

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0245.02 Esther van Mourik x4215

HOUSE BILL 13-1299

HOUSE SPONSORSHIP

Ferrandino,

SENATE SPONSORSHIP

Steadman,

House Committees

State, Veterans, & Military Affairs

Senate Committees

State, Veterans, & Military Affairs

Legislative Council

Appropriations

A BILL FOR AN ACT

101 **CONCERNING CHANGES TO THE "STATE MEASUREMENT FOR**
102 **ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)**
103 **GOVERNMENT ACT" OF 2010, AND, IN CONNECTION THEREWITH,**
104 **MAKING AN APPROPRIATION.**

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 repeals and reenacts the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act"

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
3rd Reading Unamended
April 19, 2013

HOUSE
Amended 2nd Reading
April 17, 2013

of 2010 with amendments. The bill creates 7 standing interim committees, with the intention of eliminating specialized interim committees in the future, with the following responsibilities:

- ! **Standing education interim committee:** Issues and policies related to preschool through postsecondary education, including basic adult education;
- ! **Standing health care and human services interim committee:** Issues and policies related to health, health care, human services, and insurance;
- ! **Standing judiciary and criminal justice interim committee:** Issues and policies related to children and domestic matters, civil law, corrections, youth corrections, criminal law and procedure, juvenile law, and probate and trusts;
- ! **Standing science and energy interim committee:** Issues and policies related to agriculture, livestock, natural resources, public utilities, and energy;
- ! **Standing finance and business interim committee:** Issues and policies related to state and local government finance, taxation, business, labor and industry, professions and occupations, and economic development and tourism;
- ! **Standing state and local government and military affairs interim committee:** Issues and policies related to elections, state departments and agencies, state and local government, public employees' retirement association, fire and police pension association, and military and veterans affairs; and
- ! **Standing transportation interim committee:** Issues and policies related to transportation and motor vehicle and traffic regulation.

The bill repeals and reenacts the transportation legislation review committee so that it is instead the standing transportation interim committee. The bill also repeals the police officers' and firefighters' pension reform commission and places the commission's duties under the standing state and local government and military affairs interim committee instead.

Each executive branch department and the judicial department is assigned to a specific standing interim committee so that the legislature may give guidance and direction to such department in the development of its policies and programs, to provide legislative overview of and input regarding the implementation of its policies and programs, and to review its performance plans and performance evaluations.

A legislative member may submit a request in writing to the legislative council regarding an issue that he or she wishes a standing interim committee to add to its agenda. The legislative council is required

to meet during the regular session each year to review and prioritize requests made by legislative members and, if approved, assign such requests to the appropriate standing interim committee.

The standing interim committees will meet as determined by the executive committee of the legislative council so that each standing interim committee may perform its functions at least once during an interim between legislative sessions in a 3-year period, including the consideration of any approved policies to be studied as requested by legislative members, and any approved policies to be studied as requested by the joint budget committee, the legislative audit committee, or the office of state planning and budgeting.

The bill repeals the annual SMART hearings at the commencement of each legislative session. The bill also makes changes to the strategic planning requirements found in the 2010 act so that departments are now required to prepare performance plans and performance evaluations that the joint budget committee may use to prioritize departments' requests for new funding that are expressly intended to enhance productivity, improve efficiency, reduce costs, and eliminate waste in the processes and operations that deliver goods and services to taxpayers and customers of state government.

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

2 **SECTION 1.** In Colorado Revised Statutes, **repeal and reenact,**
3 **with amendments,** part 2 of article 7 of title 2 as follows:

4 **PART 2**

5 **STATE MEASUREMENT FOR ACCOUNTABLE,**

6 **RESPONSIVE, AND TRANSPARENT**

7 **(SMART) GOVERNMENT ACT**

8 **2-7-201. Legislative declaration.** (1) THE GENERAL ASSEMBLY
9 HEREBY FINDS AND DECLARES THAT:

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11 **(a)** IT IS IMPORTANT THAT STATE GOVERNMENT BE ACCOUNTABLE
12 AND TRANSPARENT IN SUCH A WAY THAT THE GENERAL PUBLIC CAN
13 UNDERSTAND THE VALUE RECEIVED FOR THE TAX DOLLARS SPENT BY THE
14 STATE;

1 (b) STATE GOVERNMENT AGENCIES SHOULD OPERATE UNDER A
2 PERFORMANCE MANAGEMENT PHILOSOPHY IN WHICH EMPLOYEES FOCUS
3 ON TAXPAYER AND CUSTOMER SERVICE, UNDERPINNED BY THE CONSTANT
4 GOAL OF ACHIEVING OPERATIONAL EXCELLENCE;

5 (c) THE ABILITY OF THE GENERAL PUBLIC, THE GENERAL
6 ASSEMBLY, THE GOVERNOR, AND STATE DEPARTMENTS TO ASSESS
7 DEPARTMENTS' PROGRESS IN ACHIEVING PERFORMANCE GOALS WILL LEAD
8 TO IMPROVEMENTS IN SERVICES RENDERED AND INCREASED EFFICIENCY IN
9 PROGRAM ADMINISTRATION, AS WELL AS TRANSPARENCY;

10 (d) THE ANNUAL BUDGET PROCESS SHOULD SERVE AS PART OF A
11 PERFORMANCE MANAGEMENT SYSTEM TO INCENTIVIZE CONTINUOUS
12 PROCESS IMPROVEMENT IN THE SERVICES DELIVERED TO CUSTOMERS AND
13 TAXPAYERS;

14 (e) A SYSTEM OF CONTINUOUS PROCESS IMPROVEMENT IS A
15 CRITICAL AND NECESSARY COMPONENT OF A PERFORMANCE MANAGEMENT
16 PHILOSOPHY;

17 (f) MEASURES FOR EVALUATING THE PERFORMANCE OF STATE
18 DEPARTMENTS SHOULD BE INTEGRATED INTO A FORMAL STATE PLANNING
19 PROCESS;

20 (g) A PERFORMANCE MANAGEMENT SYSTEM WILL BE MORE USEFUL
21 AND RELIABLE FOR THE GENERAL ASSEMBLY AND THE PUBLIC IF
22 PERFORMANCE AUDITS OF THE DEPARTMENTS ARE COMPLETED; AND

23 (h) DEPARTMENTS NEED STATUTORY AUTHORITY AND FLEXIBILITY
24 TO USE THEIR RESOURCES IN THE BEST POSSIBLE WAY TO BETTER SERVE
25 THE PEOPLE OF COLORADO THROUGH THE EFFECTIVE ADMINISTRATION
26 AND DELIVERY OF GOVERNMENTAL PROGRAMS AND SERVICES.

27 **2-7-202. Definitions.** AS USED IN THIS PART 2, UNLESS THE

1 CONTEXT OTHERWISE REQUIRES:

2 (1) "COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE"
3 MEANS THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
4 CREATED IN SECTION 16-11.3-102, C.R.S.

5 (2) "COLORADO COMMISSION ON HIGHER EDUCATION" MEANS THE
6 COLORADO COMMISSION ON HIGHER EDUCATION CREATED IN SECTION
7 23-1-102, C.R.S.

8 (3) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY
9 OFFICE CREATED IN SECTION 24-38.5-101, C.R.S.

10 (4) "CONTINUOUS PROCESS IMPROVEMENT SYSTEM" MEANS A
11 SYSTEM BASED ON LEAN GOVERNMENT PRINCIPLES OR ANOTHER WIDELY
12 ACCEPTED BUSINESS PROCESS IMPROVEMENT SYSTEM BY WHICH A
13 DEPARTMENT ENGAGES IN SPECIFIC ACTIVITIES THAT HAVE THE PURPOSE
14 OF INCREASING EFFICIENCY AND ELIMINATING WASTE IN THE PROCESSES
15 USED TO DELIVER GOODS AND SERVICES TO TAXPAYERS AND CUSTOMERS
16 OF STATE GOVERNMENT. A "CONTINUOUS PROCESS IMPROVEMENT
17 SYSTEM" INCLUDES MEASURING THE OUTCOMES OF SUCH IMPROVEMENTS
18 AND MAY INVOLVE SOME OR ALL OF THE FOLLOWING STRATEGIES:

19 (a) THE DEVELOPMENT OF A PROCESS MAP THAT DESCRIBES THE
20 PROCEDURES BY WHICH A DEPARTMENT PRODUCES GOODS OR SERVES ITS
21 CUSTOMERS;

22 (b) SPECIFIC ACTIVITIES TO RAPIDLY IMPROVE A DEPARTMENT'S
23 PROCESSES THAT WILL INCREASE VALUE OR DECREASE STAFF TIME,
24 INVENTORY, DEFECTS, OVERPRODUCTION, COMPLEXITY, DELAYS, OR
25 EXCESSIVE MOVEMENT;

26 (c) THE INVOLVEMENT OF DEPARTMENT EMPLOYEES AT ALL
27 LEVELS IN MAPPING A DEPARTMENT'S PROCESSES AND IN MAKING

1 RECOMMENDATIONS FOR IMPROVEMENTS, WITH SPECIFIC IMPORTANCE
2 PLACED ON THE INVOLVEMENT OF DEPARTMENT EMPLOYEES CLOSEST TO
3 THE CUSTOMER OR END USER OF THE STATE GOVERNMENT PRODUCT OR
4 SERVICE;

5 (d) PROVIDING THE MEANS TO MEASURE EACH PROCESS IN ORDER
6 TO DEMONSTRATE THE EFFECTIVENESS OF EACH PROCESS OR PROCESS
7 IMPROVEMENT; AND

8 (e) THE TRAINING OF DEPARTMENT EMPLOYEES FOR PURPOSES OF
9 MENTORING AND TRAINING OTHER DEPARTMENT EMPLOYEES IN
10 CONTINUOUS PROCESS IMPROVEMENT METHODOLOGIES.

11 (5) (a) "DEPARTMENT" MEANS THE JUDICIAL DEPARTMENT, THE
12 OFFICE OF STATE PUBLIC DEFENDER, THE OFFICE OF ALTERNATE DEFENSE
13 COUNSEL, THE OFFICE OF THE CHILD'S REPRESENTATIVE, THE PUBLIC
14 EMPLOYEES' RETIREMENT ASSOCIATION, THE COLORADO COMMISSION ON
15 CRIMINAL AND JUVENILE JUSTICE, THE COLORADO COMMISSION ON HIGHER
16 EDUCATION, THE COLORADO ENERGY OFFICE, THE OFFICE OF ECONOMIC
17 DEVELOPMENT, AND THE PRINCIPAL DEPARTMENTS OF THE EXECUTIVE
18 BRANCH OF STATE GOVERNMENT AS SPECIFIED IN SECTION 24-1-110,
19 C.R.S., INCLUDING ANY DIVISION, OFFICE, AGENCY, OR OTHER UNIT
20 CREATED WITHIN A PRINCIPAL DEPARTMENT.

21 (b) FOR PURPOSES OF THE REQUIREMENTS OF SECTION 2-7-211 (3),
22 "DEPARTMENT" MEANS THE PRINCIPAL DEPARTMENTS OF THE EXECUTIVE
23 BRANCH OF STATE GOVERNMENT AS SPECIFIED IN SECTION 24-1-110,
24 C.R.S., INCLUDING ANY DIVISION, OFFICE, AGENCY, OR OTHER UNIT
25 CREATED WITHIN A PRINCIPAL DEPARTMENT.

26 (6) "DEPARTMENTAL REGULATORY AGENDA" MEANS A DOCUMENT
27 PREPARED BY EACH PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH

1 OF STATE GOVERNMENT AND SUBMITTED TO THE GENERAL ASSEMBLY AND
2 MADE AVAILABLE TO THE PUBLIC AS DESCRIBED IN SECTION 2-7-211 (3).
3 THE "DEPARTMENTAL REGULATORY AGENDA" CONTAINS THE FOLLOWING
4 INFORMATION:

5 (a) A LIST OF NEW RULES OR REVISIONS TO EXISTING RULES THAT
6 THE DEPARTMENT EXPECTS TO PROPOSE IN THE NEXT CALENDAR YEAR;

7 (b) THE STATUTORY OR OTHER BASIS FOR ADOPTION OF THE
8 PROPOSED RULES;

9 (c) THE PURPOSE OF THE PROPOSED RULES;

10 (d) THE CONTEMPLATED SCHEDULE FOR ADOPTION OF THE RULES;

11 (e) AN IDENTIFICATION AND LISTING OF PERSONS OR PARTIES THAT
12 MAY BE AFFECTED POSITIVELY OR NEGATIVELY BY THE RULES; AND

13 (f) COMMENCING WITH DEPARTMENTAL REGULATORY AGENDAS
14 SUBMITTED ON AND AFTER NOVEMBER 1, 2013, A LIST AND BRIEF
15 SUMMARY OF ALL PERMANENT AND TEMPORARY RULES ACTUALLY
16 ADOPTED SINCE THE PREVIOUS DEPARTMENTAL REGULATORY AGENDA
17 WAS FILED.

18 (7) "JOINT BUDGET COMMITTEE" MEANS THE JOINT BUDGET
19 COMMITTEE ESTABLISHED IN SECTION 2-3-201.

20 (8) "LEGISLATIVE AUDIT COMMITTEE" MEANS THE LEGISLATIVE
21 AUDIT COMMITTEE CREATED IN SECTION 2-3-101 (1).

22 (9) "LEGISLATIVE COUNCIL" OR "EXECUTIVE COMMITTEE OF THE
23 LEGISLATIVE COUNCIL" MEANS THE LEGISLATIVE COUNCIL OR EXECUTIVE
24 COMMITTEE OF THE LEGISLATIVE COUNCIL CREATED IN SECTION 2-3-301.

25 (10) "OFFICE OF ALTERNATE DEFENSE COUNSEL" MEANS THE
26 OFFICE OF ALTERNATE DEFENSE COUNSEL CREATED IN SECTION 21-2-101,
27 C.R.S.

1 (11) "OFFICE OF ECONOMIC DEVELOPMENT" MEANS THE
2 COLORADO OFFICE OF ECONOMIC DEVELOPMENT CREATED IN SECTION
3 24-38.5-101, C.R.S.

4 (12) "OFFICE OF STATE PLANNING AND BUDGETING" MEANS THE
5 OFFICE OF STATE PLANNING AND BUDGETING CREATED IN SECTION
6 24-37-102, C.R.S.

7 (13) "OFFICE OF STATE PUBLIC DEFENDER" MEANS THE OFFICE OF
8 STATE PUBLIC DEFENDER CREATED IN SECTION 21-1-101, C.R.S.

9 (14) "OFFICE OF THE CHILD'S REPRESENTATIVE" MEANS THE OFFICE
10 OF THE CHILD'S REPRESENTATIVE CREATED IN SECTION 13-91-104, C.R.S.

11 (15) "PERFORMANCE EVALUATION" MEANS A REGULAR REVIEW OF
12 A DEPARTMENT'S OUTCOMES AS COMPARED TO ITS PUBLISHED
13 PERFORMANCE GOALS. THE PERFORMANCE EVALUATION SHALL BE BASED
14 ON ACTUAL HISTORICAL INFORMATION.

15 (16) "PERFORMANCE GOAL" MEANS A SPECIFIC, QUANTIFIABLE
16 GOAL RELATED TO A PERFORMANCE MEASURE ADOPTED BY A
17 DEPARTMENT.

18 (17) "PERFORMANCE MANAGEMENT SYSTEM" MEANS A FORMAL
19 SYSTEM OF MANAGING THE PROCESSES AND OPERATIONS OF
20 DEPARTMENTS.

21 (18) "PERFORMANCE MEASURE" MEANS A QUANTITATIVE
22 INDICATOR USED TO ASSESS THE OPERATIONAL PERFORMANCE OF A
23 DEPARTMENT PURSUANT TO A PUBLISHED PERFORMANCE PLAN. A
24 PERFORMANCE MEASURE SHOULD APPLY TO ACTIVITIES DIRECTLY UNDER
25 THE INFLUENCE OF A DEPARTMENT AND SHOULD DEMONSTRATE THE
26 DEPARTMENT'S EFFICIENCY AND EFFECTIVENESS IN DELIVERING GOODS OR
27 SERVICES TO CUSTOMERS AND TAXPAYERS. PERFORMANCE MEASURES

1 SHOULD BE REASONABLY UNDERSTANDABLE TO THE PUBLIC.

2 (19) "PERFORMANCE PLAN" MEANS A DOCUMENT PREPARED BY A
3 DEPARTMENT AS PART OF A PERFORMANCE MANAGEMENT SYSTEM. A
4 PERFORMANCE PLAN MUST INCORPORATE THE IMPACT OF MANAGEMENT
5 STRATEGIES AND CONTINUOUS PROCESS IMPROVEMENT ACTIVITIES ON THE
6 COSTS AND EFFICIENCY OF DELIVERING GOODS AND SERVICES TO
7 TAXPAYERS AND CUSTOMERS OF STATE GOVERNMENT.

8 (20) "PROCESS MAP" MEANS A WRITTEN OR VISUAL PRESENTATION
9 THAT DESCRIBES THE STEPS INVOLVED IN PRODUCING A PRODUCT OR
10 SERVICE FROM BEGINNING TO END.

11 (21) "PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION" MEANS THE
12 PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION CREATED IN ARTICLE 51 OF
13 TITLE 24, C.R.S.

14 (22) "STANDING INTERIM COMMITTEE" MEANS THE STANDING
15 EDUCATION INTERIM COMMITTEE CREATED IN SECTION 2-7-203, THE
16 STANDING HEALTH CARE AND HUMAN SERVICES INTERIM COMMITTEE
17 CREATED IN SECTION 2-7-204, THE STANDING JUDICIARY AND CRIMINAL
18 JUSTICE INTERIM COMMITTEE CREATED IN SECTION 2-7-205, THE STANDING
19 SCIENCE AND ENERGY INTERIM COMMITTEE CREATED IN SECTION 2-7-206,
20 THE STANDING FINANCE AND BUSINESS INTERIM COMMITTEE CREATED IN
21 SECTION 2-7-207, THE STANDING STATE AND LOCAL GOVERNMENT AND
22 MILITARY AFFAIRS INTERIM COMMITTEE CREATED IN SECTION 2-7-208,
23 AND THE STANDING TRANSPORTATION INTERIM COMMITTEE CREATED IN
24 SECTION 2-7-209.

25 (23) "STATE AUDITOR" MEANS THE STATE AUDITOR DESCRIBED IN
26 SECTION 2-3-102.

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1 **2-7-203. Departmental presentations to legislative committees**
2 **of reference - departmental regulatory agendas.** (1) THE SPEAKER OF
3 THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE
4 SHALL ASSIGN EACH DEPARTMENT TO A HOUSE AND SENATE COMMITTEE
5 OF REFERENCE FOR THEIR RESPECTIVE HOUSES. IN MAKING THE
6 ASSIGNMENTS, THE SPEAKER AND THE PRESIDENT SHALL ENSURE THAT THE
7 PRIMARY FUNCTIONS AND RESPONSIBILITIES OF THE DEPARTMENT ARE
8 WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMITTEES OF
9 REFERENCE TO WHICH IT IS ASSIGNED.

10 (2) (a) EACH JOINT COMMITTEE OF REFERENCE SHALL CONDUCT
11 HEARINGS AS SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (2)
12 DURING THE INTERIM BETWEEN LEGISLATIVE SESSIONS BETWEEN
13 NOVEMBER 1 AND THE COMMENCEMENT OF THE FOLLOWING REGULAR
14 LEGISLATIVE SESSION, DURING WHICH HEARINGS THE JOINT COMMITTEE
15 SHALL HEAR A PRESENTATION FROM EACH DEPARTMENT THAT IS ASSIGNED
16 TO SUCH COMMITTEE PURSUANT TO SUBSECTION (1) OF THIS SECTION
17 REGARDING:

18 (I) THE DEPARTMENT'S PERFORMANCE PLAN DEVELOPED
19 PURSUANT TO SECTION 2-7-204 (3);

20 (II) THE DEPARTMENT'S REGULATORY AGENDA REQUIRED
21 PURSUANT TO SUBSECTION (4) OF THIS SECTION; AND

22 (III) THE DEPARTMENT'S LEGISLATIVE AGENDA FOR THE UPCOMING
23 REGULAR LEGISLATIVE SESSION.

24 (b) IN THE PERIOD SPECIFIED IN PARAGRAPH (a) OF THIS
25 SUBSECTION (2), EACH JOINT COMMITTEE OF REFERENCE MUST MEET:

26 (I) AT LEAST ONCE IN EVERY EVEN-NUMBERED YEAR; AND

27 (II) AT LEAST TWICE IN EVERY ODD-NUMBERED YEAR.

1 (c) EACH JOINT COMMITTEE OF REFERENCE SHALL ALLOW TIME FOR
2 PUBLIC TESTIMONY REGARDING EACH SUCH DEPARTMENT PRESENTATION.

3 (3) (a) THE CHAIR OF EACH JOINT COMMITTEE OF REFERENCE
4 SHALL ASSIGN TWO MEMBERS OF THE JOINT COMMITTEE, ONE FROM EACH
5 MAJOR POLITICAL PARTY, TO SERVE AS LIAISONS WITH THE DEPARTMENTS
6 ASSIGNED TO THEIR JOINT COMMITTEE OF REFERENCE REGARDING THE
7 PERFORMANCE MANAGEMENT SYSTEM AND PERFORMANCE PLAN.

8 (b) THE CHAIR OF THE JOINT BUDGET COMMITTEE SHALL ASSIGN
9 ONE MEMBER OF THE JOINT BUDGET COMMITTEE TO SERVE AS A LIAISON
10 FOR EACH DEPARTMENT. THE JOINT BUDGET COMMITTEE LIAISON SHALL
11 WORK WITH THE LIAISONS ASSIGNED PURSUANT TO PARAGRAPH (a) OF THIS
12 SUBSECTION (3) TO INFORM THE JOINT COMMITTEE OF REFERENCE
13 REGARDING THE DEPARTMENT'S PROGRESS.

14 (c) THE EXECUTIVE DIRECTOR OF EACH DEPARTMENT, OR THE
15 EXECUTIVE DIRECTOR'S DESIGNEE, AND ANY APPROPRIATE STAFF OF THE
16 DEPARTMENT SHALL WORK WITH THE LIAISONS AS NECESSARY.

17 (4) ON NOVEMBER 1, 2013, AND EACH NOVEMBER 1 THEREAFTER,
18 EACH DEPARTMENT SHALL FILE A DEPARTMENTAL REGULATORY AGENDA
19 WITH THE STAFF OF THE LEGISLATIVE COUNCIL, WHO SHALL DISTRIBUTE
20 THE DEPARTMENTAL REGULATORY AGENDA TO THE APPLICABLE
21 COMMITTEE OF REFERENCE PRIOR TO THE DEPARTMENTAL PRESENTATIONS
22 TO THE COMMITTEE OF REFERENCE. ON NOVEMBER 1, 2013, AND EACH
23 NOVEMBER 1 THEREAFTER, EACH DEPARTMENT SHALL ALSO POST ITS
24 DEPARTMENTAL REGULATORY AGENDA ON THE DEPARTMENT'S WEB SITE
25 AND SHALL SUBMIT ITS DEPARTMENTAL REGULATORY AGENDA TO THE
26 SECRETARY OF STATE FOR PUBLICATION IN THE COLORADO REGISTER.

27 (5) ALL LOCAL GOVERNMENT ENTITIES ARE ENCOURAGED TO

1 ATTEND THE HEARINGS DESCRIBED IN SUBSECTION (2) OF THIS SECTION TO
2 PROVIDE TESTIMONY OR TO SUBMIT AN OFFICIAL POSITION LETTER TO THE
3 JOINT COMMITTEES OF REFERENCE REGARDING ANY LOCAL IMPACT OF A
4 DEPARTMENT'S PERFORMANCE MANAGEMENT SYSTEM AND PERFORMANCE
5 PLAN.

6 **2-7-204. Performance management systems.** (1) (a) NO LATER
7 THAN AUGUST 1, 2013, AND NO LATER THAN AUGUST 1 OF EACH YEAR
8 THEREAFTER, THE GOVERNOR SHALL PUBLISH THE COMPONENTS OF THE
9 PERFORMANCE MANAGEMENT SYSTEM FOR MANAGING THE PRINCIPAL
10 DEPARTMENTS OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT,
11 EXCEPT THE DEPARTMENT OF STATE, THE DEPARTMENT OF THE TREASURY,
12 AND THE DEPARTMENT OF LAW. THE PERFORMANCE MANAGEMENT
13 SYSTEM MUST BE PUBLISHED IN INSTRUCTIONS ISSUED BY THE OFFICE OF
14 STATE PLANNING AND BUDGETING. THE INSTRUCTIONS MUST BE POSTED
15 ON THE OFFICIAL WEB SITE ADMINISTERED BY THE OFFICE OF STATE
16 PLANNING AND BUDGETING.

17 (b) NO LATER THAN AUGUST 1, 2013, AND NO LATER THAN
18 AUGUST 1 OF EACH YEAR THEREAFTER, THE JUDICIAL DEPARTMENT SHALL
19 PUBLISH THE COMPONENTS OF THE PERFORMANCE MANAGEMENT SYSTEM
20 FOR MANAGING THE JUDICIAL BRANCH THROUGH INSTRUCTIONS ISSUED BY
21 THE OFFICE OF THE STATE COURT ADMINISTRATOR. THESE INSTRUCTIONS
22 MUST BE POSTED ON THE OFFICIAL WEB SITE ADMINISTERED BY THE
23 JUDICIAL BRANCH.

24 (c) NO LATER THAN AUGUST 1, 2013, AND NO LATER THAN
25 AUGUST 1 OF EACH YEAR THEREAFTER, THE DEPARTMENT OF STATE, THE
26 DEPARTMENT OF THE TREASURY, THE DEPARTMENT OF LAW, THE OFFICE
27 OF STATE PUBLIC DEFENDER, THE OFFICE OF ALTERNATE DEFENSE

1 COUNSEL, AND THE OFFICE OF THE CHILD'S REPRESENTATIVE SHALL EACH
2 PUBLISH THEIR COMPONENTS OF THE PERFORMANCE MANAGEMENT
3 SYSTEMS FOR THEIR RESPECTIVE DEPARTMENT, OFFICE, OR COMMISSION.
4 THESE INSTRUCTIONS MUST BE POSTED ON THE OFFICIAL WEB SITES
5 ADMINISTERED BY THE RESPECTIVE DEPARTMENTS, OFFICES, AND
6 COMMISSIONS.

7 (2) (a) ANY PERFORMANCE MANAGEMENT SYSTEM PUBLISHED
8 PURSUANT TO SUBSECTION (1) OF THIS SECTION MUST ADDRESS, AMONG
9 OTHER STRATEGIC GOALS AND PRIORITIES THAT ARE CONSISTENT WITH THE
10 CHARGE OF EACH DEPARTMENT, STRATEGIES FOR ENHANCING
11 PRODUCTIVITY, IMPROVING EFFICIENCY, REDUCING COSTS, AND
12 ELIMINATING WASTE IN THE PROCESSES AND OPERATIONS THAT DELIVER
13 GOODS AND SERVICES TO TAXPAYERS AND CUSTOMERS OF STATE
14 GOVERNMENT. AT A MINIMUM, THE PERFORMANCE MANAGEMENT SYSTEM
15 MUST ESTABLISH PARAMETERS FOR THE DEVELOPMENT OF PERFORMANCE
16 PLANS FOR EACH DEPARTMENT. A PERFORMANCE MANAGEMENT SYSTEM
17 SHOULD INCORPORATE A CONTINUOUS PROCESS IMPROVEMENT SYSTEM
18 BASED ON LEAN GOVERNMENT PRINCIPLES OR ANOTHER WIDELY ACCEPTED
19 BUSINESS PROCESS IMPROVEMENT SYSTEM.

20 (b) A PERFORMANCE MANAGEMENT SYSTEM SHOULD INCLUDE
21 ELEMENTS TO ENSURE THAT A DEPARTMENT'S EMPLOYEES ARE
22 APPROPRIATELY TRAINED TO IMPLEMENT ITS VARIOUS COMPONENTS.

23 (3) (a) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
24 PARAGRAPH (a), NO LATER THAN JULY 1, 2014, AND NO LATER THAN JULY
25 1 OF EACH YEAR THEREAFTER, EACH DEPARTMENT SHALL DEVELOP A
26 PERFORMANCE PLAN IN ACCORDANCE WITH THE PERFORMANCE
27 MANAGEMENT SYSTEM AND SUBMIT THAT PLAN TO THE JOINT BUDGET _____

1 COMMITTEE AND THE APPROPRIATE JOINT COMMITTEE OF REFERENCE AS
2 DETERMINED PURSUANT TO SECTION 2-7-203. THE PERFORMANCE PLAN
3 SERVES AS A GUIDE TO A DEPARTMENT'S MAJOR FUNCTIONS AND AS A TOOL
4 TO EVALUATE PERFORMANCE GOALS OVER TIME.

5 (II) (A) THE DEPARTMENT OF HIGHER EDUCATION WILL SATISFY
6 THE REQUIREMENTS IN THIS SUBSECTION (3) THROUGH THE MASTER PLAN
7 FOR POSTSECONDARY EDUCATION THAT THE COLORADO COMMISSION ON
8 HIGHER EDUCATION MAINTAINS AS DESCRIBED IN SECTION 23-1-108 (1.5),
9 C.R.S., AND ANY PERFORMANCE CONTRACTS THAT THE COLORADO
10 COMMISSION ON HIGHER EDUCATION NEGOTIATES AND ENTERS INTO WITH
11 THE GOVERNING BOARDS OF THE STATE INSTITUTIONS OF HIGHER
12 EDUCATION AS SPECIFIED IN SECTION 23-5-129, C.R.S. THE DEPARTMENT
13 OF HIGHER EDUCATION SHALL ENSURE THAT COPIES OF THE MASTER PLAN
14 AND PERFORMANCE CONTRACTS BE SUBMITTED TO THE JOINT BUDGET
15 COMMITTEE AND THE APPROPRIATE JOINT COMMITTEE OF REFERENCE AS
16 DETERMINED PURSUANT TO SECTION 2-7-203, AND SHALL POST THE
17 MASTER PLAN AND PERFORMANCE CONTRACTS TO ITS OFFICIAL WEB SITE
18 AND THE OFFICIAL WEB SITE OF THE OFFICE OF STATE PLANNING AND
19 BUDGETING.

20 (B) THE STATE AUDITOR, IN CONDUCTING A PERFORMANCE AUDIT
21 OF THE DEPARTMENT OF HIGHER EDUCATION AS SPECIFIED IN SUBSECTION
22 (5) OF THIS SECTION, SHALL CONSIDER THE EXTENT TO WHICH THE GOALS
23 OF THE MASTER PLAN AND THE ASSOCIATED PERFORMANCE CONTRACTS
24 HAVE BEEN ACHIEVED.

25 (b) EACH DEPARTMENT'S PERFORMANCE PLAN SHALL BE POSTED
26 ON THE OFFICIAL WEB SITES OF THE DEPARTMENT AND THE OFFICE OF
27 STATE PLANNING AND BUDGETING. THE STATE TREASURER, THE ATTORNEY

1 GENERAL, THE SECRETARY OF STATE, THE STATE COURT ADMINISTRATOR
2 FOR THE JUDICIAL DEPARTMENT, THE OFFICE OF STATE PUBLIC DEFENDER,
3 THE OFFICE OF ALTERNATE DEFENSE COUNSEL, AND THE OFFICE OF THE
4 CHILD'S REPRESENTATIVE SHALL ENSURE THE OFFICE OF STATE PLANNING
5 AND BUDGETING RECEIVES THE INFORMATION REQUIRED TO BE POSTED ON
6 THE OFFICE OF STATE PLANNING AND BUDGETING'S WEB SITE PURSUANT TO
7 THIS PARAGRAPH (b). THE OFFICE OF STATE PLANNING AND BUDGETING
8 SHALL NOT HAVE ACCESS TO EDIT ANY INFORMATION PROVIDED BY THE
9 STATE TREASURER, THE ATTORNEY GENERAL, THE SECRETARY OF STATE,
10 THE STATE COURT ADMINISTRATOR FOR THE JUDICIAL DEPARTMENT, THE
11 OFFICE OF STATE PUBLIC DEFENDER, THE OFFICE OF ALTERNATE DEFENSE
12 COUNSEL, OR THE OFFICE OF THE CHILD'S REPRESENTATIVE.

13 (c) AT A MINIMUM, A PERFORMANCE PLAN MUST INCLUDE THE
14 FOLLOWING COMPONENTS, WHICH MAY BE FURTHER REFINED IN THE
15 PERFORMANCE MANAGEMENT SYSTEM PUBLISHED PURSUANT TO
16 SUBSECTION (1) OF THIS SECTION:

17 (I) A STATEMENT OF THE DEPARTMENT'S MISSION OR VISION;

18 (II) A DESCRIPTION OF THE MAJOR FUNCTIONS OF THE
19 DEPARTMENT;

20 (III) PERFORMANCE MEASURES FOR THE MAJOR FUNCTIONS OF THE
21 DEPARTMENT;

22 (IV) PERFORMANCE GOALS THAT CORRESPOND TO THE
23 DEPARTMENT'S PERFORMANCE MEASURES AND THAT EXTEND TO AT LEAST
24 THREE YEARS INTO THE FUTURE;

25 (V) A NARRATIVE DESCRIPTION OF THE STRATEGIES NECESSARY TO
26 MEET THE PERFORMANCE GOALS; AND

27 (VI) A SUMMARY OF THE DEPARTMENT'S MOST RECENT

1 PERFORMANCE EVALUATION.

2 (d) IF REASONABLE AND APPROPRIATE, PERFORMANCE MEASURES
3 SHOULD BE DEVELOPED WITH THE INPUT OF DEPARTMENT EMPLOYEES AND
4 CERTIFIED EMPLOYEE ORGANIZATIONS.

5 (4) DEPARTMENTS SHALL CONDUCT PERFORMANCE EVALUATIONS
6 AND DISTRIBUTE THEM TO THE JOINT BUDGET COMMITTEE AND THE
7 GENERAL ASSEMBLY AT LEAST TWICE EACH CALENDAR YEAR AS DEFINED
8 IN THE PUBLISHED PERFORMANCE MANAGEMENT SYSTEM.

9 (5) (a) PRIOR TO THE FIRST REGULAR SESSION OF THE SEVENTIETH
10 GENERAL ASSEMBLY, THE STATE AUDITOR SHALL, WITHIN EXISTING
11 RESOURCES, CONDUCT OR CAUSE TO BE CONDUCTED PERFORMANCE
12 AUDITS OF ONE OR MORE SPECIFIC PROGRAMS OR SERVICES IN AT LEAST
13 TWO DEPARTMENTS, AND SHALL CONTINUE TO CONDUCT OR CAUSE TO BE
14 CONDUCTED PERFORMANCE AUDITS OF ONE OR MORE SPECIFIC PROGRAMS
15 OR SERVICES IN AT LEAST TWO DEPARTMENTS ANNUALLY THEREAFTER.

16 (b) IN SELECTING BOTH DEPARTMENTS AND SPECIFIC PROGRAMS OR
17 SERVICES WITHIN THOSE DEPARTMENTS FOR PERFORMANCE AUDITS, THE
18 STATE AUDITOR SHALL CONSIDER RISK, AUDIT COVERAGE, RESOURCES
19 REQUIRED TO CONDUCT THE PERFORMANCE AUDITS, AND THE IMPACT OF
20 THE AUDITED PROGRAMS OR SERVICES ON A DEPARTMENT'S
21 PERFORMANCE-BASED GOALS. THE LEGISLATIVE AUDIT COMMITTEE SHALL
22 APPROVE THE PROGRAMS OR SERVICES SELECTED BY THE AUDITOR FOR
23 PERFORMANCE AUDITS.

24 (c) PERFORMANCE AUDITS OF THE PROGRAMS OR SERVICES
25 SELECTED FOR AUDIT MAY INCLUDE, BUT SHALL NOT BE LIMITED TO, THE
26 REVIEW OF THE FOLLOWING:

27 (I) THE INTEGRITY OF THE PERFORMANCE MEASURES AUDITED;

1 (II) THE ACCURACY AND VALIDITY OF REPORTED RESULTS; AND
2 (III) THE OVERALL COST AND EFFECTIVENESS OF THE AUDITED
3 PROGRAMS OR SERVICES IN ACHIEVING LEGISLATIVE INTENT AND THE
4 DEPARTMENTS' PERFORMANCE GOALS.

5 (d) THE STATE AUDITOR SHALL PRESENT THE PERFORMANCE AUDIT
6 REPORT TO THE LEGISLATIVE AUDIT COMMITTEE.

7 (e) AFTER THE PERFORMANCE AUDIT REPORT IS RELEASED BY THE
8 LEGISLATIVE AUDIT COMMITTEE, THE STATE AUDITOR SHALL PRESENT THE
9 PERFORMANCE AUDIT REPORT OF THOSE DEPARTMENTS WITH SERVICES OR
10 PROGRAMS AUDITED IN THE PREVIOUS YEAR TO THE APPROPRIATE JOINT
11 COMMITTEE OF REFERENCE AS DETERMINED PURSUANT TO SECTION
12 2-7-203. THE STATE AUDITOR SHALL ALSO PRESENT ANY OTHER AUDIT
13 REPORTS THAT HE OR SHE DEEMS RELEVANT FOR THE JOINT COMMITTEE OF
14 REFERENCE'S REVIEW.

15 (6) AS PART OF ITS REGULAR DELIBERATIONS, THE JOINT BUDGET
16 COMMITTEE SHALL CONSIDER THE PERFORMANCE PLANS SUBMITTED
17 PURSUANT TO PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION AND
18 THE PERFORMANCE EVALUATIONS SUBMITTED PURSUANT TO SUBSECTION
19 (4) OF THIS SECTION. BASED ON ITS REVIEW OF THESE PERFORMANCE
20 PLANS AND PERFORMANCE EVALUATIONS AND ITS CONSIDERATION OF
21 EACH DEPARTMENT'S LEGAL RESPONSIBILITIES AND STRATEGIC GOALS AND
22 OBJECTIVES, THE JOINT BUDGET COMMITTEE MAY PRIORITIZE
23 DEPARTMENTS' REQUESTS FOR NEW FUNDING THAT ARE EXPRESSLY
24 INTENDED TO ENHANCE PRODUCTIVITY, IMPROVE EFFICIENCY, REDUCE
25 COSTS, AND ELIMINATE WASTE IN THE PROCESSES AND OPERATIONS THAT
26 DELIVER GOODS AND SERVICES TO TAXPAYERS AND CUSTOMERS OF STATE
27 GOVERNMENT.

1 **2-7-205.** Annual performance report. (1) (a) (I) EXCEPT AS
2 PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), NO LATER THAN
3 JANUARY 2, 2014, AND NO LATER THAN JANUARY 2 OF EACH YEAR
4 THEREAFTER, THE OFFICE OF STATE PLANNING AND BUDGETING SHALL
5 PUBLISH AN ANNUAL PERFORMANCE REPORT FOR EACH DEPARTMENT
6 EXCEPT THE DEPARTMENT OF STATE, THE DEPARTMENT OF THE TREASURY,
7 THE DEPARTMENT OF LAW, THE JUDICIAL DEPARTMENT, THE OFFICE OF
8 STATE PUBLIC DEFENDER, THE OFFICE OF ALTERNATE DEFENSE COUNSEL,
9 AND THE OFFICE OF THE CHILD'S REPRESENTATIVE. THE ANNUAL
10 PERFORMANCE REPORT MUST INCLUDE A SUMMARY OF EACH DEPARTMENT'S
11 PERFORMANCE PLAN AND MOST RECENT PERFORMANCE EVALUATION. THE
12 ANNUAL PERFORMANCE REPORT MUST BE CLEARLY WRITTEN AND EASILY
13 UNDERSTOOD AND MUST BE LIMITED TO A MAXIMUM OF FOUR PAGES PER
14 DEPARTMENT.

15 (II) THE OFFICE OF STATE PLANNING AND BUDGETING SHALL
16 PREPARE THE SECTION OF THE ANNUAL PERFORMANCE REPORT FOR THE
17 DEPARTMENT OF HIGHER EDUCATION BY REVIEWING THE INSTITUTIONS OF
18 HIGHER EDUCATION'S PROGRESS TOWARDS THE GOALS SET FORTH IN THE
19 INSTITUTION OF HIGHER EDUCATION'S PERFORMANCE CONTRACT
20 DESCRIBED IN SECTION 23-5-129, C.R.S., AND THE OUTCOMES OF THE
21 RECOMMENDED PERFORMANCE FUNDING PLAN REQUIRED IN SECTION
22 23-1-108 (1.9) (b), C.R.S.

23 (b) NO LATER THAN DECEMBER 1, 2013, AND NO LATER THAN
24 DECEMBER 1 OF EACH YEAR THEREAFTER, THE DEPARTMENT OF STATE,
25 THE DEPARTMENT OF THE TREASURY, THE DEPARTMENT OF LAW, THE
26 JUDICIAL DEPARTMENT, THE OFFICE OF STATE PUBLIC DEFENDER, THE
27 OFFICE OF ALTERNATE DEFENSE COUNSEL, AND THE OFFICE OF THE CHILD'S

1 REPRESENTATIVE SHALL EACH PUBLISH AN ANNUAL PERFORMANCE REPORT
2 INCLUDING A SUMMARY OF ITS PERFORMANCE PLAN AND MOST RECENT
3 PERFORMANCE EVALUATION. THE ANNUAL PERFORMANCE REPORTS MUST
4 BE CLEARLY WRITTEN AND EASILY UNDERSTOOD AND MUST EACH BE
5 LIMITED TO A MAXIMUM OF FOUR PAGES.

6 (2) (a) THE ANNUAL PERFORMANCE REPORTS SHALL BE POSTED ON
7 THE OFFICIAL WEB SITES OF THE STATE OF COLORADO AND THE OFFICE OF
8 THE GOVERNOR. THE ANNUAL PERFORMANCE REPORTS SHALL INCLUDE A
9 HYPERLINK TO EACH DEPARTMENT'S PERFORMANCE PLAN POSTED ON THE
10 OFFICIAL WEB SITE OF EACH DEPARTMENT PURSUANT TO SECTION 2-7-204

11 (3) (b).

12 (b) THE ANNUAL PERFORMANCE REPORTS SHALL BE DISTRIBUTED
13 TO ALL MEMBERS OF THE GENERAL ASSEMBLY PURSUANT TO SECTION
14 24-1-136 (9), C.R.S.

15 **SECTION 2.** In Colorado Revised Statutes, 2-3-103, **amend** (9);
16 and **add** (9.5) as follows:

17 **2-3-103. Duties of state auditor - definitions.** (9) It is the duty
18 of the state auditor to conduct or cause to be conducted performance
19 audits as specified in ~~section 2-7-204 (4)~~ SECTION 2-7-212 (5).

20 (9.5) IT IS THE DUTY OF THE STATE AUDITOR TO NOTIFY THE
21 APPROPRIATE JOINT COMMITTEE OF REFERENCE AS DETERMINED PURSUANT
22 TO SECTION 2-7-203 WHEN A DEPARTMENT HAS NOT COMPLETED
23 RECOMMENDATIONS MADE BY THE STATE AUDITOR WITHIN THE TIME
24 PROVIDED.

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26 **SECTION 3.** In Colorado Revised Statutes, 2-3-203, **add** (1)
27 (b.2) as follows:

1 **2-3-203. Powers and duties of the joint budget committee -**
2 **repeal.** (1) The committee has the following power and duties:
3 (b.2) EFFECTIVE JULY 1, 2013, TO HOLD HEARINGS AS REQUIRED
4 TO REVIEW THE PERFORMANCE PLANS AND PERFORMANCE EVALUATIONS
5 OF STATE DEPARTMENTS AS DEFINED IN SECTION 2-7-212. BASED ON ITS
6 REVIEW OF THESE PERFORMANCE PLANS AND PERFORMANCE EVALUATIONS
7 AND ITS CONSIDERATION OF EACH DEPARTMENT'S LEGAL RESPONSIBILITIES
8 AND STRATEGIC GOALS AND OBJECTIVES, THE JOINT BUDGET COMMITTEE
9 MAY PRIORITIZE DEPARTMENTS' REQUESTS FOR NEW FUNDING THAT ARE
10 EXPRESSLY INTENDED TO ENHANCE PRODUCTIVITY, IMPROVE EFFICIENCY,
11 REDUCE COSTS, AND ELIMINATE WASTE IN THE PROCESSES AND
12 OPERATIONS THAT DELIVER GOODS AND SERVICES TO TAXPAYERS AND
13 CUSTOMERS OF STATE GOVERNMENT.

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15 **SECTION 4. In Colorado Revised Statutes, repeal and reenact,**
16 **with amendments, 2-3-303.3 as follows:**

17 **2-3-303.3. Interim studies.** (1) COMMENCING ON AND AFTER THE
18 EFFECTIVE DATE OF THIS SECTION, INTERIM STUDIES MAY NOT BE
19 REQUESTED BY A LEGISLATIVE MEMBER BY BILL OR RESOLUTION. NO
20 LATER THAN THE NINETY-FOURTH DAY OF A REGULAR LEGISLATIVE
21 SESSION, A LEGISLATIVE MEMBER MAY SUBMIT A REQUEST IN WRITING TO
22 THE LEGISLATIVE COUNCIL REGARDING AN ISSUE THAT HE OR SHE WISHES
23 TO STUDY DURING THE NEXT INTERIM BETWEEN SESSIONS. AT MINIMUM,
24 THE REQUEST MUST SPECIFY:

- 25 (a) THE SCOPE OF THE POLICY ISSUES TO BE STUDIED;
- 26 (b) THE NUMBER OF MEETINGS THAT WOULD BE NECESSARY TO
27 STUDY THE ISSUES;

1 (c) THE SUGGESTED NUMBER AND COMPOSITION OF LEGISLATIVE
2 MEMBERS ON THE INTERIM COMMITTEE;

3 (d) WHETHER OTHER NONLEGISLATIVE MEMBERS SHOULD HAVE A
4 ROLE IN THE INTERIM COMMITTEE;

5 (e) WHETHER A TASK FORCE WOULD BE NECESSARY TO ASSIST THE
6 INTERIM COMMITTEE IN STUDYING THE SCOPE OF ISSUES AND, IF SO, THE
7 MEMBERS AND COMPOSITION OF SUCH A TASK FORCE; AND

8 (f) (I) AN ESTIMATE OF THE MAXIMUM NUMBER OF BILLS THE
9 INTERIM COMMITTEE WILL NEED IN ORDER TO ADDRESS THE ISSUES
10 STUDIED BY THE INTERIM COMMITTEE.

11 (II) ANY INTERIM COMMITTEE BILLS ARE EXEMPT FROM THE
12 FIVE-BILL LIMITATION SPECIFIED IN RULE 24 OF THE JOINT RULES OF THE
13 SENATE AND THE HOUSE OF REPRESENTATIVES.

14 (2) NO LATER THAN THE ONE HUNDREDTH DAY OF A REGULAR
15 LEGISLATIVE SESSION, THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE
16 COUNCIL SHALL DETERMINE THE NUMBER OF INTERIM COMMITTEE
17 MEETINGS THAT MAY BE HELD WITHIN THE LEGISLATIVE BUDGET AND
18 SHALL PROVIDE THAT INFORMATION TO THE EXECUTIVE COMMITTEE OF
19 THE LEGISLATIVE COUNCIL.

20 (3) (a) NO LATER THAN THE ONE HUNDRED EIGHTH DAY OF A
21 REGULAR LEGISLATIVE SESSION, THE LEGISLATIVE COUNCIL SHALL MEET
22 TO REVIEW AND PRIORITIZE REQUESTS MADE BY LEGISLATIVE MEMBERS
23 PURSUANT TO SUBSECTION (1) OF THIS SECTION. SUCH REVIEW AND
24 PRIORITIZATION MUST TAKE INTO ACCOUNT THE INFORMATION PROVIDED
25 BY THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL AS
26 SPECIFIED IN SUBSECTION (2) OF THIS SECTION. THE LEGISLATIVE COUNCIL
27 SHALL ALSO DETERMINE IF ANY OF THE PRIORITIZED INTERIM COMMITTEES

1 MAY CREATE A TASK FORCE. IF A TASK FORCE IS APPROVED, SUCH TASK
2 FORCE SHALL INCLUDE NO MORE THAN TWO LEGISLATIVE MEMBERS OF THE
3 INTERIM COMMITTEE, ONE FROM THE MAJORITY PARTY AND ONE FROM THE
4 MINORITY PARTY. LEGISLATIVE MEMBERS ON A TASK FORCE ARE ONLY
5 ENTITLED TO RECEIVE NECESSARY TRAVEL COSTS AND ARE NOT ENTITLED
6 TO PER DIEM PURSUANT TO SECTION 2-2-307.

7 (b) THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE
8 OF REPRESENTATIVES, AND THE MINORITY AND MAJORITY LEADERS OF
9 BOTH HOUSES SHALL APPOINT THE LEGISLATIVE MEMBERS TO ANY
10 PRIORITIZED INTERIM COMMITTEES OR APPROVED TASK FORCES.

11 (c) AFTER THE GENERAL ASSEMBLY HAS ADJOURNED, IF AN ISSUE
12 IS BROUGHT TO THE ATTENTION OF THE EXECUTIVE COMMITTEE OF THE
13 LEGISLATIVE COUNCIL AND THE EXECUTIVE COMMITTEE DETERMINES THAT
14 THE ISSUE IS THE RESULT OF CHANGED CIRCUMSTANCES OR NEW
15 CIRCUMSTANCES AND IS APPROPRIATE MATERIAL FOR AN INTERIM
16 COMMITTEE THAT IS MEETING DURING THAT INTERIM BETWEEN
17 LEGISLATIVE SESSIONS, THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE
18 COUNCIL MAY ADD THE INTERIM COMMITTEE BY ADOPTING A RESOLUTION.
19 THE RESOLUTION MUST INCLUDE THE ITEMS SPECIFIED IN THE LEGISLATIVE
20 MEMBER'S WRITTEN REQUEST FOR AN INTERIM STUDY.

21 **SECTION 5.** In Colorado Revised Statutes, 24-37-103, **amend**
22 (1) (d) as follows:

23 **24-37-103. Director - duties.** (1) The director shall:

24 (d) Publish an annual performance report as specified in **section**
25 ~~2-7-205~~ SECTION 2-7-204, C.R.S.; AND

26 **SECTION 6.** In Colorado Revised Statutes, 24-38.5-102, **amend**
27 (3) (a) as follows:

1 **24-38.5-102. Colorado energy office - duties and powers.**

2 (3) The Colorado energy office shall notify the house of representatives
3 and senate committees of reference to which the office is assigned
4 pursuant to section 2-7-203 (1), C.R.S., as part of its "State Measurement
5 for Accountable, Responsive, and Transparent (SMART) Government
6 Act" hearing required by section 2-7-203 (2), C.R.S., if it has made any
7 changes to:

8 (a) Any principles, policies, or performance-based goals that the
9 office has outlined in its strategic plan PERFORMANCE PLANS AND
10 PERFORMANCE EVALUATIONS required pursuant to section 2-7-204 (1) (a)
11 SECTION 2-7-212, C.R.S.;

12 =====

13 **SECTION 7. Appropriation.** In addition to any other
14 appropriation, there is hereby appropriated, out of any moneys in the
15 general fund not otherwise appropriated, to the legislative department, for
16 the fiscal year beginning July 1, 2013, the sum of \$89,971 and 0.3 FTE,
17 or so much thereof as may be necessary for the implementation of this act.

18 **SECTION 8. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety.