

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

March 31, 2009  
Date

Committee on Local Government.

After consideration on the merits, the Committee recommends the following:

SB09-087 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend reengrossed bill, page 4, after line 3, insert the following:

2 "SECTION 3. 32-1-306, Colorado Revised Statutes, is amended  
3 to read:

4 **32-1-306. Filing decree.** Within thirty days after the special  
5 district has been declared organized by the court, the special district shall  
6 transmit to the county clerk and recorder in each of the counties in which  
7 the special district or a part thereof extends certified copies of the  
8 findings and the order of the court organizing said special district. The  
9 same shall be recorded by the county clerk and recorder in each county as  
10 provided in section 32-1-105. A copy of the approved service plan of the  
11 district shall be delivered to each such county clerk and recorder, who  
12 shall retain the service plan as a public record for public inspection. In  
13 addition, a copy of the service plan, together with a copy of the court's  
14 findings and order, shall be filed with the division as provided in section  
15 32-1-105, and a map of the special district shall be filed with the county  
16 assessor in each county in which the special district or a part thereof  
17 extends and with the division according to the standards of the division.  
18 ON OR BEFORE JANUARY 1, 2010, A SPECIAL DISTRICT SHALL FILE A  
19 CURRENT, ACCURATE MAP OF ITS BOUNDARIES WITH THE COUNTY CLERK  
20 AND RECORDER IN EACH OF THE COUNTIES IN WHICH THE SPECIAL DISTRICT  
21 OR A PART THEREOF EXTENDS. ~~Thereafter, the~~ A special district shall  
22 maintain a current, accurate map of its boundaries and shall provide for

1 such map to be on file with the county assessor, THE CLERK AND  
2 RECORDER, and the division on or before January 1 of each year."

3 Renumber succeeding sections accordingly.

4 Page 4, strike lines 7 through 19 and substitute the following:

5 **"manner of election - notice - permanent mail-in voters.** (5) (a) AT  
6 LEAST SIXTY DAYS PRIOR TO A METROPOLITAN DISTRICT ELECTION, A  
7 DESIGNATED ELECTION OFFICIAL OF THE METROPOLITAN DISTRICT SHALL  
8 REQUEST A CLERK AND RECORDER OF A COUNTY IN WHICH THE  
9 METROPOLITAN DISTRICT IS WHOLLY OR PARTIALLY LOCATED TO PROVIDE  
10 THE DESIGNATED ELECTION OFFICIAL WITH A LIST OF THE NAMES AND  
11 ADDRESSES OF REGISTERED ELECTORS OF THE COUNTY WHO ARE ALSO  
12 REGISTERED ELECTORS OF THE METROPOLITAN DISTRICT AND WHO HAVE  
13 APPLIED TO THE COUNTY CLERK AND RECORDER FOR PERMANENT MAIL-IN  
14 VOTER STATUS IN ACCORDANCE WITH SECTION 1-8-104.5 (1), C.R.S.  
15 ALONG WITH THE REQUEST, THE DESIGNATED ELECTION OFFICIAL SHALL  
16 CERTIFY THAT THE METROPOLITAN DISTRICT HAS PROVIDED THE COUNTY  
17 CLERK AND RECORDER WITH A CURRENT, ACCURATE MAP OF ITS  
18 BOUNDARIES IN ACCORDANCE WITH SECTION 32-1-306. AFTER RECEIPT OF  
19 THE REQUEST, THE CLERK AND RECORDER SHALL PROVIDE THE  
20 DESIGNATED ELECTION OFFICIAL WITH SUCH LIST OF THE NAMES AND  
21 ADDRESSES OF REGISTERED ELECTORS; EXCEPT THAT, IF THE DESIGNATED  
22 ELECTION OFFICIAL HAS NOT CERTIFIED THAT THE SPECIAL DISTRICT HAS  
23 PROVIDED THE COUNTY CLERK AND RECORDER WITH A CURRENT,  
24 ACCURATE MAP OF ITS BOUNDARIES, THE CLERK AND RECORDER SHALL  
25 PROVIDE TO THE DESIGNATED ELECTION OFFICIAL THE NAMES AND  
26 ADDRESSES OF ALL REGISTERED ELECTORS OF THE COUNTY WHO HAVE  
27 APPLIED FOR PERMANENT MAIL-IN VOTER STATUS IN ACCORDANCE WITH  
28 SECTION 1-8-104.5 (1), C.R.S. IF, WITHIN TEN DAYS OF RECEIVING THE  
29 LIST OF THE NAMES AND ADDRESSES OF REGISTERED ELECTORS PURSUANT  
30 TO THIS PARAGRAPH (a), A DESIGNATED ELECTION OFFICIAL NOTIFIES THE  
31 COUNTY CLERK AND RECORDER OF ANY PROBLEMS WITH THE LIST, THE  
32 COUNTY CLERK AND RECORDER MAY PROVIDE THE DESIGNATED ELECTION  
33 OFFICIAL WITH A CORRECTED LIST."

34 Reletter succeeding paragraphs accordingly.

35 Page 4, line 20, strike "BOARD SHALL" and substitute "DESIGNATED  
36 ELECTION OFFICIAL SHALL";

1 line 22, strike "MAINTAINED" and substitute "PROVIDED TO THE  
2 DESIGNATED ELECTION OFFICIAL".

3 Page 5, line 4, after "NO", insert "MORE THAN SIXTY DAYS PRIOR TO AND  
4 NOT".

5 Page 6, line 4, strike "EITHER TO THE DISTRICT OFFICE OR";

6 line 27, strike "SITE." and substitute "SITE; OR";

7 after line 27, insert the following:

8           "(e) FOR A SPECIAL DISTRICT WITH LESS THAN ONE THOUSAND  
9 ELIGIBLE ELECTORS THAT IS WHOLLY LOCATED WITHIN A COUNTY WITH A  
10 POPULATION OF LESS THAN THIRTY THOUSAND, POSTING THE NOTICE IN AT  
11 LEAST THREE PUBLIC PLACES WITHIN THE LIMITS OF THE SPECIAL DISTRICT  
12 AND, IN ADDITION, POSTING A NOTICE IN THE OFFICE OF THE COUNTY  
13 CLERK AND RECORDER OF THE COUNTY IN WHICH THE SPECIAL DISTRICT IS  
14 LOCATED. SUCH NOTICES SHALL REMAIN POSTED UNTIL THE TUESDAY  
15 SUCCEEDING THE FIRST MONDAY OF THE FOLLOWING MAY."

16 Page 7, strike lines 12 through 15;

17 after line 16, insert the following:

18           "**SECTION 6.** 32-1-903 (2), Colorado Revised Statutes, is  
19 amended to read:

20           **32-1-903. Meetings.** (2) Notice of time and place designated for  
21 all regular meetings shall be posted in at least three public places within  
22 the limits of the special district, and, in addition, one such notice shall be  
23 posted in the office of the county clerk and recorder in the county or  
24 counties in which the special district is located. Such notices shall remain  
25 posted and shall be changed in the event that the time or place of such  
26 regular meetings is changed. Special meetings may be called by any  
27 director by informing the other directors of the date, time, and place of  
28 such special meeting, and the purpose for which it is called, and by  
29 posting notice as provided in this section at least ~~three days~~ SEVENTY-TWO  
30 HOURS prior to said meeting. All official business of the board shall be  
31 conducted only during said regular or special meetings at which a quorum  
32 is present, and all said meetings shall be open to the public."

1 Renumber succeeding sections accordingly.

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