COLORADO CITIES OF LAMAR, LA JUNTA, AND TRINIDAD, PROVIDES  
13 NEEDED RAIL TRANSPORTATION TO RESIDENTS OF SOUTHEASTERN  
14 COLORADO, PROVIDES A GATEWAY TO TOURISTS FROM THE WEST COAST  
15 AND MIDWEST TO TOURIST ATTRACTIONS IN COLORADO, IS ITSELF A  
16 SIGNIFICANT TOURIST ATTRACTION FOR OUT OF STATE AND FOREIGN  
17 TOURISTS, AND IS AN IMPORTANT ECONOMIC DRIVER FOR RURAL AREAS OF  
18 COLORADO, KANSAS, AND NEW MEXICO.

19 (b) AMTRAK OPERATES THE SOUTHWEST CHIEF RAIL LINE IN  
20 KANSAS, COLORADO, AND NEW MEXICO ON OLDER TRACKS OWNED BY  
21 THE BURLINGTON NORTHERN AND SANTA FE RAILWAY THAT REQUIRE  
22 EXPENSIVE UPGRADES AND MAINTENANCE, WHICH THE RAILWAY AND  
23 AMTRAK ARE UNABLE TO PAY FOR IN FULL, AND IS CONSIDERING

1 REROUTING THE SOUTHWEST CHIEF RAIL LINE AND DISCONTINUING  
2 SERVICE TO COLORADO, WESTERN KANSAS, AND NORTHERN NEW MEXICO.

3 (c) BECAUSE THE POSSIBLE REROUTING OF THE SOUTHWEST CHIEF  
4 RAIL LINE AWAY FROM COLORADO WOULD LEAVE RESIDENTS OF  
5 SOUTHEAST COLORADO WITHOUT NEEDED INTERSTATE RAIL  
6 TRANSPORTATION, COMPLICATE ACCESS TO COLORADO TOURIST  
7 ATTRACTIONS FOR TOURISTS FROM THE WEST COAST AND MIDWEST,  
8 ELIMINATE A SIGNIFICANT TOURIST ATTRACTION, AND CAUSE ECONOMIC  
9 AND EMPLOYMENT LOSSES IN COLORADO, IT IS IN THE BEST INTERESTS OF  
10 THE STATE TO TRY TO PREVENT THAT REROUTING AND ENSURE THAT THE  
11 SOUTHWEST CHIEF RAIL LINE CONTINUES TO PROVIDE RAIL SERVICE IN  
12 COLORADO.

13 (d) IN ADDITION TO SUPPORTING THE PASSENGER RAIL INDUSTRY,  
14 THE GENERAL ASSEMBLY ALSO CONSIDERS THE GROWTH OF THE FREIGHT  
15 RAIL INDUSTRY TO BE OF CRITICAL IMPORTANCE TO THE STATE AND  
16 THEREFORE INTENDS THAT ANY EXPANSION OF PASSENGER RAIL ONLY BE  
17 DONE IN COORDINATION WITH THE FREIGHT RAIL INDUSTRY.

18 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

19 (a) IN ADDITION TO PRESERVING EXISTING SOUTHWEST CHIEF RAIL  
20 LINE SERVICE, MODIFYING THE ROUTE OF THE SOUTHWEST CHIEF RAIL LINE  
21 TO INCLUDE A STOP IN PUEBLO WOULD BENEFIT THE STATE BY:

22 (I) PROVIDING INTERSTATE RAIL SERVICE TO RESIDENTS OF  
23 PUEBLO, THE LARGEST METROPOLITAN AREA IN SOUTHERN COLORADO;

24 (II) CREATING AN ADDITIONAL INTERSTATE RAIL CONNECTION  
25 THAT:

26 (A) RESIDENTS OF THE RAPIDLY GROWING FRONT RANGE AND  
27 CERTAIN OTHER CITIES THROUGHOUT COLORADO CAN IMMEDIATELY

1 ACCESS THROUGH EXISTING CONVENIENT, EFFICIENT, AND SEAMLESS  
2 INTRASTATE FIXED ROUTE AND CHARTER BUS SERVICES AND POTENTIALLY  
3 ACCESS IN THE FUTURE THROUGH NORTH-SOUTH RAIL SERVICE ALONG THE  
4 ENTIRE FRONT RANGE; AND

5 (B) TOURISTS CAN USE TO LINK TO BUS SERVICES AND POTENTIAL  
6 FUTURE NORTH-SOUTH RAIL SERVICES AND THEREBY MORE EASILY ACCESS  
7 TOURIST ATTRACTIONS THROUGHOUT THE STATE; AND

8 (III) BRINGING ADDITIONAL TOURISTS AND ATTENDANT ECONOMIC  
9 GROWTH DIRECTLY TO THE PUEBLO AREA, AND PROVIDING ADDITIONAL  
10 JOBS IN THE PUEBLO AREA.

11 (b) EXPLORING THE POTENTIAL BENEFITS, INCLUDING BUT NOT  
12 LIMITED TO BENEFITS OF INCREASED TOURISM AND OTHER ECONOMIC  
13 BENEFITS, OF FURTHER MODIFYING THE ROUTE OF THE SOUTHWEST CHIEF  
14 RAIL LINE TO INCLUDE A STOP IN WALSENBURG IS ALSO IN THE BEST  
15 INTERESTS OF THE STATE;

16 (c) THERE HAVE BEEN PRELIMINARY DISCUSSIONS BETWEEN  
17 AMTRAK, THE BURLINGTON NORTHERN AND SANTA FE RAILWAY, AND  
18 THE STATES OF COLORADO, KANSAS, AND NEW MEXICO ABOUT SHARING  
19 THE COSTS OF FUNDING THE TRACK UPGRADES AND MAINTENANCE NEEDED  
20 TO PRESERVE SOUTHWEST CHIEF RAIL LINE SERVICE IN WESTERN KANSAS,  
21 SOUTHEASTERN COLORADO AND NORTHERN NEW MEXICO, AND IT IS  
22 NECESSARY AND APPROPRIATE TO ENCOURAGE THE CONTINUATION OF  
23 SUCH DISCUSSIONS AND CONVEY TO ALL OTHER INVOLVED PARTIES THAT:

24 (I) THE STATE OF COLORADO STRONGLY SUPPORTS THE EFFORT TO  
25 PRESERVE THAT SERVICE; AND

26 (II) CONTINUING TO PURSUE A COOPERATIVE APPROACH OFFERS  
27 THE BEST PROSPECTS FOR BOTH PREVENTING THE REROUTING OF THE

1 SOUTHWEST CHIEF RAIL LINE AWAY FROM WESTERN KANSAS, COLORADO,  
2 AND NORTHERN NEW MEXICO AND EXPANDING SUCH SERVICE TO INCLUDE  
3 A STOP IN PUEBLO; AND

4 (d) IT IS THEREFORE NECESSARY AND APPROPRIATE TO:

5 (I) CREATE THE SOUTHWEST CHIEF RAIL LINE ECONOMIC  
6 DEVELOPMENT, RURAL TOURISM, AND INFRASTRUCTURE REPAIR AND  
7 MAINTENANCE COMMISSION AND THE SOUTHWEST CHIEF RAIL LINE  
8 ECONOMIC DEVELOPMENT, RURAL TOURISM, AND INFRASTRUCTURE REPAIR  
9 AND MAINTENANCE FUND;

10 (II) DEPOSIT INTO THE FUND ANY MONEY THAT MAY BECOME  
11 AVAILABLE TO THE STATE FOR THE PURPOSES OF ENSURING THAT THE  
12 AMTRAK SOUTHWEST CHIEF RAIL LINE CONTINUES TO PASS THROUGH  
13 COLORADO AND THAT AN ADDITIONAL STOP IN PUEBLO IS ADDED TO THE  
14 LINE; AND

15 (III) SPECIFY THAT THE COMMISSION MAY EXPEND MONEYS FROM  
16 THE FUND ONLY IN FURTHERANCE OF SUCH PURPOSES, ONLY TO THE  
17 EXTENT APPROPRIATED BY THE GENERAL ASSEMBLY, AND ONLY FOR:

18 (A) THE COMMISSION'S ADMINISTRATIVE AND STAFFING EXPENSES;

19 (B) THE COSTS OF ANY NECESSARY STUDIES; AND

20 (C) ONLY IF A FORMAL AGREEMENT IS REACHED UNDER WHICH  
21 AMTRAK, THE BURLINGTON NORTHERN AND SANTA FE RAILWAY, AND  
22 THE STATES OF KANSAS, COLORADO, AND NEW MEXICO ALL AGREE TO  
23 MAKE NECESSARY FINANCIAL CONTRIBUTIONS AND TAKE OTHER SPECIFIED  
24 ACTIONS NEEDED TO ENSURE THE ACHIEVEMENT OF SUCH PURPOSES,  
25 TRACK UPGRADES, MAINTENANCE, AND OTHER REQUIRED ACTIONS TO BE  
26 FUNDED UNDER THE TERMS OF THE AGREEMENT.

27 (3) AS USED IN THIS PART 10, UNLESS THE CONTEXT OTHERWISE

1 REQUIRES:

2 (a) "COMMISSION" MEANS THE SOUTHWEST CHIEF RAIL LINE  
3 ECONOMIC DEVELOPMENT, RURAL TOURISM, AND INFRASTRUCTURE REPAIR  
4 AND MAINTENANCE COMMISSION CREATED IN SUBSECTION (4) OF THIS  
5 SECTION.

6 (b) "FUND" MEANS THE SOUTHWEST CHIEF RAIL LINE ECONOMIC  
7 DEVELOPMENT, RURAL TOURISM, AND INFRASTRUCTURE REPAIR AND  
8 MAINTENANCE FUND CREATED IN SECTION 43-4-1002.

9 (4) (a) THE SOUTHWEST CHIEF RAIL LINE ECONOMIC  
10 DEVELOPMENT, RURAL TOURISM, AND INFRASTRUCTURE REPAIR AND  
11 MAINTENANCE COMMISSION IS CREATED IN THE DEPARTMENT OF  
12 TRANSPORTATION. THE COMMISSION SHALL EXERCISE ITS POWERS AND  
13 PERFORM ITS DUTIES AS IF THE SAME WERE TRANSFERRED TO THE  
14 DEPARTMENT BY A **TYPE I** TRANSFER, AS DEFINED IN SECTION 24-1-105,  
15 C.R.S. THE COMMISSION CONSISTS OF THE FOLLOWING NINE MEMBERS:

16 (I) TWO STATE SENATORS, ONE WHO IS A MEMBER OF THE  
17 MAJORITY PARTY AND ONE WHO IS A MEMBER OF THE MINORITY PARTY,  
18 RESPECTIVELY APPOINTED BY THE PRESIDENT AND MINORITY LEADER OF  
19 THE SENATE;

20 (II) TWO STATE REPRESENTATIVES, ONE WHO IS A MEMBER OF THE  
21 MAJORITY PARTY AND ONE WHO IS A MEMBER OF THE MINORITY PARTY,  
22 RESPECTIVELY APPOINTED BY THE SPEAKER AND MINORITY LEADER OF THE  
23 HOUSE OF REPRESENTATIVES;

24 (III) FIVE MEMBERS APPOINTED BY THE GOVERNOR AS FOLLOWS:

25 (A) ONE REPRESENTATIVE OF THE TOURIST INDUSTRY IN  
26 COLORADO;

27 (B) ONE MEMBER WHO IS A PUBLIC RAIL TRANSPORTATION

1       ADVOCATE;

2               (C) ONE REPRESENTATIVE OF THE FREIGHT RAIL INDUSTRY;

3               (D) ONE RESIDENT OF LAS ANIMAS, OTERO, OR PROWERS COUNTY  
4 WHO HAS PUBLICLY ADVOCATED FOR PUBLIC RAIL; AND

5               (E) ONE RESIDENT OF PUEBLO OR HUERFANO COUNTY WHO HAS  
6 PUBLICLY ADVOCATED FOR PUBLIC RAIL.

7               (b) IN ADDITION TO THE NINE MEMBERS OF THE BOARD, THE BOARD  
8 INCLUDES THE FOLLOWING TWO APPOINTED ADVISORS, WHO SHALL  
9 ATTEND BOARD MEETINGS AND ADVISE THE BOARD BUT ARE NOT VOTING  
10 MEMBERS OF THE BOARD:

11               (I) AN EMPLOYEE OF THE DEPARTMENT OF TRANSPORTATION,  
12 APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT; AND

13               (II) AN EMPLOYEE OF AMTRAK, APPOINTED BY THE PRESIDENT OF  
14 AMTRAK.

15               (c) APPOINTING AUTHORITIES SHALL APPOINT THE INITIAL  
16 MEMBERS AND APPOINTED ADVISORS OF THE COMMISSION NO LATER THAN  
17 SEPTEMBER 1, 2014. MEMBERS SHALL SERVE FOR TERMS OF FOUR YEARS;  
18 EXCEPT THAT THE INITIAL TERMS OF THE MEMBER WHO IS A STATE  
19 REPRESENTATIVE WHO IS A MEMBER OF THE MAJORITY PARTY, THE STATE  
20 SENATOR WHO IS A MEMBER OF THE MINORITY PARTY, AND THREE OF THE  
21 MEMBERS APPOINTED BY THE GOVERNOR, AS DESIGNATED BY THE  
22 GOVERNOR, ARE TWO YEARS. THE COMMISSION SHALL ELECT A CHAIR  
23 FROM ITS MEMBERS AT ITS FIRST MEETING. MEMBERS SERVE WITHOUT  
24 COMPENSATION BUT RECEIVE REIMBURSEMENT FOR EXPENSES.

25               (5) (a) THE MISSION OF THE COMMISSION IS TO COORDINATE AND  
26 OVERSEE EFFORTS BY THE STATE AND LOCAL GOVERNMENTS AND  
27 COOPERATE WITH THE STATES OF KANSAS AND NEW MEXICO, AMTRAK,



1 AND THE BURLINGTON NORTHERN AND SANTA FE RAILWAY TO ENSURE  
2 CONTINUATION OF EXISTING AMTRAK SOUTHWEST CHIEF RAIL LINE  
3 SERVICE IN THE STATE, EXPANSION OF SUCH SERVICE TO INCLUDE A STOP  
4 IN PUEBLO, AND EXPLORATION OF THE BENEFITS OF ADDING AN  
5 ADDITIONAL STOP IN WALSENBURG.

6 (b) IN FURTHERANCE OF ITS MISSION, AND IN ADDITION TO ANY  
7 OTHER POWERS AND DUTIES AS SPECIFIED IN THIS PART 10, THE  
8 COMMISSION HAS THE FOLLOWING POWERS:

9 (I) TO ADOPT BYLAWS FOR THE REGULATION OF ITS AFFAIRS AND  
10 THE CONDUCT OF ITS BUSINESS;

11 (II) TO ACCEPT CONTRIBUTIONS TO AND EXPEND MONEYS FROM  
12 THE FUND AS AUTHORIZED BY SECTION 43-4-1002;

13 (III) TO ENTER INTO MEMORANDUMS OF UNDERSTANDING AND  
14 INTERGOVERNMENTAL AGREEMENTS WITH AGENCIES AND POLITICAL  
15 SUBDIVISIONS OF THIS STATE;

16 (IV) TO CONTRACT FOR NECESSARY SERVICES;

17   
18 (V) TO ENTER INTO MULTISTATE AGREEMENTS; AND

19 (VI) TO HAVE AND EXERCISE ALL POWERS NECESSARY OR  
20 INCIDENTAL TO OR IMPLIED FROM THE SPECIFIC POWERS AND DUTIES  
21 GRANTED IN THIS PART 10.

22 **43-4-1002. Southwest chief rail line economic development,**  
23 **rural tourism, and infrastructure repair and maintenance fund -**  
24 **creation - use of fund.** (1) THE SOUTHWEST CHIEF RAIL LINE ECONOMIC  
25 DEVELOPMENT, RURAL TOURISM, AND INFRASTRUCTURE REPAIR AND  
26 MAINTENANCE FUND IS CREATED IN THE STATE TREASURY. THE FUND  
27 CONSISTS OF ANY MONEYS, INCLUDING BUT NOT LIMITED TO ANY GIFTS,

1 GRANTS, OR DONATIONS, RECEIVED BY THE STATE FROM THE FEDERAL  
2 GOVERNMENT, LOCAL GOVERNMENTS, PUBLIC-PRIVATE PARTNERSHIPS, OR  
3 ANY OTHER PERSON, OR AS A RESULT OF ANY VOTER-APPROVED BALLOT  
4 MEASURE, THAT ARE DEDICATED FOR THE PURPOSES OF ENSURING THAT  
5 THE AMTRAK SOUTHWEST CHIEF RAIL LINE CONTINUES TO PASS THROUGH  
6 COLORADO AND THAT AN ADDITIONAL STOP IN PUEBLO IS ADDED TO THE  
7 LINE, AND ANY OTHER MONEYS THAT THE GENERAL ASSEMBLY MAY  
8 APPROPRIATE OR TRANSFER TO THE FUND. INTEREST AND INCOME EARNED  
9 ON THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND AND ALL  
10 UNENCUMBERED AND UNEXPENDED MONEYS IN THE FUND AT THE END OF  
11 ANY FISCAL YEAR REMAIN IN THE FUND. SUBJECT TO ANNUAL  
12 APPROPRIATION BY THE GENERAL ASSEMBLY, THE COMMISSION MAY  
13 EXPEND MONEYS FROM THE FUND FOR ITS ADMINISTRATIVE AND STAFFING  
14 EXPENSES AND FOR THE COSTS OF ANY NECESSARY STUDIES. SUBJECT TO  
15 ANNUAL APPROPRIATION AND THE LIMITATIONS SET FORTH IN SUBSECTION  
16 (2) OF THIS SECTION, THE COMMISSION MAY ALSO EXPEND MONEYS FROM  
17 THE FUND FOR RAIL REPLACEMENT OR OTHER IMPROVEMENTS TO THE  
18 PORTION OF THE BURLINGTON NORTHERN AND SANTA FE RAILWAY LINE  
19 USED TO PROVIDE EXISTING AMTRAK SOUTHWEST CHIEF RAIL LINE  
20 SERVICE IN COLORADO AND TO PAY COSTS ASSOCIATED WITH THE  
21 EXPANSION OF SOUTHWEST CHIEF RAIL LINE SERVICE TO INCLUDE A STOP  
22 IN PUEBLO.

23 (2) THE COMMISSION MAY ONLY EXPEND MONEYS FROM THE FUND  
24 FOR THE PURPOSES OF RAIL REPLACEMENT OR OTHER IMPROVEMENTS OR  
25 FOR COSTS ASSOCIATED WITH THE EXPANSION OF SOUTHWEST CHIEF RAIL  
26 LINE SERVICE TO INCLUDE A STOP IN PUEBLO IF:

27 (a) AMTRAK CONFIRMS IN WRITING THAT THE SOUTHWEST CHIEF

1 RAIL LINE WILL CONTINUE TO STOP IN LAMAR, LA JUNTA, AND TRINIDAD,  
2 THAT THE SOUTHWEST CHIEF RAIL LINE WILL ADD A REGULAR STOP IN  
3 PUEBLO WITHIN FIVE YEARS FROM THE DATE THE COMMISSION FIRST  
4 EXPENDS MONEYS FOR THOSE PURPOSES FROM THE FUND, AND THAT  
5 AMTRAK WILL EXPLORE THE POTENTIAL BENEFITS, INCLUDING BUT NOT  
6 LIMITED TO BENEFITS OF INCREASED TOURISM AND OTHER ECONOMIC  
7 BENEFITS, OF ALSO ADDING A REGULAR STOP IN WALSENBURG; AND

8 (b) THE STATES OF KANSAS AND NEW MEXICO, AMTRAK, AND THE  
9 BURLINGTON NORTHERN AND SANTA FE RAILWAY COMMIT IN WRITING TO  
10 EXPEND AN AVERAGE AGGREGATE AMOUNT OF AT LEAST FIFTEEN MILLION  
11 TWO HUNDRED THOUSAND DOLLARS PER YEAR FOR EACH OF THE TEN  
12 YEARS BEGINNING WITH THE YEAR IN WHICH THE COMMISSION FIRST  
13 EXPENDS MONEYS FOR THOSE PURPOSES FROM THE FUND.

14 **43-4-1003. Repeal of article.** THIS ARTICLE IS REPEALED,  
15 EFFECTIVE JULY 1, 2017.

16 **SECTION 2.** In Colorado Revised Statutes, 24-1-128.7, **add** (7)  
17 as follows:

18 **24-1-128.7. Department of transportation - creation - repeal.**

19 (7) (a) THE SOUTHWEST CHIEF RAIL LINE ECONOMIC DEVELOPMENT,  
20 RURAL TOURISM, AND INFRASTRUCTURE REPAIR AND MAINTENANCE  
21 COMMISSION CREATED IN SECTION 43-4-1001 (4), C.R.S., SHALL EXERCISE  
22 ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS AS IF THE SAME  
23 WERE TRANSFERRED BY A **TYPE 1** TRANSFER, AS DEFINED IN SECTION  
24 24-1-105, TO THE DEPARTMENT OF TRANSPORTATION.

25 (b) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2017.

26 **SECTION 3. Appropriation.** In addition to any other  
27 appropriation, there is hereby appropriated, out of any moneys in the chief

1 rail line economic development, rural tourism, and infrastructure repair  
2 and maintenance fund created in section 43-4-1002, Colorado Revised  
3 Statutes, not otherwise appropriated, to the department of transportation,  
4 for the fiscal year beginning July 1, 2014, the sum of \$5,983 and 0.1 FTE,  
5 or so much thereof as may be necessary, for allocation for expenses  
6 related to the southwest chief rail line economic development, rural  
7 tourism, and infrastructure repair and maintenance commission created  
8 in this act.

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