



COLORADO

Executive Director's Office

Department of Personnel
& Administration

1525 Sherman St.
Denver, CO 80203

PROPOSED STATEMENT OF BASIS AND PURPOSE

The Division of Central Services Rules (“Rules”) subject to this rulemaking are found at 1 CCR 103-1, 1 CCR-103-2 and 1 CCR 103-3. A rulemaking hearing of the Executive Director was held on September 1, 2015, at 1525 Sherman Street, Room 104, Denver, Colorado 80203. The rulemaking hearing was held by a Hearing Officer in order to facilitate the submission of public comments on the adoption of rules 1 CCR 103-1, Central Services; 1 CCR 103-2, Parking; and 1 CCR 103-3, Grounds Permitting. The Executive Director is exercising her rulemaking authority as granted under §24-30-1101, §24-30-1102, §24-30-1104(1), §2-2-321, §24-30-1003, §24-30-1104(4), §24-30-1105, §24-82-103, HJR05-1054, §42-4-1208, §24-30-102(2)(a), §24-82-101, §24-82-105, C.R.S.

The Notice of Rulemaking was issued July 31, 2015, for publication by the Secretary of State on August 10, 2015. 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 July 31, 2015. The proposed rules and the proposed statement of basis and purpose also have been available for review at the Division of Central Services office and on the Division of Central Services website since July 31, 2015. The Hearing Officer took testimony at the public rulemaking hearing on September 1, 2015. The Hearing Officer completed deliberations on the proposed rules on September 8, 2015. 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 administration of the Division of Central Services, for the following:

- (a) Bring up to date the types of copying, printing and scanning equipment covered by the Central Services waiver process in Rule 1 CCR 103-1;
- (b) Repeal as obsolete the Travel Program rules in 1 CCR 103-1;
- (c) Clarify and make consistent with contemporary practices certain definitions, space allocation practices, space assignments, special discounts and enforcement regarding the parking rules in 1 CCR 103-2;
- (d) Update disabled access parking penalties pursuant to §42-4-1208, C.R.S. (2014);
- (e) Clarify the responsibilities of permitted groups to clean, restore and otherwise return a site to its original condition following an event in Rule 1 CCR 103-3;

- (f) Clarify the responsibilities of permitted groups to provide for certain public safety and health accommodations for certain events in Rule 1 CCR 103-3;
- (g) Update the rules allowing the Department of Personnel & Administration to deny a permit based on prior noncompliance of a permitted individual, group or organization in Rule 1 CCR 103-3;
- (h) Update and clarify the process of obtaining a grounds use permit consistent with contemporary practices in Rule 1 CCR 103-3; and
- (i) Clarify contemporary practices and correct grammar found in Rules 1 CCR 103-1, 1 CCR 103-2 and 1 CCR 103-3

The Executive Director adopted on a permanent basis, new rules contained within 1 CCR 103-1, 1 CCR 103-2 and 1 CCR 103-3.

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 one or more of the following: §24-30-1101, §24-30-1102, §24-30-1104(1), §2-2-321, §24-30-1003, §24-30-1104(4), §24-30-1105, §24-82-103, HJR 05-1054, §42-4-1208, §24-30-102(2)(a), §24-82-101, §24-82-105, C.R.S.

The permanent rules, if adopted by September 10, 2015, shall become effective October 30, 2015.

Dated this 31st day of July, 2015.



June Taylor
Executive Director
Department of Personnel & Administration