

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REVISED

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

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.

SENATE
Amended 2nd Reading
May 7, 2013

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

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 ENERGY
15 OFFICE, THE OFFICE OF ECONOMIC DEVELOPMENT, AND THE PRINCIPAL
16 DEPARTMENTS OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT AS
17 SPECIFIED IN SECTION 24-1-110, C.R.S., INCLUDING ANY DIVISION, OFFICE,
18 AGENCY, OR OTHER UNIT CREATED WITHIN A PRINCIPAL DEPARTMENT.

19 (b) FOR PURPOSES OF THE REQUIREMENTS OF SECTION 2-7-203 (4),
20 "DEPARTMENT" MEANS THE PRINCIPAL DEPARTMENTS OF THE EXECUTIVE
21 BRANCH OF STATE GOVERNMENT AS SPECIFIED IN SECTION 24-1-110,
22 C.R.S., INCLUDING ANY DIVISION, OFFICE, AGENCY, OR OTHER UNIT
23 CREATED WITHIN A PRINCIPAL DEPARTMENT.

24 (6) "DEPARTMENTAL REGULATORY AGENDA" MEANS A DOCUMENT
25 PREPARED BY EACH PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH
26 OF STATE GOVERNMENT AND SUBMITTED TO THE GENERAL ASSEMBLY AND
27 MADE AVAILABLE TO THE PUBLIC AS DESCRIBED IN SECTION 2-7-203 (4).

1 THE "DEPARTMENTAL REGULATORY AGENDA" CONTAINS THE FOLLOWING
2 INFORMATION:

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

5 (b) THE STATUTORY OR OTHER BASIS FOR ADOPTION OF THE
6 PROPOSED RULES;

7 (c) THE PURPOSE OF THE PROPOSED RULES;

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

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

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

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

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

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

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

26 (11) "OFFICE OF ECONOMIC DEVELOPMENT" MEANS THE
27 COLORADO OFFICE OF ECONOMIC DEVELOPMENT CREATED IN SECTION

1 24-38.5-101, C.R.S.

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

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

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

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

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

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

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

27 (19) "PERFORMANCE PLAN" MEANS A DOCUMENT PREPARED BY A

1 DEPARTMENT AS PART OF A PERFORMANCE MANAGEMENT SYSTEM. A
2 PERFORMANCE PLAN MUST INCORPORATE THE IMPACT OF MANAGEMENT
3 STRATEGIES AND CONTINUOUS PROCESS IMPROVEMENT ACTIVITIES ON THE
4 COSTS AND EFFICIENCY OF DELIVERING GOODS AND SERVICES TO
5 TAXPAYERS AND CUSTOMERS OF STATE GOVERNMENT.

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

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

12 == ==

13 (22) "STATE AUDITOR" MEANS THE STATE AUDITOR DESCRIBED IN
14 SECTION 2-3-102.

15 == =====

16 **2-7-203. Departmental presentations to legislative committees**
17 **of reference - departmental regulatory agendas.** (1) THE SPEAKER OF
18 THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE
19 SHALL ASSIGN EACH DEPARTMENT TO A HOUSE AND SENATE COMMITTEE
20 OF REFERENCE FOR THEIR RESPECTIVE HOUSES. IN MAKING THE
21 ASSIGNMENTS, THE SPEAKER AND THE PRESIDENT SHALL ENSURE THAT THE
22 PRIMARY FUNCTIONS AND RESPONSIBILITIES OF THE DEPARTMENT ARE
23 WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMITTEES OF
24 REFERENCE TO WHICH IT IS ASSIGNED.

25 (2) (a) EACH JOINT COMMITTEE OF REFERENCE SHALL CONDUCT
26 HEARINGS AS SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (2)
27 DURING THE INTERIM BETWEEN LEGISLATIVE SESSIONS BETWEEN

1 NOVEMBER 1 AND THE COMMENCEMENT OF THE FOLLOWING REGULAR
2 LEGISLATIVE SESSION, DURING WHICH HEARINGS THE JOINT COMMITTEE
3 SHALL HEAR A PRESENTATION FROM EACH DEPARTMENT THAT IS ASSIGNED
4 TO SUCH COMMITTEE PURSUANT TO SUBSECTION (1) OF THIS SECTION
5 REGARDING:

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

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

10 (III) THE DEPARTMENT'S LEGISLATIVE AGENDA FOR THE UPCOMING
11 REGULAR LEGISLATIVE SESSION.

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

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

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

16 (c) EACH JOINT COMMITTEE OF REFERENCE SHALL ALLOW TIME
17 FOR PUBLIC TESTIMONY REGARDING EACH SUCH DEPARTMENT
18 PRESENTATION.

19 (d) THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE
20 JUSTICE SHALL PRESENT A PROGRESS REPORT ON ANY RECOMMENDATIONS
21 THE COMMISSION ANTICIPATES WILL BE MADE FOR THE UPCOMING
22 LEGISLATIVE SESSION AND ANY FINALIZED RECOMMENDATIONS FOR THE
23 UPCOMING LEGISLATIVE SESSION TO THE JOINT JUDICIARY COMMITTEE OF
24 REFERENCE DURING THE HEARINGS SPECIFIED IN PARAGRAPH (a) OF THIS
25 SUBSECTION (2).

26 (3) (a) THE CHAIR OF EACH JOINT COMMITTEE OF REFERENCE
27 SHALL ASSIGN TWO MEMBERS OF THE JOINT COMMITTEE, ONE FROM EACH

1 MAJOR POLITICAL PARTY, TO SERVE AS LIAISONS WITH THE DEPARTMENTS
2 ASSIGNED TO THEIR JOINT COMMITTEE OF REFERENCE REGARDING THE
3 DEPARTMENT'S PERFORMANCE MANAGEMENT SYSTEM AND PERFORMANCE
4 PLAN.

5 (b) THE CHAIR OF THE JOINT BUDGET COMMITTEE SHALL ASSIGN
6 ONE MEMBER OF THE JOINT BUDGET COMMITTEE TO SERVE AS A LIAISON
7 FOR EACH DEPARTMENT. THE JOINT BUDGET COMMITTEE LIAISON SHALL
8 WORK WITH THE LIAISONS ASSIGNED PURSUANT TO PARAGRAPH (a) OF THIS
9 SUBSECTION (3) TO INFORM THE JOINT COMMITTEE OF REFERENCE
10 REGARDING THE DEPARTMENT'S PERFORMANCE MANAGEMENT SYSTEM
11 AND PERFORMANCE PLAN.

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

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

25 (5) ALL LOCAL GOVERNMENT ENTITIES ARE ENCOURAGED TO
26 ATTEND THE HEARINGS DESCRIBED IN SUBSECTION (2) OF THIS SECTION TO
27 PROVIDE TESTIMONY OR TO SUBMIT AN OFFICIAL POSITION LETTER TO THE

1 JOINT COMMITTEES OF REFERENCE REGARDING ANY LOCAL IMPACT OF A
2 DEPARTMENT'S PERFORMANCE MANAGEMENT SYSTEM AND PERFORMANCE
3 PLAN.

4 **2-7-204. Performance management systems.** (1) (a) NO LATER
5 THAN AUGUST 1, 2013, AND NO LATER THAN AUGUST 1 OF EACH YEAR
6 THEREAFTER, THE GOVERNOR SHALL PUBLISH THE COMPONENTS OF THE
7 PERFORMANCE MANAGEMENT SYSTEM FOR MANAGING THE PRINCIPAL
8 DEPARTMENTS OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT,
9 EXCEPT THE DEPARTMENT OF STATE, THE DEPARTMENT OF THE TREASURY,
10 AND THE DEPARTMENT OF LAW. THE PERFORMANCE MANAGEMENT
11 SYSTEM MUST BE PUBLISHED IN INSTRUCTIONS ISSUED BY THE OFFICE OF
12 STATE PLANNING AND BUDGETING. THE INSTRUCTIONS MUST BE POSTED
13 ON THE OFFICIAL WEB SITE ADMINISTERED BY THE OFFICE OF STATE
14 PLANNING AND BUDGETING.

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

22 (c) NO LATER THAN AUGUST 1, 2013, AND NO LATER THAN
23 AUGUST 1 OF EACH YEAR THEREAFTER, THE DEPARTMENT OF STATE, THE
24 DEPARTMENT OF THE TREASURY, THE DEPARTMENT OF LAW, THE OFFICE
25 OF STATE PUBLIC DEFENDER, THE OFFICE OF ALTERNATE DEFENSE
26 COUNSEL, THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION, THE
27 COLORADO ENERGY OFFICE, THE OFFICE OF ECONOMIC DEVELOPMENT,

1 AND THE OFFICE OF THE CHILD'S REPRESENTATIVE SHALL EACH PUBLISH
2 THEIR COMPONENTS OF THE PERFORMANCE MANAGEMENT SYSTEMS FOR
3 THEIR RESPECTIVE DEPARTMENT, OFFICE, OR COMMISSION. THESE
4 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
10 THE 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
19 ACCEPTED 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
4 TOOL 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

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

17 (c) AT A MINIMUM, A PERFORMANCE PLAN MUST INCLUDE THE
18 FOLLOWING COMPONENTS, WHICH MAY BE FURTHER REFINED IN THE
19 PERFORMANCE MANAGEMENT SYSTEM PUBLISHED PURSUANT TO
20 SUBSECTION (1) OF THIS SECTION:

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

22 (II) A DESCRIPTION OF THE MAJOR FUNCTIONS OF THE
23 DEPARTMENT;

24 (III) PERFORMANCE MEASURES FOR THE MAJOR FUNCTIONS OF THE
25 DEPARTMENT;

26 (IV) PERFORMANCE GOALS THAT CORRESPOND TO THE
27 DEPARTMENT'S PERFORMANCE MEASURES AND THAT EXTEND TO AT LEAST

1 THREE YEARS INTO THE FUTURE;

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

4 (VI) A SUMMARY OF THE DEPARTMENT'S MOST RECENT
5 PERFORMANCE EVALUATION.

6 (d) IF REASONABLE AND APPROPRIATE, PERFORMANCE MEASURES
7 SHOULD BE DEVELOPED WITH THE INPUT OF DEPARTMENT EMPLOYEES AND
8 CERTIFIED EMPLOYEE ORGANIZATIONS.

9 (4) DEPARTMENTS SHALL CONDUCT PERFORMANCE EVALUATIONS
10 AND DISTRIBUTE THEM TO THE JOINT BUDGET COMMITTEE AND THE
11 GENERAL ASSEMBLY AT LEAST TWICE EACH CALENDAR YEAR AS DEFINED
12 IN THE PUBLISHED PERFORMANCE MANAGEMENT SYSTEM.

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

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

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

- 4 (I) THE INTEGRITY OF THE PERFORMANCE MEASURES AUDITED;
- 5 (II) THE ACCURACY AND VALIDITY OF REPORTED RESULTS; AND
- 6 (III) THE OVERALL COST AND EFFECTIVENESS OF THE AUDITED
7 PROGRAMS OR SERVICES IN ACHIEVING LEGISLATIVE INTENT AND THE
8 DEPARTMENTS' PERFORMANCE GOALS.

9 (d) THE STATE AUDITOR SHALL PRESENT THE PERFORMANCE AUDIT
10 REPORT TO THE LEGISLATIVE AUDIT COMMITTEE.

11 (e) AFTER THE PERFORMANCE AUDIT REPORT IS RELEASED BY THE
12 LEGISLATIVE AUDIT COMMITTEE, THE STATE AUDITOR SHALL PRESENT THE
13 PERFORMANCE AUDIT REPORT OF THOSE DEPARTMENTS WITH SERVICES OR
14 PROGRAMS AUDITED IN THE PREVIOUS YEAR TO THE APPROPRIATE JOINT
15 COMMITTEE OF REFERENCE AS DETERMINED PURSUANT TO SECTION
16 2-7-203. THE STATE AUDITOR SHALL ALSO PRESENT ANY OTHER AUDIT
17 REPORTS THAT HE OR SHE DEEMS RELEVANT FOR THE JOINT COMMITTEE
18 OF REFERENCE'S REVIEW.

19 (6) AS PART OF ITS REGULAR DELIBERATIONS, THE JOINT BUDGET
20 COMMITTEE SHALL CONSIDER THE PERFORMANCE PLANS SUBMITTED
21 PURSUANT TO PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION AND
22 THE PERFORMANCE EVALUATIONS SUBMITTED PURSUANT TO SUBSECTION
23 (4) OF THIS SECTION. BASED ON ITS REVIEW OF THESE PERFORMANCE
24 PLANS AND PERFORMANCE EVALUATIONS AND ITS CONSIDERATION OF
25 EACH DEPARTMENT'S LEGAL RESPONSIBILITIES AND STRATEGIC GOALS AND
26 OBJECTIVES, THE JOINT BUDGET COMMITTEE MAY PRIORITIZE
27 DEPARTMENTS' REQUESTS FOR NEW FUNDING THAT ARE EXPRESSLY

1 INTENDED TO ENHANCE PRODUCTIVITY, IMPROVE EFFICIENCY, REDUCE
2 COSTS, AND ELIMINATE WASTE IN THE PROCESSES AND OPERATIONS THAT
3 DELIVER GOODS AND SERVICES TO TAXPAYERS AND CUSTOMERS OF STATE
4 GOVERNMENT.

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

21 (II) THE OFFICE OF STATE PLANNING AND BUDGETING SHALL
22 PREPARE THE SECTION OF THE ANNUAL PERFORMANCE REPORT FOR THE
23 DEPARTMENT OF HIGHER EDUCATION BY REVIEWING THE INSTITUTIONS OF
24 HIGHER EDUCATION'S PROGRESS TOWARDS THE GOALS SET FORTH IN THE
25 INSTITUTION OF HIGHER EDUCATION'S PERFORMANCE CONTRACT
26 DESCRIBED IN SECTION 23-5-129, C.R.S., AND THE OUTCOMES OF THE
27 RECOMMENDED PERFORMANCE FUNDING PLAN REQUIRED IN SECTION

1 23-1-108 (1.9) (b), C.R.S.

2 (b) NO LATER THAN NOVEMBER 1, 2014, AND NO LATER THAN
3 NOVEMBER 1 OF EACH YEAR THEREAFTER, THE DEPARTMENT OF STATE,
4 THE DEPARTMENT OF THE TREASURY, THE DEPARTMENT OF LAW, THE
5 JUDICIAL DEPARTMENT, THE OFFICE OF STATE PUBLIC DEFENDER, THE
6 OFFICE OF ALTERNATE DEFENSE COUNSEL, THE PUBLIC EMPLOYEES'
7 RETIREMENT ASSOCIATION, THE COLORADO ENERGY OFFICE, THE OFFICE
8 OF ECONOMIC DEVELOPMENT, AND THE OFFICE OF THE CHILD'S
9 REPRESENTATIVE SHALL EACH PUBLISH AN ANNUAL PERFORMANCE
10 REPORT INCLUDING A SUMMARY OF ITS PERFORMANCE PLAN AND MOST
11 RECENT PERFORMANCE EVALUATION. THE ANNUAL PERFORMANCE
12 REPORTS MUST BE CLEARLY WRITTEN AND EASILY UNDERSTOOD AND
13 MUST EACH BE LIMITED TO A MAXIMUM OF FOUR PAGES.

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

19 (3) (b).

20 (b) THE ANNUAL PERFORMANCE REPORTS SHALL BE DISTRIBUTED
21 TO ALL MEMBERS OF THE GENERAL ASSEMBLY PURSUANT TO SECTION
22 24-1-136 (9), C.R.S.

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

25 **2-3-103. Duties of state auditor - definitions.** (9) It is the duty
26 of the state auditor to conduct or cause to be conducted performance
27 audits as specified in ~~section 2-7-204 (4)~~ SECTION 2-7-204 (5).

1 (9.5) IT IS THE DUTY OF THE STATE AUDITOR TO NOTIFY THE
2 APPROPRIATE JOINT COMMITTEE OF REFERENCE AS DETERMINED
3 PURSUANT TO SECTION 2-7-203 WHEN A DEPARTMENT HAS NOT
4 COMPLETED RECOMMENDATIONS MADE BY THE STATE AUDITOR WITHIN
5 THE TIME PROVIDED.

6 == ==
7 **SECTION 3.** In Colorado Revised Statutes, 2-3-203, **add** (1)
8 (b.2) as follows:

9 **2-3-203. Powers and duties of the joint budget committee -**
10 **repeal.** (1) The committee has the following power and duties:

11 (b.2) EFFECTIVE JULY 1, 2013, TO HOLD HEARINGS AS REQUIRED
12 TO REVIEW THE PERFORMANCE PLANS AND PERFORMANCE EVALUATIONS
13 OF == DEPARTMENTS AS SPECIFIED IN SECTION 2-7-204 (6). BASED ON ITS
14 REVIEW OF THESE PERFORMANCE PLANS AND PERFORMANCE EVALUATIONS
15 AND ITS CONSIDERATION OF EACH DEPARTMENT'S LEGAL RESPONSIBILITIES
16 AND STRATEGIC GOALS AND OBJECTIVES, THE JOINT BUDGET COMMITTEE
17 MAY PRIORITIZE DEPARTMENTS' REQUESTS FOR NEW FUNDING THAT ARE
18 EXPRESSLY INTENDED TO ENHANCE PRODUCTIVITY, IMPROVE EFFICIENCY,
19 REDUCE COSTS, AND ELIMINATE WASTE IN THE PROCESSES AND
20 OPERATIONS THAT DELIVER GOODS AND SERVICES TO TAXPAYERS AND
21 CUSTOMERS OF STATE GOVERNMENT.

22 == ==
23 **SECTION 4.** In Colorado Revised Statutes, 2-3-301, **add** (5) as
24 follows:

25 **2-3-301. Legislative council created - executive committee**
26 **created.** (5) THE LEGISLATIVE COUNCIL MAY BE A COMMITTEE OF
27 REFERENCE FOR BILLS AND JOINT RESOLUTIONS THAT ALLOCATE ANY

1 ADDITIONAL LEGISLATIVE STAFF RESOURCES.

2 **SECTION 5. In Colorado Revised Statutes, repeal and reenact,**
3 **with amendments, 2-3-303.3 as follows:**

4 **2-3-303.3. Interim committees. (1) COMMENCING ON AND**
5 **AFTER THE EFFECTIVE DATE OF THIS SECTION, INTERIM COMMITTEES MAY**
6 **NOT BE REQUESTED BY A LEGISLATIVE MEMBER BY BILL OR RESOLUTION.**
7 **NO LATER THAN THE NINETY-FOURTH DAY OF A REGULAR LEGISLATIVE**
8 **SESSION, A LEGISLATIVE MEMBER MAY SUBMIT A REQUEST IN WRITING TO**
9 **THE LEGISLATIVE COUNCIL CREATED IN SECTION 2-3-301 (1) REGARDING**
10 **AN ISSUE THAT HE OR SHE WISHES TO STUDY DURING THE NEXT INTERIM**
11 **BETWEEN SESSIONS. AT MINIMUM, THE REQUEST MUST SPECIFY:**

12 **(a) THE SCOPE OF THE POLICY ISSUES TO BE STUDIED;**

13 **(b) THE NUMBER OF MEETINGS THAT WOULD BE NECESSARY TO**
14 **STUDY THE ISSUES;**

15 **(c) THE SUGGESTED NUMBER AND COMPOSITION OF LEGISLATIVE**
16 **MEMBERS ON THE INTERIM COMMITTEE;**

17 **(d) WHETHER OTHER NONLEGISLATIVE MEMBERS SHOULD HAVE**
18 **A ROLE IN THE INTERIM COMMITTEE;**

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

22 **(f) (I) AN ESTIMATE OF THE MAXIMUM NUMBER OF BILLS THE**
23 **INTERIM COMMITTEE WILL NEED IN ORDER TO ADDRESS THE ISSUES**
24 **STUDIED BY THE INTERIM COMMITTEE.**

25 **(II) ANY INTERIM COMMITTEE BILLS ARE EXEMPT FROM THE**
26 **FIVE-BILL LIMITATION SPECIFIED IN RULE 24 OF THE JOINT RULES OF THE**
27 **SENATE AND THE HOUSE OF REPRESENTATIVES.**

1 (2) NO LATER THAN THE ONE HUNDREDTH DAY OF A REGULAR
2 LEGISLATIVE SESSION, THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE
3 COUNCIL SHALL DETERMINE THE NUMBER OF INTERIM COMMITTEE
4 MEETINGS THAT MAY BE HELD WITHIN THE LEGISLATIVE BUDGET AND
5 SHALL PROVIDE THAT INFORMATION TO THE EXECUTIVE COMMITTEE OF
6 THE LEGISLATIVE COUNCIL.

7 (3) (a) NO LATER THAN THE ONE HUNDRED EIGHTH DAY OF A
8 REGULAR LEGISLATIVE SESSION, THE LEGISLATIVE COUNCIL SHALL MEET
9 TO REVIEW AND PRIORITIZE REQUESTS MADE BY LEGISLATIVE MEMBERS
10 PURSUANT TO SUBSECTION (1) OF THIS SECTION. SUCH REVIEW AND
11 PRIORITIZATION MUST TAKE INTO ACCOUNT THE INFORMATION PROVIDED
12 BY THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL AS
13 SPECIFIED IN SUBSECTION (2) OF THIS SECTION. THE LEGISLATIVE COUNCIL
14 SHALL ALSO DETERMINE IF ANY OF THE PRIORITIZED INTERIM COMMITTEES
15 MAY CREATE A TASK FORCE. IF A TASK FORCE IS APPROVED, SUCH TASK
16 FORCE SHALL INCLUDE NO MORE THAN TWO LEGISLATIVE MEMBERS, ___
17 ONE FROM THE MAJORITY PARTY AND ONE FROM THE MINORITY PARTY OF
18 THE INTERIM COMMITTEE. LEGISLATIVE MEMBERS ON A TASK FORCE ARE
19 ONLY ENTITLED TO RECEIVE NECESSARY TRAVEL COSTS AND ARE NOT
20 ENTITLED TO PER DIEM PURSUANT TO SECTION 2-2-307. FOR PURPOSES OF
21 CARRYING OUT THE TASK FORCE'S DUTIES, THE LEGISLATIVE COUNCIL MAY
22 ACCEPT AND EXPEND MONEY, GIFTS, GRANTS, DONATIONS, SERVICES, AND
23 IN-KIND DONATIONS FROM ANY PUBLIC OR PRIVATE ENTITY FOR ANY
24 DIRECT OR INDIRECT COSTS ASSOCIATED WITH THE DUTIES OF THE TASK
25 FORCE; EXCEPT THAT THE LEGISLATIVE COUNCIL MAY NOT ACCEPT
26 MONEY, GIFTS, GRANTS, DONATIONS, SERVICES, OR IN-KIND DONATIONS IF
27 ACCEPTANCE IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH

1 STATE LAW OR REQUIRES A PREDETERMINED CONCLUSION OR RESULT
2 FROM THE TASK FORCE. THE LEGISLATIVE COUNCIL SHALL REQUEST THAT
3 THE ENTITY OFFERING THE MONEY, GIFT, GRANT, DONATION, SERVICES, OR
4 IN-KIND DONATION SUBMIT A LETTER PRIOR TO THE OFFER SPECIFYING THE
5 AMOUNT OF MONEY, GIFT, GRANT, OR DONATION OFFERED, OR THE
6 ESTIMATED VALUE OF THE SERVICES OR IN-KIND DONATION OFFERED, THE
7 PERIOD FOR WHICH THE MONEY, GIFT, GRANT, DONATION, SERVICES, OR
8 IN-KIND DONATION IS AVAILABLE, AND THE SPECIFIC PURPOSES FOR WHICH
9 THE MONEY, GIFT, GRANT, DONATION, SERVICES, OR IN-KIND DONATION IS
10 TO BE USED.

11 (b) THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE
12 OF REPRESENTATIVES, AND THE MINORITY AND MAJORITY LEADERS OF
13 BOTH HOUSES SHALL APPOINT THE LEGISLATIVE MEMBERS TO ANY
14 PRIORITIZED INTERIM COMMITTEES OR APPROVED TASK FORCES.

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

25 **SECTION 6.** In Colorado Revised Statutes, 24-37-103, **amend**

26 (1) (d) as follows:

27 **24-37-103. Director - duties.** (1) The director shall:

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

3 **SECTION 7**. In Colorado Revised Statutes, 24-38.5-102, **amend**
4 **(3) (a) as follows:**

5 **24-38.5-102. Colorado energy office - duties and powers.**

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

12 (a) Any ~~principles, policies, or performance-based goals that the~~
13 ~~office has outlined in its strategic plan~~ PERFORMANCE PLANS AND
14 PERFORMANCE EVALUATIONS required pursuant to ~~section 2-7-204 (1)(a)~~
15 SECTION 2-7-204, C.R.S.;

16 =====
17 **SECTION 8. Appropriation.** In addition to any other
18 appropriation, there is hereby appropriated, out of any moneys in the
19 general fund not otherwise appropriated, to the legislative department, for
20 the fiscal year beginning July 1, 2013, the sum of \$89,971 and 0.3 FTE,
21 or so much thereof as may be necessary for the implementation of this
22 act.

23 **SECTION 9. Safety clause.** The general assembly hereby finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, and safety.