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. 14-0918.01 Sharon Eubanks x4336

SENATE BILL 14-153

SENATE SPONSORSHIP

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A BILL FOR AN ACT CONCERNING COMPENSATION OF MEMBERS OF THE GENERAL ASSEMBLY APPOINTED TO AND SERVING ON STATE ENTITIES, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING

104 APPROPRIATIONS.

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 establishes uniform payments of per diem and the reimbursement of expenses to current members of the general assembly who are appointed to serve on state entities created or authorized by statute on which members of the general assembly are statutorily required to be appointed to serve. When the general assembly is in session and legislative members attend meetings of a state entity to which they are appointed, legislative members will only receive the per diem lodging and expense allowances and travel expenses that they receive as legislative members. When the general assembly is not in session or is in recess for more than 3 days and legislative members attend meetings of a state entity to which they are appointed, legislative members will receive the same per diem and travel and subsistence expenses received by legislative members for necessary attendance at meetings or functions or to legislative matters during the legislative recess or interim.

1 Be it enacted by the General Assembly of the State of Colorado: 2 **SECTION 1.** In Colorado Revised Statutes, add 2-2-326 as 3 follows: 4 2-2-326. Compensation and expenses for members appointed 5 to and serving on state entities - definition. (1) NOTWITHSTANDING 6 ANY LAW TO THE CONTRARY: 7 (a) WHILE APPOINTED TO ANY STATE ENTITY AND SERVING ON ANY 8 STATE ENTITY DURING REGULAR AND SPECIAL SESSIONS OF THE GENERAL 9 ASSEMBLY, IN ADDITION TO THE BASE COMPENSATION SPECIFIED IN 10 SECTION 2-2-307 (1), CURRENT MEMBERS OF THE GENERAL ASSEMBLY ARE 11 ENTITLED TO RECEIVE ONLY THE PER DIEM LODGING AND EXPENSE 12 ALLOWANCES AND THE TRAVEL EXPENSES AUTHORIZED BY SECTION 13 2-2-317; AND 14 (b) WHILE APPOINTED TO AND SERVING ON ANY STATE ENTITY 15 WHEN THE GENERAL ASSEMBLY IS IN RECESS FOR MORE THAN THREE DAYS 16 OR IS NOT IN SESSION, IN ADDITION TO THE BASE COMPENSATION SPECIFIED 17 IN SECTION 2-2-307 (1), CURRENT MEMBERS OF THE GENERAL ASSEMBLY ARE ENTITLED TO RECEIVE THE AMOUNT SPECIFIED IN SECTION 2-2-307 (3) 18 19 (a) FOR NECESSARY ATTENDANCE AT MEETINGS OF THE STATE ENTITY AND

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1	REIMBURSEMENT FOR ALL ACTUAL AND NECESSARY TRAVEL AND
2	SUBSISTENCE EXPENSES INCURRED IN CONNECTION WITH ATTENDANCE AT
3	MEETINGS OF THE STATE ENTITY. MILEAGE RATES SHALL NOT EXCEED
4	THOSE AUTHORIZED FOR THE EXECUTIVE DEPARTMENT. ALL
5	COMPENSATION PAID AND REIMBURSEMENTS MADE PURSUANT TO THIS
6	PARAGRAPH (b) SHALL BE PAID FROM APPROPRIATIONS MADE TO THE
7	LEGISLATIVE DEPARTMENT.
8	(2) FOR PURPOSES OF THIS SECTION, "STATE ENTITY" MEANS ANY
9	BOARD, COMMISSION, COMMITTEE, TASK FORCE, <u>AUTHORITY</u> , <u>ENTERPRISE</u> ,
10	COUNCIL, WORKING GROUP, REVIEW TEAM, OR OTHER ENTITY CREATED OR
11	AUTHORIZED BY STATUTE ON WHICH CURRENT MEMBERS OF THE GENERAL
12	ASSEMBLY ARE STATUTORILY REQUIRED TO BE APPOINTED TO SERVE;
13	EXCEPT THAT "STATE ENTITY" DOES NOT INCLUDE THE COLORADO
14	COMMISSION ON UNIFORM STATE LAWS CREATED IN SECTION 2-3-601 (1)
15	OR THE EDUCATION COMMISSION OF THE STATES CREATED PURSUANT TO
16	SECTION 24-60-1201, C.R.S.
17	SECTION 2. In Colorado Revised Statutes, 1-1-115, amend (3)
18	(b) (III) as follows:
19	1-1-115. Colorado voter access and modernized elections
20	commission - creation - composition - terms - duties - report -
21	definition - repeal. (3) (b) (III) EXCEPT AS OTHERWISE PROVIDED IN
22	SECTION 2-2-326, C.R.S., members of the commission serve without
23	compensation, but are entitled to receive reimbursement for reasonable
24	expenses to be paid out of the department of state cash fund created in
25	section 24-21-104 (3) (b), C.R.S.
26	SECTION 3. In Colorado Revised Statutes, 2-3-1503, amend (3)
27	as follows:

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1	2-3-1503. Legislative emergency preparedness, response, and
2	recovery committee - creation - membership - duties. (3) EXCEPT AS
3	OTHERWISE PROVIDED IN SECTION 2-2-326, the members of the legislative
4	committee shall serve without compensation. but the senators and
5	representatives serving on the legislative committee shall be entitled to
6	reimbursement of expenses incurred in serving on the legislative
7	committee.
8	SECTION 4. In Colorado Revised Statutes, 10-8-505, amend (8)
9	as follows:
10	10-8-505. CoverColorado board of directors. (8) Members of
11	the board shall serve without compensation EXCEPT AS OTHERWISE
12	PROVIDED IN SECTION 2-2-326, C.R.S., AND except that they shall be
13	reimbursed for any actual and necessary expenses incurred in the
14	performance of their duties under this part 5, with mileage rates not to
15	exceed those authorized for the executive department.
16	SECTION 5. In Colorado Revised Statutes, 11-59-105, amend
17	(1) (a) as follows:
18	11-59-105. Colorado municipal bond supervision advisory
19	board - creation. (1) (a) There is hereby created the Colorado municipal
20	bond supervision advisory board, to be composed of three members of the
21	general assembly, one municipal securities broker-dealer representative,
22	one representative of a county, one representative of a municipality, one
23	representative of a special district, one representative of banks that act as
24	indenture trustees for municipal bond offerings, one bond counsel
25	representative, one real estate developer representative, three members of
26	the general public with experience in municipal financing as investors
27	who are not associated with any of the other members or interests, and

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four owners of residential real property located in special districts who are not associated with any of the other members or interests. Except for the legislative members, members of the board shall be appointed by the governor, who shall take into account the extent to which the board represents the geographic areas, population concentrations, and ethnic communities of this state. Appointments by the governor shall be for a period of four years. The three members of the general assembly shall be appointed one each by the governor, the speaker of the house of representatives, and the president of the senate. No more than two of said legislative members may be from the same major political party, and, except as provided in paragraph (b) of this subsection (1), each such legislative member shall be appointed for a term of two years or for the same term to which they were elected, whichever is less. Successors shall be appointed in the same manner as the original members. Vacancies of all other members shall be filled by appointment by the governor for unexpired terms. In the case of a vacancy, the remaining members of the board shall exercise all the powers and authority of the board until such vacancy is filled. The board shall choose its own chairperson by majority vote of the quorum present at a meeting called for the purpose of electing a chairperson. The board shall meet not less than annually. EXCEPT AS OTHERWISE PROVIDED IN SECTION 2-2-326, C.R.S., members of the board shall receive no compensation but shall be reimbursed for all actual and necessary expenses incurred in the performance of their duties, AND such expenses shall be paid from the appropriations from the division of securities cash fund created in section 11-51-707. A majority of the board shall constitute a quorum to transact business and for the exercise of any of the powers or authority conferred.

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1	SECTION 6. In Colorado Revised Statutes, 12-47.1-1602, add
2	(4) as follows:
3	12-47.1-1602. Local government limited gaming impact
4	advisory committee - creation - duties. (4) The members of the
5	COMMITTEE APPOINTED PURSUANT TO PARAGRAPHS (f) AND (g) OF
6	SUBSECTION (1) OF THIS SECTION ARE ENTITLED TO RECEIVE
7	COMPENSATION AND REIMBURSEMENT OF EXPENSES AS PROVIDED IN
8	SECTION 2-2-326, C.R.S.
9	SECTION 7. In Colorado Revised Statutes, 14-10-115, amend
10	(16) (d) as follows:
11	14-10-115. Child support guidelines - purpose - definitions -
12	determination of income - schedule of basic child support obligations
13	- adjustments to basic child support - additional guidelines - child
14	support commission. (16) Child support commission. (d) Members
15	of the child support commission shall not be compensated for their
16	services on the commission except AS OTHERWISE PROVIDED IN SECTION
17	2-2-326, C.R.S., AND EXCEPT that members shall be reimbursed for actual
18	and necessary expenses for travel and mileage incurred in connection
19	with their duties. The child support commission is authorized, subject to
20	appropriation, to incur expenses related to its work, including the costs
21	associated with public hearings, printing, travel, and research.
22	SECTION 8. In Colorado Revised Statutes, 16-11.3-102, amend
23	(4) (b) as follows:
24	16-11.3-102. Colorado commission on criminal and juvenile
25	justice - creation - membership - operation. (4) (b) The members of
26	the commission shall serve without compensation EXCEPT AS OTHERWISE
27	PROVIDED IN SECTION 2-2-326, C.R.S., AND except that the members of

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1	the commission may be reimbursed for any actual and necessary travel
2	expenses incurred in the performance of their duties under this article.
3	SECTION 9. In Colorado Revised Statutes, 17-24-104, amend
4	(2) (b) as follows:
5	17-24-104. Creation of division of correctional industries and
6	advisory committee - enterprise status of division - duties of
7	committee - sunset review of committee - rules. (2) (b) Each member
8	shall hold office for his OR HER term and until his OR HER successor is
9	appointed and qualified. Any member shall be eligible for reappointment,
10	but he OR SHE shall not be eligible to serve more than two consecutive full
11	terms. Except as otherwise provided in Section 2-2-326, C.R.S.,
12	members of the advisory committee shall receive no compensation for
13	such services but may be reimbursed for their necessary expenses while
14	serving as members of the board. Any vacancy shall be filled in the same
15	manner as for an original appointment and shall be for the unexpired
16	term. The chairman shall be elected by the voting members of the
17	advisory committee from among the appointed members of the general
18	assembly.
19	SECTION 10. In Colorado Revised Statutes, 18-18.5-103,
20	amend (7) as follows:
21	18-18.5-103. State substance abuse trend and response task
22	force - creation - membership - duties. (7) (a) Except as otherwise
23	provided in paragraph (b) of this subsection (7) SECTION 2-2-326, C.R.S.,
24	members of the task force shall serve without compensation.
25	(b) Notwithstanding the provisions of section 2-2-307, C.R.S.,
26	legislative members of the task force may receive payment of per diem
27	and reimbursement for actual and necessary expenses authorized pursuant

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1	to said section and any other direct or indirect costs associated with the
2	duties of the legislative members of the task force set forth in this article
3	only from moneys appropriated from the methamphetamine abuse
4	prevention, intervention, and treatment cash fund, created in section
5	18-18.5-105.
6	SECTION 11. In Colorado Revised Statutes, 22-58-104, amend
7	(2) (b) as follows:
8	22-58-104. Advisory council - created - duties - reporting -
9	funding. (2) (b) EXCEPT AS OTHERWISE PROVIDED IN SECTION 2-2-326,
10	C.R.S.:
11	(I) The members of the advisory council shall serve without
12	compensation; AND
13	(II) The members of the advisory council shall also serve without
14	reimbursement for expenses; except that the advisory council may receive
15	reimbursement if the advisory council receives moneys pursuant to
16	subsection (5) of this section in an amount sufficient to reimburse the
17	members' expenses.
18	SECTION 12. In Colorado Revised Statutes, 23-1-103, amend
19	(2) as follows:
20	23-1-103. Advisory committee to the Colorado commission on
21	higher education. (2) Legislative and other MEMBERS OF THE ADVISORY
22	COMMITTEE SHALL RECEIVE COMPENSATION AND REIMBURSEMENT OF
23	EXPENSES AS PROVIDED IN SECTION 2-2-326, C.R.S. Members of the
24	advisory committee not otherwise compensated by the state or a public
25	educational institution shall receive thirty dollars per diem for attendance
26	at official meetings plus reimbursement for actual and necessary expenses
27	incurred in the conduct of official business.

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1	SECTION 13. In Colorado Revised Statutes, 24-18-113, add (1)
2	(c) as follows:
3	24-18-113. Board of ethics for the general assembly - created
4	- duties. (1) (c) The members of the board of ethics for the
5	GENERAL ASSEMBLY ARE ENTITLED TO RECEIVE COMPENSATION AND
6	REIMBURSEMENT OF EXPENSES AS PROVIDED IN SECTION 2-2-326, C.R.S.
7	SECTION 14. In Colorado Revised Statutes, 24-33.5-104.5, add
8	(1) (c) as follows:
9	24-33.5-104.5. Powers of executive director - DNA evidence
10	issues - working group. (1) (c) The members of the working group
11	APPOINTED PURSUANT TO SUBPARAGRAPHS (VII) AND (VIII) OF
12	PARAGRAPH (b) OF THIS SUBSECTION (1) ARE ENTITLED TO RECEIVE
13	COMPENSATION AND REIMBURSEMENT OF EXPENSES AS PROVIDED IN
14	SECTION 2-2-326, C.R.S.
15	SECTION 15. In Colorado Revised Statutes, 24-37.7-103,
16	amend (2) as follows:
17	24-37.7-103. Meetings of board - quorum - expenses.
18	(2) EXCEPT AS OTHERWISE PROVIDED IN SECTION 2-2-326, C.R.S.,
19	members of the board shall serve without compensation but shall be
20	reimbursed for all necessary expenses incurred in the performance of their
21	duties under this article. Any payments to board members pursuant to this
22	subsection (2) shall be paid from moneys of the authority.
23	SECTION 16. In Colorado Revised Statutes, 24-46.3-101, add
24	(9) as follows:
25	24-46.3-101. State work force development council - creation
26	- membership. (9) The members of the state council appointed
27	PURSUANT TO PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION ARE

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1	ENTITLED TO RECEIVE COMPENSATION AND REIMBURSEMENT OF EXPENSES
2	AS PROVIDED IN SECTION 2-2-326, C.R.S.
3	SECTION 17. In Colorado Revised Statutes, 24-48.5-303,
4	amend (4) as follows:
5	24-48.5-303. Council on creative industries - establishment of
6	council - members - term of office - chair - compensation. (4) EXCEPT
7	AS OTHERWISE PROVIDED IN SECTION 2-2-326, C.R.S., members of the
8	council shall serve without compensation, but each member shall be
9	reimbursed for his or her necessary traveling and other expenses incurred
10	in the performance of his or her official duties.
11	SECTION 18. In Colorado Revised Statutes, 24-49.7-103,
12	amend (6) as follows:
13	24-49.7-103. Colorado tourism office - creation - board of
14	directors - definitions. (6) EXCEPT AS OTHERWISE PROVIDED IN SECTION
15	2-2-326, C.R.S., members shall serve without compensation but shall be
16	entitled to reimbursement for actual and necessary expenses incurred in
17	the performance of their duties. The board shall adopt such rules
18	governing its procedure as it may consider necessary or advisable and
19	shall keep a record of its proceedings, which record shall be open to
20	inspection by the public at all reasonable times.
21	SECTION 19. In Colorado Revised Statutes, 24-49.9-101,
22	amend (5) as follows:
23	24-49.9-101. Colorado channel authority - creation - legislative
24	declaration. (5) EXCEPT AS OTHERWISE PROVIDED IN SECTION 2-2-326,
25	C.R.S., if the board determines that the authority has sufficient financial
26	resources, each member of the board not otherwise in full-time
27	employment of the state or a state official shall receive a per diem of one

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1	hundred dollars for each day actually and necessarily spent in the
2	discharge of official duties, and all members shall receive reimbursement
3	for travel and other necessary expenses actually incurred in the
4	performance of official duties.
5	SECTION 20. In Colorado Revised Statutes, 24-82-108, amend
6	(2) (e) as follows:
7	24-82-108. State capitol building advisory committee -
8	creation - repeal. (2) (e) All members of the ADVISORY committee shall
9	be volunteers and shall serve without per diem; except AS OTHERWISE
10	PROVIDED IN SECTION 2-2-326, C.R.S., AND EXCEPT that members of the
11	ADVISORY committee shall be reimbursed for necessary and actual
12	expenses incurred in the performance of their duties.
13	SECTION 21. In Colorado Revised Statutes, 25-3.5-804, amend
14	(5) (e) as follows:
15	25-3.5-804. Tobacco education, prevention, and cessation
16	programs - review committee - grants. (5) (e) EXCEPT AS OTHERWISE
17	PROVIDED IN SECTION 2-2-326, C.R.S., members of the review committee
18	shall serve without compensation but shall be reimbursed from moneys
19	deposited in the tobacco education programs fund created in section
20	24-22-117, C.R.S., for their actual and necessary expenses incurred in the
21	performance of their duties pursuant to this part 8.
22	SECTION 22. In Colorado Revised Statutes, 25-4-2206, amend
23	(2) (b) as follows:
24	25-4-2206. Health equity commission - creation - repeal.
25	(2) (b) The members of the commission shall serve at the pleasure of the
26	appointing authority. EXCEPT AS OTHERWISE PROVIDED IN SECTION
27	2-2-326, C.R.S., the members of the commission shall serve without

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1	compensation, but shall be reimbursed by the department for their actual
2	and necessary expenses incurred in the performance of their duties
3	pursuant to this part 22.
4	SECTION 23. In Colorado Revised Statutes, 25-20.5-303,
5	amend (7) as follows:
6	25-20.5-303. Cancer, cardiovascular disease, and chronic
7	pulmonary disease program review committee. (7) EXCEPT AS
8	OTHERWISE PROVIDED IN SECTION 2-2-326, C.R.S., members of the review
9	committee shall serve without compensation but shall be reimbursed from
10	moneys deposited in the prevention, early detection, and treatment fund
11	created in section 24-22-117, C.R.S., for their actual and necessary
12	expenses incurred in the performance of their duties pursuant to this part
13	3.
14	SECTION 24. In Colorado Revised Statutes, 25.5-1-204, add (2)
15	(c) as follows:
16	25.5-1-204. Advisory committee to oversee the all-payer health
17	claims database - legislative declaration - creation - members - duties
18	- creation of all-payer health claims database - rules. (2) (c) THE
19	MEMBERS OF THE ADVISORY COMMITTEE APPOINTED PURSUANT TO
20	SUBPARAGRAPH (XII) OF PARAGRAPH (a) OF THIS SUBSECTION (2) ARE
21	ENTITLED TO RECEIVE COMPENSATION AND REIMBURSEMENT OF EXPENSES
22	AS PROVIDED IN SECTION 2-2-326, C.R.S.
23	SECTION 25. In Colorado Revised Statutes, 26-1-139, add (6.7)
24	as follows:
25	26-1-139. Child fatality and near fatality prevention -
26	legislative declaration - process - department of human services child
27	fatality review team - reporting - rules. (6.7) The members of the

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1	TEAM APPOINTED PURSUANT TO PARAGRAPH (1) OF SUBSECTION (6) OF
2	THIS SECTION ARE ENTITLED TO RECEIVE COMPENSATION AND
3	REIMBURSEMENT OF EXPENSES AS PROVIDED IN SECTION 2-2-326, C.R.S.
4	SECTION 26. In Colorado Revised Statutes, 26-6.5-203, amend
5	(1) (d) as follows:
6	26-6.5-203. Early childhood and school readiness legislative
7	commission - creation - membership - duties - funding.
8	(1) (d) Notwithstanding the provisions of section 2-2-307, C.R.S., The
9	members of the commission shall not receive compensation or AND
10	reimbursement for expenses incurred in fulfilling the duties of the
11	commission AS PROVIDED IN SECTION 2-2-326, C.R.S.
12	SECTION 27. In Colorado Revised Statutes, amend 26-11-103
13	as follows:
14	26-11-103. Compensation - expenses. EXCEPT AS OTHERWISE
15	PROVIDED IN SECTION 2-2-326, C.R.S., the members of the commission
16	shall not receive compensation for their services, but they shall be
17	reimbursed for expenses incurred by them in the performance of their
18	official duties.
19	SECTION 28. In Colorado Revised Statutes, 27-61-102, add (2)
20	(d) as follows:
21	27-61-102. Behavioral health transformation council - creation
22	- duties - sunset review - repeal. (2) (d) The members of the council
23	APPOINTED PURSUANT TO SUBPARAGRAPHS (III) AND (IV) OF PARAGRAPH
24	(b) OF THIS SUBSECTION (2) ARE ENTITLED TO RECEIVE COMPENSATION
25	AND REIMBURSEMENT OF EXPENSES AS PROVIDED IN SECTION 2-2-326,
26	C.R.S.
27	SECTION 29. In Colorado Revised Statutes, 39-9-101, amend

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(2) as follows:

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by \$85,690.

39-9-101. State board of equalization. (2) No more than three members of the state board of equalization shall be affiliated with the same political party. EXCEPT AS OTHERWISE PROVIDED IN SECTION 2-2-326, C.R.S., each member shall receive a per diem allowance of fifty dollars for each day spent attending meetings or hearings of the state board of equalization or otherwise spent discharging his duties as a member of said board; except that no member shall receive the per diem allowance provided for in this subsection (2) for any day for which he receives a per diem allowance from the state under any other statute and except that no member shall receive the per diem allowance provided for in this subsection (2) if he receives a salary from the state for a full-time position with the state. EXCEPT AS OTHERWISE PROVIDED IN SECTION 2-2-326, C.R.S., each member of said board shall receive actual and necessary expenses incurred in performing his duties as a member of said board. The members appointed by the governor shall serve at the pleasure of the governor but shall not serve for more than four consecutive years unless reappointed by the governor and reconfirmed by the senate at the conclusion of said four years. Vacancies in either of the appointed positions on the state board of equalization shall be filled by appointment by the governor with the consent of the senate for the unexpired term. SECTION 30. Appropriation - adjustments to 2014 long bill. (1) For the implementation of this act, the general fund appropriation made in the annual general appropriation act to the controlled maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased

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1	(2) For the implementation of this act, appropriations made in the
2	annual general appropriation act to the department of public safety for the
3	fiscal year beginning July 1, 2014, are adjusted as follows:
4	(a) The general fund appropriation for the division of criminal
5	justice is decreased by \$1,408.
6	(3) For the implementation of this act, appropriations made in the
7	annual general appropriation act to the department of local affairs for the
8	fiscal year beginning July 1, 2014, are adjusted as follows:
9	(a) The cash funds appropriation from the local government
10	limited gaming impact fund created in section 12-47.1-1601 (1) (a),
11	Colorado Revised Statutes, for the division of local government, is
12	decreased by \$352.
13	(4) For the implementation of this act, appropriations made in the
14	annual general appropriation act to the department of state for the fiscal
15	year beginning July 1, 2014, are adjusted as follows:
16	(a) The cash funds appropriation from the department of state cash
17	fund created in section 24-21-104 (3) (b), Colorado Revised Statutes, for
18	the elections division, is decreased by \$2,816.
19	SECTION 31. Appropriation. In addition to any other
20	appropriation, there is hereby appropriated, out of any moneys in the
21	general fund not otherwise appropriated, to the legislative department, for
22	the fiscal year beginning July 1, 2014, the sum of \$87,098, or so much
23	thereof as may be necessary, to be allocated to the general assembly for
24	the implementation of this act.
25	SECTION <u>32.</u> Applicability. This act applies for service
26	provided to a state entity on or after the effective date of this act.
2.7	SECTION 33. Safety clause. The general assembly hereby finds.

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- determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.

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