



COLORADO

Executive Director's Office

Department of Personnel
& Administration

1525 Sherman St.
Denver, CO 80203

**STATEMENT OF BASIS, PURPOSE
AND SPECIFIC STATUTORY AUTHORITY FOR
Implementation of:**

**DEPARTMENT OF PERSONNEL & ADMINISTRATION
Office of the Executive Director
STATE ARCHIVES ADMINISTRATIVE RULE
(Effective September 30, 2014)**

PROPOSED STATEMENT OF BASIS AND PURPOSE

The Colorado State Archives Administrative Rules (“Rules”) are found at 1 CCR 109-2. A rulemaking hearing of the Executive Director was held on August 6, 2014, at 1525 Sherman Street, Room 516, Fifth Floor, Denver, Colorado 80203 at 2:00 p.m. Colorado State Archives is charged with ensuring the preservation of the State’s permanent legal records and information, as well as assisting Colorado citizens with the use of these records. The basis of these rules is to establish rates charged to cover the time and resource costs associated with the preservation, assistance with and use of these records. The rulemaking hearing was held by a Hearing Officer in order to establish rates charged to cover the time and resource costs associated with the preservation, assistance with and use of these records for fiscal year 2015. The Executive Director is exercising her rulemaking authority as granted under section 24-30-102, C.R.S., section 24-80-102(10), C.R.S., and HB 10-1181.

The Notice of Rulemaking was issued June 26, 2014, for publication by the Secretary of State on July 10, 2014. The proposed rules and the proposed statement of basis and purpose have been available for review at the Executive Director’s office and on the Executive Director’s website since June 26, 2014. The proposed rules and the proposed statement of basis and purpose also have been available for review at the Colorado State Archives website since June 26, 2014. The Hearing Officer took testimony at the public rulemaking hearing on August 6, 2014. The Hearing Officer completed deliberations on the proposed rules on August 7, 2014. The rules were accepted through formal public hearing and approved by the Attorney General.



The general purpose of the Executive Director in conducting the rulemaking was to provide, with regards to the Colorado State Archives Rate rule, for the following:

The reason for this Archives Administrative rule change is to update rates charged to cover the time and resource costs associated with the preservation, assistance and use of these records for fiscal year 2015, and to clarify how rates are to be calculated.

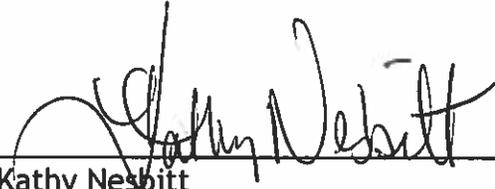
The Executive Director adopted on a permanent basis, new rules contained within 1 CCR-109-2.

The Hearing Officer finds, as required by §24-4-103(4)(b), C.R.S. that the record of the rulemaking proceeding demonstrates the need for the rules; the proper constitutional and statutory authority exists for the rules; to the extent practicable, the rules are clearly and simply stated so that their meaning will be understood by any required to comply with the rules; the rules do not conflict with other provisions of the law; and any duplication or overlapping of the rules, if any, has been explained.

The specific authority of the Executive Director to promulgate these rules is found at section 24-30-102, C.R.S., section 24-80-102(10), C.R.S., and in HB 10-1181.

The permanent rules adopted shall become effective September 30, 2014.

Dated this 26th day of June, 2014



Kathy Nesbitt
Executive Director
Department of Personnel & Administration

