

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 23, 2012
Date

Committee on Local Government.

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

HB12-1329 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, strike lines 2 through 22.

2 Strike page 3 and substitute the following:

3 "SECTION 1. In Colorado Revised Statutes, 38-37-104, **add** (6),
4 (7), and (8) as follows:

5 **38-37-104. Duties of public trustees - fees, expenses, and**
6 **salaries - reports.** (6) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
7 ARTICLE, THE POWER OF THE BOARD OF COUNTY COMMISSIONERS OF EACH
8 COUNTY TO ADOPT AN ANNUAL BUDGET FOR THE OPERATION OF THE
9 COUNTY GOVERNMENT PURSUANT TO SECTION 30-11-107 (2) (a), C.R.S.,
10 SHALL INCLUDE THE BUDGET OF THE OFFICE OF THE PUBLIC TRUSTEE.
11 EACH PUBLIC TRUSTEE SHALL MAKE APPROPRIATE BUDGET
12 RECOMMENDATIONS FOR THE OPERATION OF THE OFFICE OF THE PUBLIC
13 TRUSTEE EACH YEAR TO THE BOARD OF COUNTY COMMISSIONERS IN THE
14 COUNTY IN WHICH HE OR SHE SERVES AND SHALL BE SUBJECT TO ALL
15 OTHER PROVISIONS OF SECTION 30-11-107 (2) (a), C.R.S.

16 (7) EACH PUBLIC TRUSTEE WHO IS APPOINTED BY THE GOVERNOR
17 SHALL BE SUBJECT TO BIENNIAL AUDIT BY THE STATE AUDITOR. THE
18 STATE AUDITOR'S REPORT REGARDING SUCH PUBLIC TRUSTEE SHALL BE A
19 PUBLIC RECORD FOR PURPOSES OF THE "COLORADO OPEN RECORDS ACT",
20 PART 2 OF ARTICLE 72 OF TITLE 24, C.R.S.

21 (8) EACH PUBLIC TRUSTEE WHO IS APPOINTED BY THE GOVERNOR
22 SHALL BE SUBJECT TO THE STATE "PROCUREMENT CODE", ARTICLES 101

1 TO 112 OF TITLE 24, C.R.S., FOR ANY PURCHASE OF TWENTY THOUSAND
2 DOLLARS OR MORE AND FOR ANY MULTIPLE YEAR PURCHASE AGREEMENT;
3 EXCEPT THAT, IF THE PROCUREMENT RULES ESTABLISHED FOR THE COUNTY
4 IN WHICH THE PUBLIC TRUSTEE SERVES REQUIRE AN OPEN AND
5 COMPETITIVE BIDDING PROCESS, THE PUBLIC TRUSTEE MAY APPLY THE
6 COUNTY PROCUREMENT RULES."

7 Page 4, strike lines 1 through 4 and substitute:

8 "SECTION 2. Act subject to petition - effective date. This act
9 takes".

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