

State Government

State Government Organization and Operations

SB 13-064 (Postponed Indefinitely)
*Year-Round Daylight Saving Time
Standard Within Colorado*

SB 13-274 (Postponed Indefinitely)
*Adjust State Officials Salary and
Restore Compensation
Commission*

HB 13-1057 (Enacted)
*Retain Avalanche Information Center
in DNR*

HB 13-1117 (Enacted)
*Alignment of Child Development
Programs*

HB 13-1139 (Enacted)
Repeal Various Obsolete Entities

HB 13-1141 (Postponed Indefinitely)
*Transfer of Coroners Standards and
Training Board*

HB 13-1218 (Postponed Indefinitely)
Office of Consumer Counsel Duties

HB 13-1285 (Postponed Indefinitely)
*Study Disparities in State
Procurement*

HB 13-1292 (Enacted)
Keep Jobs in Colorado Act

HB 13-1293 (Enacted)
*Governor to Create Executive
Branch Climate Change Position*

HB 13-1301 (Enacted)
*Procurement Technical Assistance
Centers*

HB 13-1314 (Enacted)
*Transfer Developmental Disabilities
to HCPF*

Governmental Efficiency, Cost Savings, and Transparency

SB 13-028 (Enacted)
*Track Utility Data High Performance
State Building*

SB 13-034 (Postponed Indefinitely)
*Return Electronic Device Used by
Offeror in RFP*

SB 13-158 (Enacted)
*Sunset Cost-Benefit Analysis of
State Rules*

SB 13-254 (Enacted)
*Fleet Vehicle Energy Cost-Savings
Contracts*

HB 13-1037 (Postponed Indefinitely)
*Cost of Providing Public Records
Under CORA*

HB 13-1041 (Enacted)
*Procedures for Transmission of
Records under CORA*

HB 13-1112 (Postponed Indefinitely)
*Open Records Request Passive
Traffic Cameras*

Information Technology and Communications

SB 13-190 (Enacted)
*Implementation of Financial Report
System Modernization*

HB 13-1079 (Enacted)
*Creation of the Joint Technology
Committee*

State Employees and the Public Employees' Retirement Association (PERA)

SB 13-011 (Enacted)
Colorado Civil Union Act

SB 13-055 (Postponed Indefinitely)
*PERA Actuarial Soundness and
Reporting Requirements*

SB 13-168 (Postponed Indefinitely)
*Public Employees and Labor
Organizations*

HB 13-1040 (Postponed Indefinitely)
PERA Highest Average Salary

HB 13-1107 (Postponed Indefinitely)
*Prohibit Collective Bargaining Public
Employees*

HB 13-1222 (Enacted)
*Family Care Act Family Medical
Leave Eligibility*

HB 13-1298 (Enacted)
*Employment Policies for
Nonclassified Employees*

State Government (Cont.)

State Government Activities and Restrictions

SB 13-023 (<i>Enacted</i>) <i>Increase Damage Caps Under Colorado Governmental Immunity Act</i>	SB 13-037 (<i>Postponed Indefinitely</i>) <i>Pinon Canyon Maneuver Site Land Purchase Authority</i>	SB 13-140 (<i>Postponed Indefinitely</i>) <i>No Federal Laws Concerning Colorado Firearms</i>
SB 13-176 (<i>Enacted</i>) <i>Authorize State to Invest in Israeli General Obligation Debt</i>	SB 13-201 (<i>Enacted</i>) <i>Designate Shelter and Rescue Dogs and Cats State Pets</i>	SB 13-281 (<i>Postponed Indefinitely</i>) <i>Resolution of Conservation Easement Disputes</i>
SB 13-288 (<i>Enacted</i>) <i>General Assembly Approval Additional Payment Under Colorado Governmental Immunity Act</i>	HB 13-1019 (<i>Postponed Indefinitely</i>) <i>Regulatory Reform Act</i>	HB 13-1045 (<i>Lost in House</i>) <i>Prohibit State Aid to National Defense Authorization Act Investigations</i>
HB 13-1092 (<i>Postponed Indefinitely</i>) <i>Limit Appropriations to Executive Branch for Organization Fees</i>	HB 13-1173 (<i>Postponed Indefinitely</i>) <i>Reduce Appropriations for Legislative Liaison Salaries</i>	HB 13-1187 (<i>Postponed Indefinitely</i>) <i>No New Federal Firearm Laws</i>
HB 13-1197 (<i>Postponed Indefinitely</i>) <i>Prohibit Certain Debt Collection Activities by Department of Personnel and Administration</i>	HB 13-1205 (<i>Enacted</i>) <i>Investment of State Moneys by the State</i>	HB 13-1294 (<i>Enacted</i>) <i>Judicial Department and Colorado Governmental Immunity Act</i>

During the 2013 legislative session, the General Assembly considered a number of bills that impact state government, including bills addressing state government organization and operations, transparency and cost savings, the management of state government technology and communications, state employees and their pension benefits in the Public Employees' Retirement Association, and restrictions on state government activities.

State Government Organization and Operations

The General Assembly considered a variety of bills during the 2013 session related to the organization and operation of state government. Topics addressed in this area include state procurement procedures, consolidation of state services, and reorganization of certain state agencies.

Several bills were considered concerning the state procurement process. **House Bill 13-1292**, the Keep Jobs in Colorado Act, makes a number of changes to contracting requirements for state and local government agencies as follows:

- requires that the existing 80 percent labor law, which requires that construction projects financed in whole or part by state funds employ a workforce of at least 80 percent Colorado residents for certain classifications of skilled and common labor, be applied instead to the composition of the entire workforce employed on a construction project. The bill further directs the Colorado Department of Labor and Employment to enforce this requirement. The agency financing a project may waive the 80 percent requirement if there is reasonable evidence to demonstrate there is not sufficient Colorado labor available to perform the work and if compliance with the requirement

would create an undue burden that would substantially prevent a project from proceeding.

- requires the Department of Personnel and Administration (DPA) to assemble and report a list of states with reciprocity laws. The bill also requires that notice of Colorado's nonresident bidder reciprocity law be included in any request for proposals issued by state or local entities.
- for construction contracts not paid with federal funds, adds another type of allowable bid: competitive sealed best value bidding. Best value bids allow the entity soliciting bids to consider factors other than cost, such as a vendor's employment practices or reliability when awarding a bid. The bill lists the information that must be included in the invitation for best value bids. The bill also adds a requirement that a state agency, including an institution of higher education, must disclose its rationale for selecting a particular bidding process after it enters into a contract for a construction project.
- modifies existing disclosure law to require prospective vendors to disclose in writing whether any subcontracted services are anticipated to be performed outside the state. Also, a vendor is required to provide written notice if, after a contract is signed, it decides to subcontract duties to a subcontractor that will perform work outside the state. In turn, agencies are required to notify the DPA of this information. Vendors are further required to certify that work under a contract will be performed in the United States or to seek a waiver of this requirement.
- requires contractors for projects costing more than \$500,000 to disclose to the DPA the cost and country of origin of the five most costly goods used on a project.
- requires the Public Utilities Commission to consider best value employment metrics in connection with the construction or expansion of electricity generating facilities.

House Bill 13-1301 addresses procurement technical assistance, wherein the state offers education, counseling, and technical assistance to entrepreneurs interested in competing for government contracts. The bill creates the Procurement Technical Assistance Task Force, to:

- discuss management practices and create a management strategy for the future of procurement technical assistance centers;
- develop a plan for the long-term funding and sustainability of procurement technical assistance centers;
- formulate a framework for procurement technical assistance centers;
- evaluate procurement technical assistance strategies in other states;
- develop a public-private partnership to enhance the procurement technical assistance program; and
- make recommendations as necessary.

The task force consists of eight members: four members of the General Assembly, two employees from the Office of Economic Development and International Trade (OEDIT); and two representatives of nonprofit organizations. It is dissolved on January 1, 2014. OEDIT is required under the bill to provide administrative support to the task force. OEDIT must also assist one of its FY 2012-13 grant recipients that offers procurement technical assistance in its efforts to attract federal matching moneys. This grant recipient is not identified in the bill. Finally, **House Bill 13-1285**, which was postponed indefinitely, would have required DPA to commission an independent study analyzing state contracting and underutilized businesses within the state. The bill defined an underutilized business as one that is at least 51 percent owned and managed by one or more individuals who are women, veterans, disabled, or members of a racial minority. The study was to be done by an independent entity selected through a request for proposals

process, and a report from the study was to be presented to the Legislative Audit Committee and other House and Senate committees by February 1, 2015. The report would determine whether there is a disparity between underutilized businesses in the state and businesses that are awarded contracts, and also make recommendations to ameliorate any disparities found.

A number of bills enacted in 2013 relocate existing state functions from one agency to another. **House Bill 13-1057** retains the functions of the Colorado Avalanche Information Center in the Department of Natural Resources. The center was scheduled to transfer with the rest of the Colorado Geological Survey to the Colorado School of Mines on January 31, 2013, pursuant to House Bill 12-1355. **House Bill 13-1117** consolidates several child development programs in the Department of Human Services. The programs transferred include the Early Childhood Leadership Council in the Governor's Office and the following programs from the Department of Public Health and Environment:

- the Nurse Home Visitation Program;
- the Tony Grampsas Youth Services Program;
- the Colorado Student Dropout Prevention and Intervention Program;
- the Colorado Before-and-After School Project;
- the Colorado Children's Trust Fund and its board; and
- the Family Resource Center Program.

The bill also extends the Early Childhood Leadership Council's sunset date from July 1, 2013, to September 1, 2018, and makes changes to the council's duties and membership. **House Bill 13-1314** creates the Office of Community Living in the Department of Health Care Policy and Financing (HCPF) on July 1, 2013. On March 1, 2014, multiple programs serving persons with intellectual and developmental disabilities within the Department of Human Services are transferred to HCPF, including three home-and community-based services (HCBS) Medicaid waiver programs, targeted case management services for these HCBS waiver programs, and family support services. The bill also allows any unexpended General Fund appropriations for persons with intellectual and developmental disabilities to transfer to the newly renamed Intellectual and Developmental Disabilities Cash Fund on June 30, 2013, rather than revert to the General Fund.

Two additional bills that were postponed indefinitely would have relocated state functions. **House Bill 13-1141** would have transferred the Coroners Standards and Training Board from the Department of Public Health and Environment to the Department of Law. **House Bill 13-1218** would have transferred the trial advocacy staff of the Colorado Public Utilities Commission to the Office of Consumer Counsel within the Department of Regulatory Agencies. The bill would also have expanded the jurisdiction of the Office of Consumer Counsel to all public utility customers, instead of its existing charge of agricultural customers, residential customers, and small business customers.

House Bill 13-1293 directs the Governor to establish a position with the term "climate change" in the title in order to assess climate change issues within the state. The location of the position is at the Governor's discretion, and the person appointed to this position may be a current employee and perform other duties within any department of the executive branch. At a minimum, the bill specifies that the duties of the position include the development and periodic update of a climate action plan that includes policy recommendations the state could use to reduce greenhouse gas emissions and collaboration with other entities regarding climate preparedness studies. The bill also requires the appointee to submit an annual report to the House and Senate agriculture

committees on climate change issues generally and specific ways in which climate change impacts Colorado.

Additional bills considered by the legislature impact the organization and operations of state government in varied ways. **House Bill 13-1139** repeals the following government entities deemed to be obsolete for various reasons:

- State Standards and Assessments Development and Implementation Council (Department of Education);
- Microenterprise Development Advisory Council (OEDIT);
- Gulf War Syndrome Advisory Committee (Department of Public Health and Environment);
- Statewide Poison Control Oversight Board (Department of Public Health and Environment);
- expert panel for the creation of Centennial Care Choices Program (HCPF); and
- Minerals, Energy, and Geology Policy Advisory Board (Department of Natural Resources).

Senate Bill 13-064, which was postponed indefinitely, would have made daylight saving time the year-round standard time in Colorado, and referred the issue to voters at the next biennial general election.

Senate Bill 13-274, which was postponed indefinitely, would have increased the salaries of the Governor, Lieutenant Governor, Attorney General, Secretary of State, and State Treasurer to align with the salaries of certain judicial officials. These salary increases would have gone into effect January 8, 2019, except for the Attorney General, for whom the effective date would have been January 13, 2015. Salaries would have been adjusted every four years to align with any changes in the salary of the corresponding judicial position. The bill would also have revived the Colorado State Officials' Compensation Commission, which has been inactive since the late 1990s. It would have altered the commission's membership and charged it with reporting to the General Assembly in every odd-numbered year on its recommendations for the salaries of members of the General Assembly and the Board of Regents, as well as the state-funded portion of district attorneys' salaries.

Governmental Efficiency, Cost Savings, and Transparency

Several bills were considered to find cost savings and improve efficiency in state government. Improving transparency, including through open records requests, was debated as well.

House Bill 13-1041 addresses the transmission of public records under the Colorado Open Records Act (CORA). For records that are to be mailed, once payment is received or payment arrangements have been made, unless fees have been waived, the public entity is required to send the records as soon as possible, but no later than within three business days. For records that are sent by e-mail, the public entity is not permitted to charge fees. **House Bill 13-1037**, which was postponed indefinitely, also addressed CORA. The bill would have specified that fees charged for CORA requests may not exceed the actual costs of providing the copy, as well as an amount representing any additional actual costs necessarily incurred by the custodian in complying with the request, as long as this additional component of the fee was a nominal amount. The bill also

specified that records custodians must use the least expensive means available to them, that fees not be charged for time spent determining whether a public record is subject to inspection, and that the fees must not reflect time spent responding to the request by public employees who are already compensated for responding to CORA requests. **House Bill 13-1112**, which was also postponed indefinitely, would have prohibited the state from releasing under CORA video and still images from state-owned monitoring cameras, such as traffic webcams. This prohibition would have excluded material showing a person attempting or committing crimes.

Senate Bill 13-028 requires state agencies, including higher education institutions, to monitor, track, and verify utility usage data for all state-assisted facilities designed, constructed, or substantially renovated on or after January 1, 2010. Agencies are directed to annually report utility usage data to the Office of the State Architect, within DPA. State-assisted facilities designed, constructed, or substantially renovated prior to January 1, 2010, are strongly encouraged, but not required, to follow the provisions of the bill. **Senate Bill 13-254** also addresses energy costs, expanding state agencies' authority to enter into energy cost savings contracts. This authority, previously existing for the implementation of approved projects in public facilities that reduce energy costs by an amount that is equal to or exceeds the cost of the contract, is expanded under the bill to include contracts that increase vehicle operational and fuel cost savings. State agencies that recommend new energy-related contracts (whether for facilities or vehicles) for approval by DPA must also consult with the Colorado Energy Office. The bill also applies to political subdivisions of the state, including special districts.

Senate Bill 13-158 continues the cost-benefit provisions of the State Administrative Procedures Act, which were subject to a sunset review in 2012, and implements the review's recommendations. Under the bill, agencies must conduct a cost-benefit analysis of rule changes at the request of any person and upon the direction of the Department of Regulatory Agencies. The information required in the analysis remains unchanged from previous law.

Senate Bill 13-034, which was postponed indefinitely, would have required the return of electronic devices costing more than \$50 used by persons or companies (offerors) to bid on state contracts. It also specified that the Department of Personnel and Administration was to promulgate procurement rules ensuring the return of such devices and establishing a procedure for doing so. Under the bill, state agencies could have required offerors to pay the costs associated with returning electronic devices by including a notice of this requirement in a request for proposals.

Information Technology and Communications

Senate Bill 13-190 authorizes the State Treasurer to enter into lease-purchase agreements on behalf of the Governor's Office of Information Technology (OIT) for a period of up to nine years to complete the Colorado Financial Reporting System (COFRS) Modernization project. The project replaces the statewide accounting system used by the Office of the State Controller to record all state revenues and expenditures. The bill also requires OIT to add specific functions to COFRS identified as important by various legislative agencies, or to provide an explanation as to why such functionality cannot be incorporated into the system. Finally, the bill requires OIT to report to the Joint Budget Committee and the Capital Development Committee regarding the progress of the project. As originally approved, upfront costs of the COFRS project were to be paid by the private vendor completing the project, and the total cost would be repaid over a ten-year period by state agencies through a new common figure-setting policy. However, under that proposal, the project cost would exceed the state financing available. Issuing lease purchase agreements as specified

in the bill will allow the state to pay the vendor for the system design and implementation from the proceeds of the sale of certificates of participation (COPs).

House Bill 13-1079 creates a new, year-round standing committee on technology issues. The Joint Technology Committee will oversee state agencies, projects, and issues related to information technology. Its oversight will include the Governor's Office of Information Technology (OIT), including its annual budget requests and any significant information technology projects managed or initiated by OIT. The committee will also oversee and may review any information technology purchased or implemented by a state agency that is not managed by, or does not follow, the standards of OIT. Higher education institutions are exempt from the committee's oversight. The committee is authorized to meet as often as necessary to perform its functions. The committee's scope encompasses all computer-based equipment and related services designed for the storage, manipulation, and retrieval of data by electronic or mechanical means, or both. It does not include routine maintenance, hardware replacement, or post-implementation support. The actions of the Statewide Internet Portal Authority and any telecommunications coordination within state government are also within the committee's scope. The committee may submit recommendations about information technology requests to the Joint Budget Committee and the Capital Development Committee for consideration. The committee is also directed to review legislation pertaining to information technology, as determined by the Speaker of the House of Representatives or the President of the Senate. The committee consists of six members — three members of the House of Representatives and three members of the Senate. Each chamber is represented by two members of the majority party and one member of the minority party. The bill directs that members of the committee should have experience in business analysis, business process, or information technology.

State Employees and the Public Employees' Retirement Association (PERA)

House Bill 13-1298 aligns state law with the constitutional changes approved by voters under Amendment S in 2012. Amendment S exempted certain state employees from the classified personnel system. The bill clarifies that employees exempted under Amendment S are not entitled to anniversary-based merit pay increases. Instead, the salary for these positions is based on Department of Personnel and Administration policy. The bill also specifies that persons in Senior Executive Service (SES) positions have no right to any position within the state. Finally, the bill repeals language that allows SES positions to appeal certain dismissal decisions to the State Personnel Board.

Among its many provisions, **Senate Bill 13-011**, the Colorado Civil Union Act, modifies laws governing state employees. The bill applies the benefits, protections, and responsibilities of spouses to the parties to a civil union in several areas, including the right to participate as family members in state employee group benefit plans, such as health and dental benefits and life and disability insurance, and the right to be designated as a beneficiary under the Public Employees' Retirement Association (PERA). Some of these benefits were previously available for same-gender domestic partners with proper documentation. Additionally, **House Bill 13-1222's** Colorado-specific expansion of leave available to employees under the Family and Medical Leave Act (FMLA) allows state employees to use expanded FMLA leave to care for a person with a serious health condition if the person is the employee's partner in a civil union or domestic partnership.

Two bills addressing the collective bargaining rights of state employees were both postponed indefinitely. **Senate Bill 13-168** would have required public employers to commence or cease making wage deductions for labor organization dues within 30 days after an employee's request. Any labor organization that collects dues from an employee's wage deduction would have been required to disclose in writing how the dues are spent. The bill would have also required employers to obtain written authorization from the employee in order to deduct labor organization dues. Finally, the bill would have allowed any employee to join or quit a labor organization at any time. These provisions would have applied to any public employees in the state, including at the local level. **House Bill 13-1107** would have prohibited collective bargaining by public employees. It would have terminated existing employee partnership agreements and prohibited new ones by preventing the Colorado Department of Labor and Employment from: accepting petitions designating an employee representative; certifying employee representation; or acting as the agent of an employee organization. The bill would also have prohibited political subdivisions from engaging in collective bargaining and terminated all existing state and political subdivision labor contracts.

Two bills pertaining to PERA were also postponed indefinitely. **Senate Bill 13-055** would have clarified that the determination of actuarial soundness of PERA division trusts would require an assumption that the discount rate is equal to the state's long-term debt interest rate, in addition to the existing requirement that the maximum amortization period is 30 years or less. The bill would further have granted the General Assembly authority to adjust employer or member contribution rates as necessary to maintain actuarial soundness in each of the division trusts, added a requirement that PERA make fiscal recommendations to the General Assembly by November 1 of each year, and required PERA to submit its comprehensive annual financial report by March 31 of each year instead of its current practice of releasing the report in June or July. **House Bill 13-1040** would have changed the manner in which the benefit amount payable to new PERA members is calculated. For future members, beginning as of December 31, 2013, benefits would have been calculated under the bill using seven periods of the member's highest average salary rather than the existing three.

State Government Activities and Restrictions

The General Assembly considered bills expanding the authority of the state government, as well as bills restricting state government activities.

Three enacted bills modified the Colorado Governmental Immunity Act (CGIA), which governs tort claims made against the state. **Senate Bill 13-023** increases the damages limitation cap under the CGIA from \$150,000 to \$350,000 for a claim by an individual party and from \$600,000 to \$990,000 for any single occurrence. The bill further requires that beginning January 1, 2018, and every four years thereafter, the Secretary of State adjust the caps by an amount reflecting the percentage change in the Consumer Price Index for Denver-Boulder-Greeley and publish the adjusted caps online. **Senate Bill 13-288** clarifies the oversight role of the legislature in approving settlements that exceed the maximum allowable payments under the CGIA. Once the State Claims Board settles a negligence case or other tort claim brought against the state, the bill specifies a process for the issuance of certain additional payments to claimants. When the State Claims Board recommends an additional payment and the General Assembly is not in session, the Joint Budget Committee may authorize the additional payment by unanimous vote; except that in the specific case of payments related to the Lower North Fork Wildfire the additional payment is issued once the Attorney General's Office certifies that the settlement

conforms to CGIA requirements. In all cases, while the bill accommodates approval of payments when the General Assembly is not in session, additional payments are limited to those funds already appropriated by the General Assembly. **House Bill 13-1294** clarifies that the definition of the term "public entity" under the CGIA includes the state's Judicial Department, conforming with existing practice.

Two enacted bills addressed the investment of state moneys. **Senate Bill 13-176** authorizes, but does not require, the State Treasurer to invest state moneys in the debt obligations of the government of Israel, commonly known as Israel bonds, that are rated in one of the two highest rating categories by a nationally recognized rating organization. **House Bill 13-1205** gives the State Treasurer additional flexibility in investing state moneys by allowing the treasurer to:

- exchange or sell an investment at a loss of principal to the Public School Fund so long as the loss is offset by a gain in the fund within 12 months;
- invest in securities denominated in U.S. dollars, rather than only in "domestic securities" as previously allowed; and
- invest in municipal bonds rated in one of the two highest ratings by a nationally recognized rating organization.

Senate Bill 13-201 designates dogs and cats that are adopted from Colorado animal shelters and rescues as the state pets.

Senate Bill 13-037, which was postponed indefinitely, would have required that the Governor and the Attorney General negotiate with the federal government for the purchase of the federally owned Pinyon Canyon Maneuver Site. If the state and the federal government entered into an agreement to transfer ownership of the site as a result of these negotiations, the bill would have created the Pinyon Canyon Maneuver Site Land Purchase Authority, which would have been empowered to issue bonds to finance the purchase of all or any portion of the site, and to offer loans to support the resale of the state's interest in the site to private landowners. The bill would have further established the authority's board of directors, legal powers, and general duties, as well as permitted the authority to borrow money for start-up costs. Any revenues that were to result from the difference between the amount the authority paid in bond interest and the amount regained by making the loans could be kept by the authority for administrative purposes, after which any excess would be transferred to the State Treasurer for use in state veterans programs.

A variety of bills aimed at restricting state government activities were defeated in the legislature. **Senate Bill 13-140**, which was postponed indefinitely, would have prohibited the state from enforcing any federal law or regulation that was effective on or after January 1, 2013, that restricted the possession of a firearm, firearm accessory, or ammunition that was manufactured in the United States and had remained exclusively in Colorado, or that created a registration requirement. The bill would also have made it a class 1 misdemeanor for an employee or agent of the federal government to enforce, within Colorado, any federal laws and regulations prohibited by the bills. Finally, it would have permitted the Attorney General to defend a Colorado resident who was prosecuted by the federal government for alleged violations of federal law that are not enforceable within Colorado. The provisions of **House Bill 13-1187**, which was also postponed indefinitely, were identical to those of Senate Bill 13-140, without the clarification that they applied only to weapons manufactured in the United States and remaining exclusively in Colorado.

Senate Bill 13-281, which was postponed indefinitely, would have required the resolution by June 30, 2014, of all disputed conservation easement tax credits claimed prior to July 1, 2008. It would have prohibited the state from using any funds, resources, or personnel to continue to litigate the disputed claims after that date. The bill aimed to address approximately 450 conservation easement claims from prior to July 1, 2008, that remain disputed.

House Bill 13-1019, which was postponed indefinitely, would have limited the state's ability to penalize small businesses that committed minor violations of new state regulations. The bill would have required state agencies to issue written warnings and provide educational outreach in lieu of fines or penalties when a business of 500 or fewer employees violated a new rule for the first time. The bill defined minor violations as those involving record-keeping and issues not affecting the life safety of the public or workers. Rules related to state issued permits, licenses, or registrations, bidding on state contracts, activities required by federal law, and the enforcement activities of the Administrator of the Uniform Consumer Credit Code in the Office of the Attorney General were excluded. It defined new rules as regulatory requirements not previously required and put into place by an agency less than one year prior to the violation. The bill also would have required state agencies to develop fact sheets when new rules are adopted that apply to businesses with 500 or fewer employees, and to make these available in hard copy or electronically.

House Bill 13-1045, which was lost in the House, would have prohibited, with limited exceptions, state employees and state agencies, including the Colorado National Guard, and political subdivisions and their employees, from assisting any of the armed forces of the United States in the enforcement of the National Defense Authorization Act of 2012 (NDAA). Specifically, the state and local governments would have been forbidden from assisting with Section 1021 of the NDAA, pertaining to detention of members of, and those lending assistance to, certain international terrorist organizations if such assistance would violate the U.S. Constitution, the Colorado Constitution, or any law of the state.

House Bill 13-1092, which was postponed indefinitely, would have placed a \$2 million cap on the amount of General Fund moneys that could be used by executive branch agencies to pay the cost of memberships in professional organizations. For each fiscal year, an amount equivalent to the amount of membership dues spent in the previous fiscal year in excess of \$2 million would be transferred to the State Education Fund. Similarly, **House Bill 13-1173**, which was also postponed indefinitely, would have reduced the General Fund appropriation of state agencies and institutions of higher education that hire legislative liaisons and lobbyists. It would then have transferred an amount equal to 50 percent of the salary costs for those liaisons and lobbyists to the Senior Services Account within the Older Coloradans Cash Fund.

Finally, **House Bill 13-1197**, which was postponed indefinitely, would have prohibited the Department of Personnel and Administration from performing debt collection services for political subdivisions or nonprofit entities. Under existing law, the department's Central Collections Unit is authorized to collect these debts, and to add an additional 18 percent collection fee to successful recoveries to help offset its operating costs.