



**Dora**  
Department of Regulatory Agencies

**Office of Policy, Research and Regulatory Reform**

## **2010 Sunset Review:**

**Benefit Design Advisory Committee**

**Community Accountability Program Advisory Board**

**Council of Higher Education Representatives**

**Interagency Task Force on Drunk Driving**

**Science and Technology Education Center Grants Advisory Board**

**October 15, 2010**





**Executive Director's Office**

Barbara J. Kelley  
Executive Director

Bill Ritter, Jr.  
Governor

October 15, 2010

Members of the Colorado General Assembly  
c/o the Office of Legislative Legal Services  
State Capitol Building  
Denver, Colorado 80203

Dear Members of the General Assembly:

The mission of the Department of Regulatory Agencies (DORA) is consumer protection. As a part of the Executive Director's Office within DORA, the Office of Policy, Research and Regulatory Reform seeks to fulfill its statutorily mandated responsibility to conduct sunset reviews with a focus on protecting the health, safety and welfare of all Coloradans.

DORA has completed its evaluations of the Benefit Design Advisory Committee, the Community Accountability Program Advisory Board, the Council of Higher Education Representatives, the Interagency Task Force on Drunk Driving, and the Science and Technology Education Center Grants Advisory Board. I am pleased to submit this written report, which will be the basis for my office's oral testimony before the 2011 legislative committees of reference. The report is submitted pursuant to section 2-3-1203(2)(b)(III), Colorado Revised Statutes, which states in part:

The department of regulatory agencies shall conduct an analysis of the performance of each division, board or agency or each function scheduled for termination under this section. The department of regulatory agencies shall submit a report to the office of legislative legal services by October 15 of the year preceding the date established for termination.

The report discusses the effectiveness of the committees in carrying out the intention of the statutes and makes recommendations as to whether the advisory committees should be continued.

Sincerely,

Barbara J. Kelley  
Executive Director





Bill Ritter, Jr.  
Governor

Barbara J. Kelley  
Executive Director

## **2010 Sunset Review:**

**Benefit Design Advisory Committee**

**Community Accountability Program Advisory Board**

**Council of Higher Education Representatives**

**Interagency Task Force on Drunk Driving**

**Science and Technology Education Center Grants Advisory Board**

### **Key Recommendations**

#### **Sunset the Benefit Design Advisory Committee.**

The Benefit Design Advisory Committee was given a single task – to provide recommendations to the Commissioner of Insurance on the development of medical evidence-based health benefit plans. It performed this task and no future work remains.

#### **Sunset the Community Accountability Program Advisory Board.**

The Community Accountability Program has not been funded in seven years. As a result, there is no work for the Advisory Board to perform.

#### **Continue the Council of Higher Education Representatives.**

The Council of Higher Education Representatives has performed critical work on Colorado's statewide, guaranteed transfer, general education program. As a result of House Bill 10-1208, the Council has additional work to perform.

#### **Continue the Interagency Task Force on Drunk Driving.**

The Task Force has demonstrated its effectiveness by exploring areas for change and then working to effect that change. Its annual reports to the General Assembly keep open a vital communications link and ensure that drunk and impaired driving issues continue to be brought to the attention of the General Assembly.

#### **Sunset the Science and Technology Education Center Grants Advisory Board.**

The Science and Technology Education Center Grants Program has not been funded since fiscal year 02-03. As a result, there is no work for the Advisory Board to perform.

#### ***Where Do I Get the Full Report?***

The full sunset review can be found on the internet at: [www.dora.state.co.us/opr/oprpublications.htm](http://www.dora.state.co.us/opr/oprpublications.htm)

### **Major Contacts Made During These Reviews**

Colorado Department of Education  
Colorado Department of Higher Education  
Colorado Department of Human Services  
Colorado Department of Public Health and Environment  
Colorado Department of Revenue  
Colorado Division of Insurance  
Colorado Licensed Beverage Association  
Colorado Restaurant Association  
Colorado Society of Addiction Counselors  
Colorado State Patrol

### **What is a Sunset Review?**

A sunset review is a periodic assessment of state boards, programs, and functions to determine whether or not they should be continued by the legislature. Sunset reviews focus on creating the least restrictive form of regulation consistent with protecting the public. In formulating recommendations, sunset reviews consider the public's right to consistent, high quality professional or occupational services and the ability of businesses to exist and thrive in a competitive market, free from unnecessary regulation.

Sunset Reviews are Prepared by:  
Colorado Department of Regulatory Agencies  
Office of Policy, Research and Regulatory Reform  
1560 Broadway, Suite 1550, Denver, CO 80202  
[www.dora.state.co.us/opr](http://www.dora.state.co.us/opr)

---

## Table of Contents

Background .....	1
<i>Introduction</i> .....	1
<i>Sunset Process</i> .....	1
Benefit Design Advisory Committee .....	2
<i>Creation, Mission and Make-Up</i> .....	2
<i>Responsibilities of the Advisory Committee</i> .....	2
<i>Revenues and Expenditures</i> .....	3
<i>Meetings of the Advisory Committee</i> .....	3
<i>Proposals and Their Status</i> .....	3
<i>Reasons for Sunsetting the Advisory Committee</i> .....	3
<i>Analysis and Recommendation</i> .....	3
Community Accountability Program Advisory Board .....	4
<i>Creation, Mission and Make-Up</i> .....	4
<i>Responsibilities of the Advisory Board</i> .....	4
<i>Revenues and Expenditures</i> .....	4
<i>Meetings of the Advisory Board</i> .....	5
<i>Proposals and Their Status</i> .....	5
<i>Reasons to Sunset the Advisory Board</i> .....	5
<i>Analysis and Recommendation</i> .....	5
Council of Higher Education Representatives .....	6
<i>Creation, Mission and Make-Up</i> .....	6
<i>Responsibilities of the GE 25 Council</i> .....	6
<i>Revenues and Expenditures</i> .....	6
<i>Meetings of the GE 25 Council</i> .....	7
<i>Proposals and Their Status</i> .....	7
<i>Reasons for Continuation of the GE 25 Council</i> .....	7
<i>Analysis and Recommendation</i> .....	8

---

---

Interagency Task Force on Drunk Driving.....	9
<i>Creation, Mission and Make-Up</i> .....	9
<i>Responsibilities of the Task Force</i> .....	10
<i>Revenues and Expenditures</i> .....	10
<i>Meetings of the Task Force</i> .....	10
<i>Proposals and Their Status</i> .....	11
<i>Reasons for Continuation of the Task Force</i> .....	11
<i>Analysis and Recommendation</i> .....	12
Science and Technology Education Center Grants Advisory Board.....	14
<i>Creation, Mission and Make-Up</i> .....	14
<i>Responsibilities of the Science Board</i> .....	15
<i>Revenues and Expenditures</i> .....	15
<i>Meetings of the Science Board</i> .....	15
<i>Proposals and Their Status</i> .....	16
<i>Reasons for Sunsetting the Science Board</i> .....	16
<i>Analysis and Recommendation</i> .....	16

---

---

---

## Background

---

### *Introduction*

As part of the sunset review of an advisory committee, the advisory committee that is scheduled to repeal must submit to the Department of Regulatory Agencies (DORA), on or before July 1 of the year preceding the year in which the advisory committee is scheduled to repeal:<sup>1</sup>

- The names of current members of the advisory committee;
- All revenues and all expenditures, including advisory committee expenses, *per diem* paid to members, and any travel expenses;
- The dates all advisory committee meetings were held and the number of members attending the meetings;
- A listing of all advisory proposals made by the advisory committee, together with an indication as to whether each proposal was acted upon, implemented or enacted into statute; and
- The reasons why the advisory committee should be continued.

Importantly, sunset reviews of advisory committees do not, generally, analyze the underlying program to which the committee is expected to render advice or recommendations. If an advisory committee is sunset, the underlying program will continue.

### *Sunset Process*

As with sunset reviews of programs, agency officials and other stakeholders can submit input regarding an advisory committee through a variety of means, including at [www.dora.state.co.us/pls/real/OPR\\_Review\\_Comments.Main](http://www.dora.state.co.us/pls/real/OPR_Review_Comments.Main).

The Benefit Design Advisory Committee, the Community Accountability Program Advisory Board, the Council of Higher Education Representatives, the Interagency Task Force on Drunk Driving, and the Science and Technology Education Center Grants Advisory Board shall terminate on July 1, 2011, unless continued by the General Assembly. It is the duty of DORA to conduct an analysis and evaluation of these advisory committees pursuant to section 2-3-1203, Colorado Revised Statutes.

The purpose of this review is to determine whether these committees should be continued for the protection of the public and to evaluate their performance. DORA's findings and recommendations are submitted via this report to the legislative committees of reference of the Colorado General Assembly.

---

<sup>1</sup> §§ 2-3-1203(2)(b)(I) and (II), C.R.S.

---

---

## Benefit Design Advisory Committee

---

### *Creation, Mission and Make-Up*

The Benefit Design Advisory Committee (Advisory Committee) was created in Senate Bill 06-036 (SB 36). In an effort to increase the number of small business employees who are insured through a small employer health benefit plan, SB 36 attempted to facilitate requiring small employer health insurance carriers to offer coverage based on the latest medical evidence.<sup>2</sup>

The Commissioner of Insurance (Commissioner) was directed to appoint, by July 1, 2006, the members of the Advisory Committee, which had to include:<sup>3</sup>

- Actuaries;
- For-profit and nonprofit health insurers;
- Health insurance brokers;
- Health care consumers;
- Representatives of health care providers;
- Health care professionals;
- Small business owners, including owners of business groups of one; and
- People having expertise in health care finance, policy and evidence-based medicine.

### *Responsibilities of the Advisory Committee*

The Advisory Committee is required to provide recommendations to the Commissioner on the development of a medical evidence-based health benefit plan that:<sup>4</sup>

- Does not include certain coverages pursuant to the mandatory coverage provisions required by Colorado law, except that such a plan must include coverage for mammography;
- Is a high deductible plan that would qualify for a health savings account;
- Covers limited prevention and screening based on the latest medical evidence;
- Covers limited elective inpatient and surgical care;
- Covers limited medications used primarily for cost-effective chronic disease management; and
- Covers maternity care.

---

<sup>2</sup> Senate Bill 06-036, § 1(i).

<sup>3</sup> § 10-16-105(16)(a), C.R.S.

<sup>4</sup> §§ 10-16-105(7.2)(b)(IV) and 10-16-105(16)(a), C.R.S.



---

### ***Revenues and Expenditures***

The Commissioner is authorized to accept gifts, grants and donations in order to fund the functions of the Advisory Committee.<sup>5</sup> However, no such revenues have been realized.

Members of the Advisory Committee serve without compensation and are not reimbursed for expenses incurred while serving on the Advisory Committee.<sup>6</sup> As a result, no expenditures have been associated with the Advisory Committee.

### ***Meetings of the Advisory Committee***

The Advisory Committee met nine times between July 2006 and February 2007. On average, six members attended each Advisory Committee meeting.

### ***Proposals and Their Status***

On March 26, 2007, the Advisory Committee recommended to the Senate Committee on Health and Human Services and the House Committee on Business Affairs and Labor that the General Assembly repeal the requirement that the medical evidence-based basic option be a health savings account, high deductible health plan. The Advisory Committee concluded that such a plan would be unattractive in the marketplace due to the administrative costs and adverse selection issues, paired with the very small population that chooses one of the basic plan design options.

The General Assembly did not act on this recommendation.

### ***Reasons for Sunsetting the Advisory Committee***

The Advisory Committee has fulfilled its statutory objective and there are no remaining objectives for it to fulfill.

### ***Analysis and Recommendation***

The Advisory Committee was given a single task – to provide recommendations to the Commissioner on the development of medical evidence-based health benefit plans. The Advisory Committee performed this function in 2007.

No future work remains for the Advisory Committee to perform.

For all of these reasons, the General Assembly should sunset the Advisory Committee.

---

<sup>5</sup> § 10-16-105(16)(b), C.R.S.

<sup>6</sup> § 10-16-105(16)(b), C.R.S.

---

---

## Community Accountability Program Advisory Board

---

---

### *Creation, Mission and Make-Up*

The Community Accountability Program was created by House Bill 01-1357 (HB 1357) to provide a structured program combining residential and community reintegration components under which certain adjudicated juveniles can be exposed to an ordered environment affirming the dignity of self and others. The Community Accountability Program was also intended to promote the value of education, work and accountability.<sup>7</sup>

House Bill 1357 also created the Community Accountability Program Advisory Board (Advisory Board) at the Colorado Department of Human Services (CDHS) to develop and review the selection criteria for juveniles to enter the Community Accountability Program.

The Advisory Board must consist of 13 members, jointly appointed by the Executive Director of CDHS and the State Court Administrator. These three-year appointments must be made such that at least one member of the Advisory Board comes from each region where a Community Accountability Program is located.<sup>8</sup>

### *Responsibilities of the Advisory Board*

The Advisory Board is directed to:<sup>9</sup>

- Establish and implement statewide selection criteria for juveniles sentenced to the Community Accountability Program;
- Oversee the ongoing evaluation of the Community Accountability Program as a sentencing option;
- Report potential policy issues to the General Assembly; and
- Make recommendations for support services deemed necessary by the Division of Youth Corrections.

### *Revenues and Expenditures*

The Community Accountability Program has not been funded since fiscal year 02-03. As a result, the Advisory Board has not met since then and it has realized no revenues or expenditures since then.

---

<sup>7</sup> § 19-2-309.5(1), C.R.S.

<sup>8</sup> § 19-2-309.5(7)(a), C.R.S.

<sup>9</sup> § 19-2-309.5(7)(b), C.R.S.

---

### ***Meetings of the Advisory Board***

There have been no meetings of the Advisory Board since before fiscal year 02-03.

### ***Proposals and Their Status***

Because there have been no recent meetings of the Advisory Board, it has made no proposals.

### ***Reasons to Sunset the Advisory Board***

The Advisory Board was created to assist the Division of Youth Corrections in developing and implementing the Community Accountability Program. However, since fiscal year 02-03, the Community Accountability Program has not been funded. As a result, there has been no role for the Advisory Board to play.

The Division of Youth Corrections does not foresee the Community Accountability Program being funded in the near future. As a result, the Advisory Board should be sunset.

### ***Analysis and Recommendation***

The Community Accountability Program has not been funded in seven years. As a result, the Advisory Board has not met and has not made any proposals in several years.

Importantly, as the statute is currently constructed, the Advisory Board is an intricate part of the Community Accountability Program. However, this sunset review is restricted to looking at the Advisory Board only and makes no determination as to how well the Community Accountability Program could function, if it is funded at some point, without the Advisory Board.

Regardless, the Division of Youth Corrections possesses the institutional expertise to perform the functions of the Advisory Board. If not, the Division of Youth Corrections can convene an *ad hoc* advisory committee to assist it.

For all of these reasons, the General Assembly should sunset the Advisory Board.

---

---

## Council of Higher Education Representatives

---

---

### *Creation, Mission and Make-Up*

In 2001, the General Assembly found that, for many students, the ability to transfer among all state-supported colleges and universities was critical to earning a degree.<sup>10</sup> In order to facilitate this, the General Assembly passed House Bill 01-1298 (HB 1298), which, among other things, created the Council of Higher Education Representatives (GE 25 Council) within the Commission on Higher Education (CHE), and charged it with developing a statewide articulation matrix system of course numbering for general education courses.<sup>11</sup>

The membership of the GE 25 Council comprises:<sup>12</sup>

- Representatives from each of the higher education governing boards;
- Representatives from each of the four-year higher education institutions;
- Representatives from a representative sample of the two-year higher education institutions;
- One representative of students enrolled in state-supported state colleges;
- One representative of students enrolled in state-supported community colleges;
- One representative of students enrolled in state-supported universities; and
- One representative of the CHE.

### *Responsibilities of the GE 25 Council*

The GE 25 Council was charged with recommending to the CHE, on or before October 1, 2002, and reviewing annually thereafter, a list of general education courses to be included in the course numbering system.<sup>13</sup> If changes to the list are necessary, the GE 25 Council is directed to make appropriate recommendations to the CHE.<sup>14</sup>

### *Revenues and Expenditures*

There are no revenues or expenditures associated with the GE 25 Council. Members are not compensated for their work, paid a *per diem* or reimbursed for travel by the Colorado Department of Higher Education (CDHE).

---

<sup>10</sup> § 23-1-108.5(1), C.R.S.

<sup>11</sup> §§ 23-1-108.5(3)(a) and 23-1-108.5(3)(b), C.R.S.

<sup>12</sup> § 23-1-108.5(3)(a), C.R.S.

<sup>13</sup> § 23-1-108.5(3)(c)(I), C.R.S.

<sup>14</sup> § 23-1-108.5(3)(c)(II), C.R.S.

---

### *Meetings of the GE 25 Council*

The GE 25 Council typically meets on the second Monday of every month. On average, 15 members of the GE 25 Council are present at each meeting.

### *Proposals and Their Status*

Beyond its initial development of Colorado's guaranteed transfer articulation program for general education (gtPathways Program), the GE 25 Council:

- Facilitated the adoption of the content and competency criteria for courses that are nominated to the gtPathways Program;
- Facilitated seven gtPathways course reviews;
- Facilitates all of Colorado's statewide articulation agreements,<sup>15</sup> including those in business, early childhood education, elementary education and engineering;
- Revised the Statewide Transfer Policy on three different occasions;
- Advises on academic issues related to transfer/articulation and transfer admissions;
- Monitors the gtPathways/GE 25 Council website; and
- Co-facilitates and co-organizes annual Faculty-to-Faculty Conferences.

All of the GE 25 Council's proposals have been implemented.

### *Reasons for Continuation of the GE 25 Council*

According to representatives of the CDHE, the GE 25 Council has performed critical work on Colorado's statewide, guaranteed transfer, general education program. The processes and procedures that guide these efforts are in a constant state of change, and the leadership and facilitation that the GE 25 Council provides is invaluable and critical to staff of the CDHE.

As a result of House Bill 10-1208, an additional 11 statewide articulation agreements were initiated, all to be implemented by 2016. The staff of the CDHE will need to work in close consultation with the GE 25 Council to ensure that these articulation agreements are completed and implemented by the 2016 deadline.

---

<sup>15</sup> Articulation agreements are specific to major courses of study and spell out how students' credits will transfer from one institution to another.

---

### ***Analysis and Recommendation***

The GE 25 Council has performed its primary function of developing what has become the gtPathways Program, and, in accordance with its statutory mandate, continues to review that program on an annual basis.

Additionally, House Bill 10-1208 created new tasks for the GE 25 Council in the form of new articulation agreements to implement.

For all these reasons, the General Assembly should continue the GE 25 Council.

---

---

## Interagency Task Force on Drunk Driving

---

### *Creation, Mission and Make-Up*

The General Assembly created the Interagency Task Force on Drunk Driving (Task Force) through Senate Bill 06-192 (SB 192) to investigate methods for reducing the incidents of drunk and impaired driving and to develop recommendations for the enhancement of state government services, education, and interventions to prevent drunk and impaired driving.<sup>16</sup>

The 17- member Task Force comprises:<sup>17</sup>

- The Executive Director of the Colorado Department of Transportation (CDOT), or his or her designee;
- The Executive Director of the Colorado Department of Revenue (DOR), or his or her designee;
- The State Court Administrator, or his or her designee;
- The Chief of the Colorado State Patrol, or his or her designee;
- The State Public Defender, or his or her designee;
- The Director of the Division of Alcohol and Drug Abuse<sup>18</sup> in the Department of Human Services;
- The Director of the Division of Probation Services, or his or her designee; and
- The following individuals appointed by the Executive Director of CDOT:
  - A representative of a statewide association of chiefs of police with experience in making arrests for drunk and impaired driving;
  - A representative of a statewide organization of county sheriffs with experience in making arrests for drunk or impaired driving;
  - A victim or family member of a victim of drunk or impaired driving;
  - A representative of a statewide organization of victims of drunk or impaired driving;
  - A representative of a statewide organization of district attorneys with experience in prosecuting drunk or impaired driving offenses;
  - A representative of a statewide organization of criminal defense attorneys with experience in defending people charged with drunk or impaired driving offenses;
  - A representative of a statewide organization that represents people who sell alcoholic beverages at retail;
  - A representative of a statewide organization that represents distributors of alcoholic beverages in Colorado;
  - A manufacturer of alcoholic beverages in Colorado; and
  - A person under 24 years of age who is enrolled in a secondary or postsecondary school.

---

<sup>16</sup> § 42-4-1306(2), C.R.S.

<sup>17</sup> § 42-4-1306(3)(a), C.R.S.

<sup>18</sup> Since the adoption of SB 192, this division has been renamed the Division of Behavioral Health.

---

All members who are appointed by the Executive Director of CDOT serve two-year terms with no limit on the number of terms they may serve.<sup>19</sup>

### ***Responsibilities of the Task Force***

The primary responsibility of the Task Force is to investigate methods for reducing the incidents of drunk and impaired driving and to develop recommendations for the enhancement of state government services, education, and interventions to prevent drunk and impaired driving.<sup>20</sup>

The findings and recommendations of the Task Force are to be reported to the Judiciary Committees of the Colorado Senate and House of Representatives by January 15, 2007, and by January 15 each year thereafter.<sup>21</sup>

### ***Revenues and Expenditures***

Members of the Task Force are not compensated or reimbursed for their expenses incurred in attending meetings.<sup>22</sup>

The Task Force has realized no revenues or expenditures, although in 2010, the National Highway Traffic Safety Administration granted CDOT temporary authority to use traffic safety grant funds to provide a part-time staff member for the Task Force.

### ***Meetings of the Task Force***

The Task Force must meet at least bimonthly,<sup>23</sup> and it met 17 times in fiscal years 08-09 and 09-10.

---

<sup>19</sup> § 42-4-1306(3)(b), C.R.S.

<sup>20</sup> § 42-4-1306(2), C.R.S.

<sup>21</sup> § 42-4-1306(4), C.R.S.

<sup>22</sup> § 42-4-1306(3)(c), C.R.S.

<sup>23</sup> § 42-4-1306(3)(e), C.R.S.



---

## *Proposals and Their Status*

The Task Force has researched issues, made recommendations and supported legislation and regulatory changes on a wide array of issues, including:

- In 2009 and 2010, the Task Force explored the issue of persistent drunk driving.<sup>24</sup> The research involved analyzing over 43,000 individual motor vehicle records. As a result of this work, the Task Force decided to seek to statutorily redefine blood alcohol content (BAC) for persistent drunk driving offenders such that BAC would be lowered from 0.17 percent to 0.15 percent in order to better address actual recidivism rates. The Task Force hopes to see legislation introduced in the 2011 legislative session.
- One of the Task Force's early goals was to expand and improve Colorado's ignition interlock program.<sup>25</sup> The Task Force worked with legislators to craft and pass House Bill 08-1194, one of the nation's first ignition interlock laws to apply to first offenders. Since the bill took effect on January 1, 2009, the number of Colorado drivers subject to ignition interlock devices nearly doubled, to 17,000.
- House Bill 08-1194 also provided funding to increase to 12, the number of high-visibility drunk driving law enforcement events. In 2009, the year following implementation of House Bill 08-1194, there were 7,980 high visibility enforcement impaired driving arrests, compared to 4,596 in 2008.
- The Task Force worked with legislators to craft and pass House Bill 08-1166, which simplified and clarified Colorado's administrative license revocation law such that it is now easier to understand and administer.
- The Task Force has supported efforts by CDOT and the Judicial Department to create DUI (driving under the influence) courts within the state's county courts. Eight such courts exist and the Task Force continues to work with the Judicial Department's Problem Solving Court Advisory Committee to sustain the current DUI courts, evaluate the DUI courts, train DUI court teams, and add DUI courts in more counties.
- The Task Force worked with the Commission on Criminal and Juvenile Justice and legislators in crafting and passing House Bill 10-1347, which increased penalties for impaired driving offenses and created mechanisms to help to ensure that repeat offenders complete treatment.

## *Reasons for Continuation of the Task Force*

Drunk and impaired driving remains a significant public safety issue in Colorado. The Task Force has worked to improve this situation, but so long as drunk and impaired driving continues to exist, the Task Force is likely to have a role to play.

---

<sup>24</sup> Individuals who engage in persistent drunk driving are those who have had one or more prior drunk driving offenses, or someone with a first offense with a blood alcohol content at or above 0.17 percent.

<sup>25</sup> An ignition interlock device is a mechanism that is installed on the dashboard of a vehicle. The driver breathes into the device and it measures the driver's BAC. If the BAC is over a certain, preset value, the vehicle will not start.

---

The Task Force has provided a forum for the creation of a multi-faceted, cohesive group that has leveraged the resources of its individual members to promote and effect change.

### ***Analysis and Recommendation***

In 2009, there were 28,059 DUI arrests in Colorado.<sup>26</sup> Therefore, it is reasonable to conclude that drunk and impaired driving continues to be a problem in the state. So long as drunk and impaired driving remains a problem, there will be a role for the Task Force to play.

The Task Force has demonstrated its effectiveness by exploring areas for change and then working to effect that change. Its annual reports to the General Assembly keep open a vital communications link and ensure that drunk and impaired driving issues continue to be brought to the attention of the General Assembly.

Therefore, the General Assembly should continue the Task Force.

Additionally, the membership of the Task Force should be expanded, to include:

- A representative from the Colorado Department of Public Health and Environment (CDPHE). CDPHE administers the state's blood alcohol testing device program, runs the laboratory responsible for testing samples of alcohol and drugs, and is critical to educating the public about the health risks of drunk and impaired driving. Therefore, the Executive Director of CDPHE, or his or her designee, should be a member of the Task Force.
- A second representative from the DOR with expertise in liquor licensing enforcement. Although the Executive Director of DOR already has a seat on the Task Force, this position has traditionally been held by a representative from the DOR's driver license sanctioning operations. This representation is necessary. However, a representative from liquor enforcement is also needed to ensure that the Task Force is aware of the laws and rules regarding alcohol licensing, training for vendors, and the overall management of liquor sales in Colorado. Therefore, the statute should be amended such that the Executive Director of DOR is no longer a member of the Task Force, but rather that the Executive Director should appoint two members to the Task Force – one with expertise in driver license sanctioning and one with expertise in enforcement of the state's liquor sales laws.

---

<sup>26</sup> Crime in Colorado 2009, 2009 Colorado Reported Statewide Adult Arrests and Crime in Colorado 2009, 2009 Colorado Reported Statewide Juvenile Arrests. Both downloaded on September 1, 2010, from [http://cbi.state.co.us/CNC/cic2k9/state%20totals/statewide\\_adult\\_arrests.html](http://cbi.state.co.us/CNC/cic2k9/state%20totals/statewide_adult_arrests.html) and [http://cbi.state.co.us/CNC/cic2k9/state%20totals/statewide\\_juvenile\\_arrests.html](http://cbi.state.co.us/CNC/cic2k9/state%20totals/statewide_juvenile_arrests.html)

- 
- Representatives of people who sell alcoholic beverages for consumption on premises (i.e., restaurants and bars) and of people who sell alcoholic beverages for consumption off premises (i.e., liquor stores). The statute currently provides for representation by people who sell alcohol at retail. However, the retail sale of alcohol comprises two categories – on premises and off premises. Representation by both industry segments is necessary to provide the Task Force with information regarding point-of-sale issues and developing and implementing new strategies to prevent drunk and impaired driving.
  - A representative of a statewide organization that represents alcohol and drug addiction counselors. Although the Director of the Division of Behavioral Health already has a seat on the Task Force, this seat represents the State’s perspective on alcohol treatment. This new representative would bring expertise from private addiction counselors, which is important when researching and implementing pre- and post-conviction requirements for DUI drivers.

Finally, the statute that creates the Task Force makes reference to the Department of Human Services’ Alcohol and Drug Abuse Division. Since passage of this statute, this division has been renamed the Division of Behavioral Health. The General Assembly should amend the statute to refer to this division by its current name.

---

---

## Science and Technology Education Center Grants Advisory Board

---

### *Creation, Mission and Make-Up*

In 2000, Section 17 of Article IX of the Colorado Constitution was amended (popularly known as Amendment 23) to, among other things, create a State Education Fund (Fund). One of the specified uses of the Fund was to provide funding for expanding technology education.

House Bill 01-1365 (HB 1365) was passed in response to Amendment 23 and created the Science and Technology Education Center Grant Program (Science Program) and the Science and Technology Education Center Grants Advisory Board (Science Board) in the Colorado Department of Education (CDE).

Science and technology education, as defined by HB 1365, means,

Educational activities that integrate and stimulate learning, particularly in the areas of math and science, through space flight simulations or through other simulations related to astronomy or space exploration.<sup>27</sup>

The Science Program was intended to provide development and operating money, in the form of matching funds, for existing and proposed nonprofit science and technology education centers that provide science and technology educational activities to students enrolled in public schools and their teachers.<sup>28</sup>

The Science Board must consist of five members:<sup>29</sup>

- One member appointed by the President of the Colorado Senate;
- One member appointed by the Speaker of the Colorado House of Representatives; and
- Three members appointed by the Governor.

The members appointed by the Governor are limited to two consecutive, two-year terms.<sup>30</sup> The members appointed by the President of the Senate and Speaker of the House are also limited to two, two-year terms, except that these terms begin on the convening date of the first regular session of the General Assembly.<sup>31</sup>

CDE is charged with receiving Science Program grant applications, forwarding them to the Science Board and assisting the Science Board in its review of the applications.<sup>32</sup>

---

<sup>27</sup> § 22-81-202(4), C.R.S.

<sup>28</sup> § 22-81-203(1), C.R.S.

<sup>29</sup> § 22-81-204(1), C.R.S.

<sup>30</sup> § 22-81-204(2)(a), C.R.S.

<sup>31</sup> § 22-81-204(2)(b), C.R.S.

<sup>32</sup> § 22-81-204(4), C.R.S.

---

### ***Responsibilities of the Science Board***

The Science Board is charged with forwarding a list of recommended grant recipients, along with the recommended amount of each grant, to the State Board of Education,<sup>33</sup> on an annual basis.<sup>34</sup>

In making these recommendations to the State Board of Education, the Science Board must consider, among other things:<sup>35</sup>

- Whether the science and technology education center is or will be located in an area of the state that is easily accessible to a large number of students;<sup>36</sup>
- The facility, equipment and technology that are or will be provided and the activities and range of programs that are or will be offered by the science and technology education center;<sup>37</sup>
- Evidence that establishment and ongoing operation of the science and technology education center has the support of the education providers and businesses within the community in which the science and technology education center is or will be located;<sup>38</sup> and
- Evidence that the proposed or operating science and technology education center has the endorsement of a national science and technology education program that has been in operation in the United States for at least five years.<sup>39</sup>

### ***Revenues and Expenditures***

Members of the Science Board serve without compensation, but they may be reimbursed for actual expenses incurred in fulfilling their duties.<sup>40</sup>

There have been no expenditures related to the Science Board.

### ***Meetings of the Science Board***

There have been no meetings of the Science Board since fiscal year 01-02.

---

<sup>33</sup> § 22-81-204(3)(a), C.R.S.

<sup>34</sup> § 22-81-203(3)(a), C.R.S.

<sup>35</sup> § 22-81-204(3)(b), C.R.S.

<sup>36</sup> § 22-81-203(3)(a)(I), C.R.S.

<sup>37</sup> § 22-81-203(3)(a)(II), C.R.S.

<sup>38</sup> § 22-81-203(2)(b)(II), C.R.S.

<sup>39</sup> § 22-81-203(2)(b)(III), C.R.S.

<sup>40</sup> § 22-81-204(2)(a), C.R.S.

---

### ***Proposals and Their Status***

In fiscal year 01-02, the Science Board recommended, and the Board of Education granted \$500,000 each to the Colorado Consortium for Earth and to the Denver Museum of Nature and Science under the Science Program. Additionally, the Colorado Consortium for Earth received a second grant of \$184,174 in fiscal year 02-03.

There have been no meetings of the Science Board since fiscal year 01-02. As a result, the Science Board has made no additional recommendations pertaining to the awarding of science and technology education center grants.

### ***Reasons for Sunsetting the Science Board***

The Science Program has not been funded since fiscal year 02-03, so it has not been able to award any science and technology education center grants. CDE views this situation as unlikely to change any time in the near future.

Additionally, if the General Assembly were to provide grant funds to the Science Program, the State Board of Education could either review grant applications itself, or appoint an *ad hoc* committee to perform this function. A statutorily created body is not necessary to perform this function.

### ***Analysis and Recommendation***

House Bill 1365 was passed after the adoption of Amendment 23 in 2000. In fiscal year 01-02, the Science Board recommended the awarding of two grants, and recommended an additional grant be made in fiscal year 02-03. However, it was not until fiscal year 08-09 that the General Assembly again appropriated funds (\$300,000) to the Science Program for the awarding of grants.

Upon receiving this appropriation, CDE staff sought to fill Science Board seats that had gone unfilled since the expiration of the terms of the original Science Board members. Then, in January 2009, before any grants were awarded, the General Assembly suspended the \$300,000 appropriation and has not funded the Science Program since.

Since the Science Program has not been funded since fiscal year 02-03, and since the Science Board has not held a meeting since fiscal year 01-02, sunsetting the Board is justified.

---

If at some point in the future, the General Assembly were to appropriate funds to the Science Program, the State Board of Education could either review grant applications itself, or appoint an *ad hoc* committee to perform this function. A statutorily created body is not necessary.

The General Assembly should sunset the Science Board.