

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 12-0663.01 Sharon Eubanks x4336

HOUSE BILL 12-1348

HOUSE SPONSORSHIP

Ferrandino, McNulty

SENATE SPONSORSHIP

Morse, Cadman

House Committees

State, Veterans, & Military Affairs

Senate Committees

State, Veterans & Military Affairs

SENATE
3rd Reading Unam ended
April 27, 2012

SENATE
2nd Reading Unam ended
April 26, 2012

HOUSE
3rd Reading Unam ended
April 25, 2012

A BILL FOR AN ACT

101 **CONCERNING THE POWERS OF THE LEGISLATIVE DEPARTMENT WITH**
102 **RESPECT TO CAPITOL BUILDINGS GROUP SPACE, AND, IN**
103 **CONNECTION THEREWITH, PROVIDING FOR THE DESIGNATION OF**
104 **SPACE FOR THE MEMBERS OF THE GENERAL ASSEMBLY,**
105 **LEGISLATIVE STAFF, AND LEGISLATIVE STAFF AGENCIES AND**
106 **THE FURNISHING AND EQUIPPING THEREOF, AND GRANTING THE**
107 **CONTROL OF LEGISLATIVE SPACES TO THE LEGISLATIVE**
108 **DEPARTMENT.**

HOUSE
Am ended 2nd Reading
April 24, 2012

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.*

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

The bill clarifies that the existing authority of the general assembly to designate and assign space in the capitol building for the use of the legislative department includes access to all tunnels providing access to the subbasements of the capitol, the legislative services building, and the state office building at 1525 Sherman street. Regardless of any law, rule, or provision of any tenant handbook for the capitol complex facilities, the executive committee of the legislative council may grant members and legislative staff access to the tunnels except in certain circumstances. Once the general assembly has control of space on no more than 3 floors of the state office building at 1525 Sherman street, the department of personnel must designate parking space in the state parking lot at Lincoln street and east Colfax avenue to the general assembly based upon the proportion of space the general assembly controls in the state office building at 1525 Sherman street to the total amount of space in that state office building.

The reference to the state museum building is updated to refer to the legislative services building. The general assembly may designate and assign space on no more than 3 floors of the state office building at 1525 Sherman street after the attorney general and the staff of the attorney general vacate the building and may provide for the furnishing and equipping of the office space on those floors in the building as may be necessary for the use of the legislative department. If any of the space in the legislative services building or the state office building at 1525 Sherman street is assigned to the senate or house of representatives, the executive committee of the legislative council of the general assembly shall allocate the space between the 2 houses. Of the space so allocated, the leadership of each house shall assign the space equitably to the major political parties with which members of each house are affiliated.

The legislative department, acting through the executive committee of the legislative council, is granted control of legislative spaces in the capitol, legislative services building, the state office building at 1525 Sherman street, and specified grounds adjacent to the capitol and the legislative services building, tunnels providing access to the subbasements of the capitol, the legislative services building, and the state office building at 1525 Sherman street, and furniture and fixtures thereof, rather than the department of personnel. The department of personnel will continue to have control of executive spaces in the capitol and the grounds, tunnels, and any other property acquired adjacent to the capitol that is not controlled by the general assembly. In addition, the department of personnel retains responsibility for supervising the provision of maintenance for the state capitol buildings group unless the legislative department, acting through the executive committee, chooses

to be responsible for supervising the provision of maintenance for legislative spaces in the state capitol buildings group.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 2-2-321 as
3 follows:

4 **2-2-321. Designation and assignment of space in capitol**
5 **buildings group and on the grounds thereof.** (1) (a) The general
6 assembly, by joint resolution, shall designate and assign such space in the
7 capitol building (except for space on the first floor, which shall be
8 designated and assigned by the executive department for the use of
9 elected officials) and on the grounds surrounding the capitol which is
10 necessary for the use of the legislative department, including, but not
11 limited to, parking space on the grounds and streets surrounding the
12 capitol building, ALL AREAS OF THE SUBBASEMENT OF THE CAPITOL
13 BUILDING, AND ACCESS TO ALL TUNNELS PROVIDING ACCESS TO THE
14 SUBBASEMENTS OF THE CAPITOL BUILDING, THE LEGISLATIVE SERVICES
15 BUILDING, AND THE STATE OFFICE BUILDING AT 1525 SHERMAN STREET.

16 (b) NOTWITHSTANDING ANY LAW, RULE, OR PROVISION OF ANY
17 TENANT HANDBOOK FOR THE CAPITOL COMPLEX FACILITIES TO THE
18 CONTRARY, THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL
19 CREATED IN SECTION 2-3-301 (1) MAY GRANT ANY MEMBER OR EMPLOYEE
20 OF THE GENERAL ASSEMBLY ACCESS TO ANY OR ALL OF THE TUNNELS
21 PROVIDING ACCESS TO THE SUBBASEMENTS OF THE CAPITOL BUILDING, THE
22 LEGISLATIVE SERVICES BUILDING, AND THE STATE OFFICE BUILDING AT
23 1525 SHERMAN STREET UNLESS, AFTER CONSULTATION WITH THE
24 DEPARTMENT OF PERSONNEL AND THE COLORADO STATE PATROL, THE
25 EXECUTIVE COMMITTEE DETERMINES THAT DENIAL OF ACCESS IS

1 NECESSARY TO ADDRESS IMMEDIATE CONCERNS ABOUT BUILDING
2 SECURITY AND OCCUPANT PROTECTION.

3 (c) NOTWITHSTANDING ANY LAW OR RULE TO THE CONTRARY,
4 AFTER THE ATTORNEY GENERAL AND THE STAFF OF THE ATTORNEY
5 GENERAL VACATE THE STATE OFFICE BUILDING AT 1525 SHERMAN STREET,
6 THE DEPARTMENT OF PERSONNEL SHALL DESIGNATE PARKING SPACE IN
7 THE STATE PARKING LOT AT LINCOLN STREET AND EAST COLFAX AVENUE
8 TO THE GENERAL ASSEMBLY BASED UPON APPROXIMATELY THE SAME
9 PROPORTION AS THE PROPORTION OF SPACE IN THE STATE OFFICE BUILDING
10 AT 1525 SHERMAN STREET DESIGNATED AND ASSIGNED BY THE GENERAL
11 ASSEMBLY TO THE TOTAL AMOUNT OF SPACE IN THAT STATE OFFICE
12 BUILDING. THE GENERAL ASSEMBLY, BY JOINT RESOLUTION, SHALL ASSIGN
13 PARKING SPACE ALLOCATED TO THE GENERAL ASSEMBLY PURSUANT TO
14 THIS PARAGRAPH (c).

15 (2) (a) In addition, the general assembly shall designate and assign
16 such space in the ~~state museum building~~ LEGISLATIVE SERVICES BUILDING
17 at Fourteenth avenue and Sherman street, INCLUDING, BUT NOT LIMITED
18 TO, ALL AREAS OF THE SUBBASEMENT OF THE LEGISLATIVE SERVICES
19 BUILDING, AND ON NO MORE THAN TWO FLOORS OF THE STATE OFFICE
20 BUILDING AT 1525 SHERMAN STREET AFTER THE ATTORNEY GENERAL AND
21 THE STAFF OF THE ATTORNEY GENERAL VACATE SAID STATE OFFICE
22 BUILDING and may provide for the furnishing and equipping thereof as
23 may be necessary for the use of the legislative department.

24 (b) (I) IF ANY OF THE SPACE REFERRED TO IN PARAGRAPH (a) OF
25 THIS SUBSECTION (2) IS ASSIGNED TO THE SENATE OR HOUSE OF
26 REPRESENTATIVES, THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE
27 COUNCIL CREATED IN SECTION 2-3-301 (1) SHALL DETERMINE THE

1 ALLOCATION OF THE SPACE BETWEEN THE TWO HOUSES.

2 (II) ANY SPACE ALLOCATED TO THE SENATE SHALL BE ASSIGNED
3 BY THE PRESIDENT OF THE SENATE AND THE MAJORITY AND MINORITY
4 LEADERS OF THE SENATE IN AN EQUITABLE MANNER AMONG THE MAJOR
5 POLITICAL PARTIES WITH WHICH MEMBERS OF THE SENATE ARE
6 AFFILIATED.

7 (III) ANY SPACE ALLOCATED TO THE HOUSE OF REPRESENTATIVES
8 SHALL BE ASSIGNED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
9 AND THE MAJORITY AND MINORITY LEADERS OF THE HOUSE OF
10 REPRESENTATIVES IN AN EQUITABLE MANNER AMONG THE MAJOR
11 POLITICAL PARTIES WITH WHICH MEMBERS OF THE HOUSE OF
12 REPRESENTATIVES ARE AFFILIATED.

13 **SECTION 2.** In Colorado Revised Statutes, **amend** 24-82-101 as
14 follows:

15 **24-82-101. Control of legislative space in the capitol, the**
16 **legislative services building, and the state office building at 1525**
17 **Sherman street - responsibility of department of personnel for**
18 **supervision of maintenance in capitol buildings group - exception.**

19 (1) IN ACCORDANCE WITH THE PROVISIONS OF SECTION 2-2-321, C.R.S.,
20 CONCERNING SPACE FOR THE LEGISLATIVE DEPARTMENT, SUBJECT TO
21 APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY AND SUBJECT TO THE
22 PROVISIONS OF SECTION 24-82-108, CONCERNING PRESERVATION OF THE
23 STATE CAPITOL BUILDING, ~~the department of personnel~~ LEGISLATIVE
24 DEPARTMENT, ACTING THROUGH THE EXECUTIVE COMMITTEE OF THE
25 LEGISLATIVE COUNCIL:

26 (a) Shall have control of LEGISLATIVE SPACES IN the capitol, ~~and~~
27 THE legislative services building, AND THE STATE OFFICE BUILDING AT

1 1525 SHERMAN STREET, and THE grounds ~~and any other property the state~~
2 ~~may acquire adjacent thereto~~, ADJACENT TO THE CAPITOL WITHIN THE
3 AREA BOUNDED ON THE NORTH BY EAST COLFAX AVENUE, ON THE WEST
4 BY LINCOLN STREET, ON THE SOUTH BY FOURTEENTH AVENUE, AND ON
5 THE EAST BY GRANT STREET, AS SHOWN ON THE OFFICIAL MAPS OF THE
6 CITY AND COUNTY OF DENVER, THE STATE-OWNED GROUNDS ADJACENT
7 TO THE LEGISLATIVE SERVICES BUILDING AT FOURTEENTH AVENUE AND
8 SHERMAN STREET, AND THE TUNNELS CONNECTING THE SUBBASEMENTS
9 OF THE CAPITOL, THE LEGISLATIVE SERVICES BUILDING, AND THE STATE
10 OFFICE BUILDING AT 1525 SHERMAN STREET, together with all furniture,
11 fixtures, furnishings, and equipment and all exhibits placed in and about
12 said buildings; ~~including~~ AND

13 (b) SHALL BE RESPONSIBLE FOR THE SUPERVISION OF THE
14 PROVISION OF MAINTENANCE FOR LEGISLATIVE SPACES IN THE CAPITOL,
15 THE LEGISLATIVE SERVICES BUILDING, AND THE STATE OFFICE BUILDING
16 AT 1525 SHERMAN STREET, AND THE GROUNDS AND TUNNELS SPECIFIED
17 IN PARAGRAPH (a) OF THIS SUBSECTION (1) IF THE EXECUTIVE COMMITTEE
18 OF THE LEGISLATIVE COUNCIL ADOPTS A RESOLUTION ASSUMING SUCH
19 RESPONSIBILITY. THE EXECUTIVE COMMITTEE SHALL DELIVER A COPY OF
20 ANY RESOLUTION IT ADOPTS PURSUANT TO THIS PARAGRAPH (b) TO THE
21 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL.

22 (2) EXCEPT AS OTHERWISE PROVIDED IN SECTION 2-2-321,
23 C.R.S., THE DEPARTMENT OF PERSONNEL SHALL HAVE CONTROL OF
24 EXECUTIVE SPACE IN THE CAPITOL AND THE GROUNDS AND ANY OTHER
25 PROPERTY THE STATE MAY ACQUIRE ADJACENT TO THE CAPITOL OTHER
26 THAN THE GROUNDS AND TUNNELS SPECIFIED IN PARAGRAPH (a) OF
27 SUBSECTION (1) OF THIS SECTION, TOGETHER WITH ALL FURNITURE,

1 FIXTURES, FURNISHINGS, AND EQUIPMENT AND ALL EXHIBITS PLACED IN
2 AND ABOUT SUCH SPACE OR PROPERTY, SUBJECT TO APPROPRIATIONS
3 MADE BY THE GENERAL ASSEMBLY AND SUBJECT TO THE PROVISIONS OF
4 SECTION 24-82-108, CONCERNING PRESERVATION OF THE STATE CAPITOL
5 BUILDING. EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF
6 SUBSECTION (1) OF THIS SECTION, THE DEPARTMENT OF PERSONNEL SHALL
7 BE RESPONSIBLE FOR THE supervision of the provision of maintenance for
8 the state capitol buildings group, and including assignment of all
9 executive space owned and rented in the capitol buildings group, subject
10 to ~~legislative appropriation~~ APPROPRIATIONS MADE BY THE GENERAL
11 ASSEMBLY, AND subject to the provisions of section 2-2-321, C.R.S.,
12 concerning space for the legislative department, and subject to the
13 provisions of section 24-82-108, concerning preservation of the state
14 capitol building.

15 **SECTION 3. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly (August
18 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
19 referendum petition is filed pursuant to section 1 (3) of article V of the
20 state constitution against this act or an item, section, or part of this act
21 within such period, then the act, item, section, or part will not take effect
22 unless approved by the people at the general election to be held in
23 November 2012 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor.