

GAMING IMPACT TASK FORCE

REPORT

C.R.S. 12-47.1-1402

Submitted to:
Governor Romer
The General Assembly
Limited Gaming Control Commission

December 30, 1996

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048 STATE CAPITOL BUILDING
DENVER, COLORADO 80203-1784

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**HB 1240 TASK FORCE REPORT
DECEMBER 30, 1996**

BACKGROUND

In November, 1990, Colorado voters approved a constitutional amendment to allow limited-stakes gaming in the mountain communities of Cripple Creek, Black Hawk and Central City. In passing the Limited Gaming Act of 1991, the Colorado General Assembly created the Contiguous County Limited Gaming Impact fund (12-47.1-1401) to address off-site impacts in the eight counties contiguous to Teller and Gilpin Counties. Revenues to address impacts are derived from the fifty percent share of state gaming general fund share.

In 1993, legislation was passed to include counties contiguous to Indian lands on which gaming activities are also being conducted within the Contiguous County Limited Gaming fund. The legislation guaranteed that at least nine percent of the general fund share be reserved for the eight original contiguous counties from the Contiguous County Limited Gaming fund.

In 1994, two pieces of legislation were passed affecting the state general fund share of gaming revenues. The Municipal Limited Gaming Impact Fund was established (12-47.1-1501) which allocated two percent of the general fund share to the Cities of Woodland Park and Victor to deal with gaming impacts within their jurisdictions. In addition, the Colorado Department of Transportation was provided access to the general fund share through 12-47.1-701 (1) (c) and (4) requiring review by the Contiguous County Gaming Impact Advisory committee and approval by the state Joint Budget Committee.

In 1996, HB 1240 as introduced, would have to allowed Teller and Gilpin Counties access to the state general fund share of gaming revenues following review and approval by the state Joint Budget Committee. Teller County asserted that the existing level of gaming impact was not adequately addressed by the amount of state gaming funds returned to the county through the constitutional formula. Gilpin County indicated that while gaming did appear to be paying its own way at the current time, future impact costs may exceed the available revenue provided through the constitutional allocation. The bill passed the House of Representatives with no amendments in its original form. During Senate hearings, it became apparent that there was a need to review the existing use and allocation methodology of funds available to mitigate local government gaming impacts. Two of the major problems that had to be dealt with included: (1) some local governments were experiencing adverse gaming impacts beyond their ability to finance and had no access to state funding assistance programs established to deal with impacts, and (2) the statutory requirements of the Contiguous County Gaming Impact program made it difficult to target currently available state funds for the areas with the highest gaming impact needs. HB 1240 was substantially amended in the Senate and upon its passage by the General Assembly, was signed into law by Governor Romer. It authorized the establishment of a task force within the Colorado Department of Local Affairs "for the study of local government impacts related to unanticipated needs occasioned by limited gaming" and, if

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warranted, to make recommendations for change.

LEGISLATIVE AUTHORITY (12-47.1-1402)

HB 1240, signed into law by the Governor in 1996, required the establishment of a task force to: "(a) evaluate the overall effectiveness and impact of existing formulas and methods of distribution of revenues derived from limited gaming activity, including the effect of such formulas and methods on the fiscal structure and policies of the governmental entities receiving distributions, (b) develop one or more legislative proposals to address any recommended changes to such formulas and methods and otherwise to address the burden of accommodating limited gaming; and (c) report to the (Colorado Limited Gaming) Commission, the Governor and General Assembly, on or before December 30, 1996, in accordance with Section 24-1-136, C.R.S."

HB 1240 TASK FORCE

In order to implement the responsibilities outlined in the bill, a task force was created within the Department of Local Affairs. Per legislative authority, the Executive Director of the Department of Local Affairs appointed members to the task force to address the study, evaluation and recommendation responsibilities. Legislative members of the task force were appointed by the President of the Senate and the Speaker of the House. The task force met initially on August 16, 1996. Several interim meetings were held between the initial meeting and the task force's final meeting on November 25, 1996. The roster of task force members is included on the final page of this report.

STUDY, EVALUATION AND REVIEW PROCESS

During the initial organizational meeting, the task force elected Mike Bestor, City Manager of Golden, as chair. At subsequent meetings, the task force became informed about the limited gaming fund distribution process (both constitutional and statutory), the various state agencies that receive limited gaming funding support, the local government assistance programs operated with state gaming funds and the specific roles and responsibilities of the Colorado Limited Gaming Commission and the state Division of Gaming. Public comment was solicited at each task force meeting.

The task force was also made aware of the effects that gaming impacts have on local government services, facilities and tax receipts. The current methods for quantitatively measuring impacts in Teller County and through the Contiguous County Gaming Impact program were also presented and discussed.

At the October 18 task force meeting, members were asked to present preliminary proposals for amending the existing distribution process. Both statutory as well as constitutional allocations were reviewed and analyzed. Five proposals were presented at the meeting.

Following the presentation of each proposal, questions for clarification were entertained. After all presentations were concluded, a general discussion period for an exchange of ideas and debate was held. On November 25, the task force met to finalize its recommendations.

In its review of the existing constitutional formula distributions, the task force decided not to recommend specific revisions. On December 20, this report and accompanying legislative recommendations were formally adopted. The following legislative recommendations are offered for consideration by the General Assembly, Governor and Colorado Limited Gaming Commission.

LEGISLATIVE RECOMMENDATION

The Task Force recommends that the General Assembly enact legislation that would:

1. Repeal the existing Contiguous County Limited Gaming Impact Fund which includes the eight contiguous counties and tribal gaming contiguous counties (12-47.1-1401) and the Municipal Limited Gaming Impact Fund (12-47.1-1501) and consolidate the two programs into one program by creating the "Local Government Limited Gaming Impact Fund" (the Fund) grant program. Provide Fund access to Teller and Gilpin Counties. **NOTE: The Municipal Fund would remain in its present form until July 1, 2001 when it will then be merged into the Fund. Until that date, Woodland Park and Victor will not have access to the new Fund.**

Gilpin and Teller Counties should be allowed access to the Fund to address unmet documented gaming impact needs as is provided for the contiguous counties and the Cities of Woodland Park and Victor. The Municipal Fund should remain intact for five (5) years to allow the Cities of Woodland Park and Victor to fulfill any long term financial commitments before consolidation occurs. Task force members felt compelled to allow this temporary exclusion since the City of Woodland Park has entered into a long term highway funding match requirement for a project that will be supported by the city's share of state gaming revenues.

2. Distribute the Fund on a non-formula basis only. Distribution based on casino employee residency shall be discontinued.

The task force concluded that casino employee residency was not an adequate indicator of negative gaming impact. The distribution of gaming revenues to local governments should be based on documented gaming impact needs and not on a formula based upon casino employee residency.

3. Authorize the Executive Director of the Department of Local Affairs to distribute the Fund after considering the advice from a proposed Local Government Gaming Impact Advisory Committee. Establish a committee consisting of eleven (11) members including: the Executive Director of the Department of Local Affairs or his designee; one member serving for a one year term appointed by the Executive Director of the Department of Public Safety and the Executive Director of the Department of Revenue in alternating years; one member appointed by the Speaker of the House of Representatives; one member appointed by the President of the Senate; two members appointed by the Governor; two members representing the counties of Boulder, Clear Creek, Grand, Jefferson, El Paso,

Fremont, Park, Douglas, Gilpin, Teller, La Plata, Montezuma and Archuleta; two members representing municipalities within the aforementioned counties; and one member representing emergency service special districts.

The task force determined that there was a need to provide improved representation and balance between all affected interests and non-revenue sharing interests in performing specific committee duties and responsibilities. Subsequent to the November 25 task force meeting, the concept of designating the Executive Director of the Department of Local Affairs as the appointing authority for local government committee members was introduced by staff. The issue was brought to the task force's attention in order to make members aware of anticipated logistical obstacles inherent with requiring the affected 13 counties and all municipalities and emergency service special districts within these counties appoint their members as stated above. (i.e. Consensus would have to be reached among 13 counties, 31 municipalities and over 100 special districts. In addition, this option would not have necessarily accounted for geographical and gender representation on the committee). In his capacity of appointing local government committee members, the Executive Director of Local Affairs would solicit recommendations from respective local government representative agencies (i.e. Colorado Counties, Inc., Colorado Municipal League and the Special District Association) before making appointments to the committee. A telephone survey of task force members indicated that while there was some task force opposition to the concept of a designated authority, a majority of members supported this approach.

4. Make the Fund available to: (a) the thirteen (13) counties specified in Number 3 above; (b) all impacted municipalities within these counties, except Woodland Park and Victor (until July 1, 2001) and except the Cities of Cripple Creek, Black Hawk and Central City; and (c) all impacted special districts within these counties that provide emergency response services.

The task force felt that by identifying the eligible geographic area, the targeting of gaming impact needs and assistance will be enhanced. The gaming "host" cities possess the tax revenue base and local fund raising options, including the ability to levy gaming device fees, necessary to deal with any unmet gaming-related needs. Woodland Park and Victor are excluded from the Fund until 2001, but become eligible when the Municipal Fund is repealed and its revenues begin accruing to the Fund.

5. Establish the Fund initially at a minimum of 11% of the state general fund share amount of gaming revenues. This amount is equivalent to the current level of funding allocated to the Contiguous County Limited Gaming Impact Fund which consists of 9% for the eight contiguous counties and roughly 2% for the tribal gaming counties. (Tribal gaming counties have averaged this 2% allocation during state fiscal years 1995 and 1996). Effective July 1, 2001, the Fund shall equal a minimum of 13% of the state general fund

share of gaming revenues by the transferring of the 2% allocation currently provided to the Municipal Fund to the new Fund. If the committee determines that the documented gaming impact needs exceed the following: (a) the amount of state gaming funds provided by the state constitution to affected counties; (b) the amount of locally derived revenue from gaming; and (c) the amount of state revenue generated at the 11% minimum level (through June 30, 2001) and the 13% minimum level (beginning July 1, 2001), the committee (specified in Number 3 above) shall request the Limited Gaming Commission and the General Assembly approve funding for the full documented cost of gaming impacts on affected local governments from the state general fund share of gaming revenues.

Members of the task force determined that a minimum amount of funding should be made available to address documented impact needs and that additional funding above the minimum should also be available, if warranted, through Limited Gaming Commission review and legislative appropriation.

6. Authorize the Local Government Gaming Impact Advisory Committee to establish a standardized local government gaming impact reporting methodology. This includes criteria for the assessment and measurement of gaming impacts. Department of Local Affairs staff will provide training and technical assistance to facilitate the implementation of the process.

The task force urged the establishment of a simple and effective gaming impact measurement process to accurately and uniformly assess local government impacts in the affected geographical area.

7. Authorize the Department of Local Affairs to manage the Fund. Administrative funding support shall be authorized by the Limited Gaming Commission and the General Assembly.

Based on the Department of Local Affairs experience with the management of the Contiguous County Gaming Impact Program as well as logistical support which is provided through its field offices, the task force recommends the Department continue to administer the Fund.

8. Distribute the Fund directly to eligible counties, municipalities and emergency services districts of the state.

The task force recommends that eligible, municipalities and emergency services special districts be permitted to apply for and receive grant awards directly from the Fund. The process currently in effect for the Contiguous County Gaming Impact program requires that state funds awarded to municipalities or special districts flow through county governments.

9. Remove the requirement under 12-47.1-701 (I) (c) and (4) for CDOT to present its request for gaming funds to the Contiguous County Gaming Impact Advisory Committee and its recommended successor, the Local Government Gaming Impact Committee.

The Contiguous County Gaming Impact Advisory Committee will be reconstituted in accordance with Number 3 above. The Contiguous County Committee and its recommended successor committee has not and will not have the technical staff nor ability to meaningfully review the annual gaming transportation need request. CDOT should follow the process in place for other state agencies requesting gaming funds through the Limited Gaming Commission and the General Assembly.

Please contact either the task force's staff, Jack Kirtland, Department of Local Affairs at (303) 866-3688 or the chairman of the task force, Mike Bestor, at (303) 384-8011 for any questions or comments. Records of task force data and minutes of proceedings are available for reference upon request.

HB 1240 TASK FORCE APPOINTMENTS
JULY 10, 1996

Senator MaryAnne Tebedo
1916 Snyder Avenue
Colorado Springs, Colorado 80909

Commissioner Carol Vayhinger
Teller County Board of Commissioners
P.O. Box 959
Cripple Creek, Colorado 80813

Representative Larry Schwarz
686 Custer County Road 297
Wetmore, Colorado 81253

Commissioner Ralph Knoll
Gilpin County Board of Commissioners
P.O. Box 429
Central City, Colorado 80427

Patrick Ahlstrom, Executive Director
Colorado Dept. of Public Safety
700 Kipling Street, Suite 3000
Lakewood, Colorado 80215

Commissioner Nelson Fugate
Clear Creek County Board of Commissioners
P.O. Box 2000
Georgetown, Colorado 80444

Jennifer Finch, Director
Division of Transportation Development
Colorado Dept. of Transportation
4201 E. Arkansas
Denver, Colorado 80222

Commissioner John Stone
Jefferson County Board of Commissioners
100 Jefferson County Parkway
Golden, Colorado 80419

Amelie Buchanan, Deputy Director
Department of Revenue
1375 Sherman Street, Room 404
Denver, Colorado 80203

Commissioner Ed Jones
El Paso County Board of Commissioners
27 E. Vermijo Avenue
Colorado Springs, Colorado 80903

Don Burmania
Public Communications Specialist
Division of Gaming
1881 Pierce Street, Suite 112
Lakewood, Colorado 80214

Commissioner Myron Smith
Fremont County Board of Commissioners
615 Macon Avenue
Canon City, Colorado 81212

Hal Knott, Director
Division of Local Government
1313 Sherman Street, Room 521
Denver, Colorado 80203

Commissioner Shirley Baty
La Plata County Board of Commissioners
1060 E. Second Street
Durango, Colorado 81301

Bill Woodward, Director
Division of Criminal Justice
700 Kipling Street
Lakewood, Colorado 80215

Don Howell, Manager
City of Woodland Park
P.O. Box 9007
Woodland Park, Colorado 80866

Danelle Young, Manager
Office of Field Services
Department of Human Services
1575 Sherman Street, 8th Floor
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Mike Bestor, Manager
City of Golden
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Golden, Colorado 80401

Jerry Smith, Deputy Director
Department of Local Affairs
1313 Sherman Street, Room 323
Denver, Colorado 80203

Arthur Ellis
Assistant Commissioner of Educational Services
Colorado Department of Education
201 East Colfax Avenue
Denver, Colorado 80203

Jim Jacobs
Colorado Public Expenditure Council
1410 Grant Street, Suite A301
Denver, Colorado 80203

LaCharles Keese
Office of the Governor
200 East Colfax, Room 136
Denver, Colorado 80203

DRAFT
12/23/96

LLS NO. 97-0311.01 GWF

SENATE BILL 97-

BY SENATOR Tebedo;
also REPRESENTATIVE Schwarz.**A BILL FOR AN ACT**

101 CONCERNING DISTRIBUTION OF A PORTION OF THE STATE SHARE OF
102 GAMING REVENUES TO A LOCAL GOVERNMENT LIMITED GAMING
103 IMPACT FUND FOR MITIGATION OF THE IMPACTS OF LIMITED
104 GAMING ON DESIGNATED LOCAL GOVERNMENTAL ENTITIES.

Bill Summary**"Local Govt Limited Gaming Impacts"**

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Establishes the local government limited gaming impact fund. Provides that a percentage of the share of limited gaming revenues to be transferred to the general fund pursuant to the state constitution shall be transferred to the local government limited gaming impact fund. Requires the percentage of revenues to be transferred to be determined by the Colorado limited gaming control commission after consulting with the local government limited gaming impact advisory committee created by this act. Provides a minimum percentage that must be transferred annually to the fund and increases the percentage, effective July 1, 2001.

Establishes the local government limited gaming impact advisory committee. Designates the membership of the committee. Requires the committee to establish standards for documenting, measuring, assessing, and reporting the impact of limited gaming upon eligible local governmental entities. Requires the committee to review the impacts of limited gaming upon eligible local governmental entities on a continuing basis and make funding recommendations for designated projects submitted by eligible local governmental entities.

In the event that documented costs associated with gaming impacts exceed the amount of gaming revenues derived by eligible local

governments, requires the committee to request the transfer of additional moneys to the fund from the share of gaming revenues to be transferred to the general fund.

Specifies that moneys from the fund shall be distributed at the discretion of the executive director of the department of local affairs after ~~considering the recommendations of the local government limited gaming impact advisory committee.~~ Requires moneys from the fund to be distributed only to eligible local governmental entities. Provides that moneys from the fund may be distributed only upon application for grants by eligible governmental entities to finance the planning, construction, and maintenance of public facilities and the provision of public services related to the impact of limited gaming.

Repeals portions of the statutes creating the contiguous county limited gaming impact fund and the gaming impact advisory committee. Repeals the municipal limited gaming impact fund, effective July 1, 2001. Eliminates the requirement that the gaming impact advisory committee make an annual recommendation to the joint budget committee for an amount of gaming revenues to be transferred to the state highway fund.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** Article 47.1 of title 12, Colorado Revised Statutes,
3 1991 Repl. Vol., as amended, is amended BY THE ADDITION OF A
4 NEW PART to read:

5 **PART 16**

6 **LOCAL GOVERNMENT LIMITED GAMING IMPACT FUND**

7 **12-47.1-1601. Local government limited gaming impact fund.**

8 (1) (a) THERE IS HEREBY CREATED IN THE OFFICE OF THE STATE
9 TREASURER THE LOCAL GOVERNMENT LIMITED GAMING IMPACT FUND,
10 REFERRED TO IN THIS PART 16 AS THE "FUND", FOR THE PURPOSE OF
11 COMPENSATING DESIGNATED LOCAL GOVERNMENTS FOR VARIOUS
12 EXPENSES INCURRED IN RESPONSE TO THE LIMITED GAMING PERMITTED IN
13 THE COUNTIES OF GILPIN AND TELLER AND ON INDIAN LANDS.

14 (b) ANY MONEYS REMAINING IN THE CONTIGUOUS COUNTY

1 LIMITED GAMING IMPACT FUND CREATED BY SECTION 12-47.1-1401 (1) ON
2 JUNE 30, 1997, SHALL BE TRANSFERRED TO THE LOCAL GOVERNMENT
3 LIMITED GAMING IMPACT FUND CREATED BY PARAGRAPH (a) OF THIS
4 SUBSECTION (1).

5 (c) ANY MONEYS REMAINING IN THE MUNICIPAL LIMITED GAMING
6 IMPACT FUND CREATED BY SECTION 12-47.1-1501 (1) ON JUNE 30, 2001,
7 SHALL BE TRANSFERRED TO THE LOCAL GOVERNMENT LIMITED GAMING
8 IMPACT FUND CREATED BY PARAGRAPH (a) OF THIS SUBSECTION (1).

9 (2) OUT OF THE FIFTY PERCENT SHARE TO BE TRANSFERRED TO THE
10 GENERAL FUND PURSUANT TO SECTION 9 (5) (b) (II) OF ARTICLE XVIII OF
11 THE STATE CONSTITUTION, A PERCENTAGE THEREOF, WHICH SHALL BE
12 DETERMINED BY THE COMMISSION IN CONSULTATION WITH THE LOCAL
13 GOVERNMENT LIMITED GAMING IMPACT ADVISORY COMMITTEE CREATED
14 IN SECTION 12-47.1-1602, SHALL BE TRANSFERRED ANNUALLY TO THE
15 FUND.

16 (3) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION (3), IN
17 NO EVENT SHALL LESS THAN AN AGGREGATE TOTAL OF ELEVEN PERCENT
18 OF THE FIFTY PERCENT SHARE OF THE LIMITED GAMING FUND TO BE
19 TRANSFERRED TO THE GENERAL FUND PURSUANT TO SECTION 9 (5) (b) (II)
20 OF ARTICLE XVIII OF THE STATE CONSTITUTION BE TRANSFERRED
21 ANNUALLY TO THE FUND. COMMENCING JULY 1, 2001, IN NO EVENT SHALL
22 LESS THAN AN AGGREGATE TOTAL OF THIRTEEN PERCENT OF THE FIFTY
23 PERCENT SHARE OF THE LIMITED GAMING FUND TO BE TRANSFERRED
24 ANNUALLY TO THE GENERAL FUND PURSUANT TO SECTION 9 (5) (b) (II) OF
25 ARTICLE XVIII OF THE STATE CONSTITUTION BE TRANSFERRED TO THE
26 FUND. THE LOCAL GOVERNMENT LIMITED GAMING IMPACT ADVISORY

1 COMMITTEE SHALL REQUEST THAT THE COMMISSION AND THE GENERAL
2 ASSEMBLY APPROVE FUNDING FOR THE FULL DOCUMENTED COST OF
3 GAMING IMPACTS UPON LOCAL GOVERNMENTS ELIGIBLE FOR FUNDING
4 ~~PURSUANT TO SUBSECTION (4) OF THIS SECTION FROM THE GENERAL FUND~~
5 SHARE OF GAMING REVENUES IF THE COMMITTEE DETERMINES THAT THE
6 DOCUMENTED COSTS OF GAMING IMPACTS UPON ELIGIBLE LOCAL
7 GOVERNMENTS EXCEED:

8 (a) THE AMOUNT OF STATE GAMING FUNDS PROVIDED BY THE
9 STATE CONSTITUTION TO AFFECTED COUNTIES;

10 (b) THE AMOUNT OF LOCALLY DERIVED REVENUES FROM GAMING;
11 AND

12 (c) THE AMOUNT OF REVENUE DISTRIBUTED PURSUANT TO THIS
13 SECTION.

14 (4) (a) AFTER CONSIDERING THE RECOMMENDATIONS OF THE
15 LOCAL GOVERNMENT LIMITED GAMING IMPACT ADVISORY COMMITTEE
16 CREATED IN SECTION 12-47.1-1602, THE MONEYS FROM THE LOCAL
17 GOVERNMENT LIMITED GAMING IMPACT FUND SHALL BE DISTRIBUTED AT
18 THE DISCRETION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
19 LOCAL AFFAIRS TO ELIGIBLE LOCAL GOVERNMENTAL ENTITIES UPON THEIR
20 APPLICATION FOR GRANTS TO FINANCE PLANNING, CONSTRUCTION, AND
21 MAINTENANCE OF PUBLIC FACILITIES AND THE PROVISION OF PUBLIC
22 SERVICES RELATED TO THE IMPACT OF GAMING.

23 (b) FOR THE PURPOSES OF THIS PART 16, THE TERM "ELIGIBLE
24 LOCAL GOVERNMENTAL ENTITY" MEANS THE FOLLOWING LOCAL
25 GOVERNMENTAL ENTITIES:

26 (1) THE COUNTIES OF BOULDER, CLEAR CREEK, GRAND,

1 JEFFERSON, EL PASO, FREMONT, PARK, DOUGLAS, GILPIN, TELLER, LA
2 PLATA, MONTEZUMA, AND ARCHULETA;

3 (II) ANY MUNICIPALITY LOCATED WITHIN THE BOUNDARIES OF ANY
4 ~~COUNTY SET FORTH IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b)~~, EXCEPT
5 THE CITY OF CENTRAL, THE CITY OF BLACK HAWK, AND THE CITY OF
6 CRIPPLE CREEK; AND

7 (III) ANY SPECIAL DISTRICT PROVIDING EMERGENCY SERVICES
8 WITHIN THE BOUNDARIES OF ANY COUNTY SET FORTH IN SUBPARAGRAPH
9 (I) OF THIS PARAGRAPH (b).

10 (5) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (II) OF
11 THIS PARAGRAPH (b), NEITHER THE CITY OF WOODLAND PARK NOR TO THE
12 CITY OF VICTOR SHALL BE ELIGIBLE LOCAL GOVERNMENTAL ENTITIES
13 PRIOR TO JULY 1, 2001.

14 **12-47.1-1602. Local government limited gaming impact**
15 **advisory committee - creation - duties.** (1) THERE IS HEREBY CREATED
16 WITHIN THE DEPARTMENT OF LOCAL AFFAIRS A LOCAL GOVERNMENT
17 LIMITED GAMING IMPACT ADVISORY COMMITTEE, REFERRED TO IN THIS
18 SECTION AS THE "COMMITTEE". THE COMMITTEE SHALL BE COMPOSED OF
19 THE FOLLOWING ELEVEN MEMBERS:

20 (a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
21 AFFAIRS;

22 (b) ONE MEMBER TO BE INITIALLY APPOINTED BY THE EXECUTIVE
23 DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY AND THEN
24 SUBSEQUENTLY APPOINTED BY THE EXECUTIVE DIRECTOR OF THE
25 DEPARTMENT OF REVENUE AND THE EXECUTIVE DIRECTOR OF THE
26 DEPARTMENT OF PUBLIC SAFETY ON AN ALTERNATING BASIS. THE

1 MEMBER APPOINTED PURSUANT TO THIS PARAGRAPH (b) SHALL SERVE A
2 ONE-YEAR TERM AND SHALL SERVE AT THE PLEASURE OF THE EXECUTIVE
3 DIRECTOR WHO APPOINTED THE MEMBER;

4 ~~(c) TWO MEMBERS REPRESENTING THE COUNTIES ELIGIBLE TO~~
5 ~~RECEIVE MONEYS FROM THE FUND PURSUANT TO SECTION 12-47.1-1601 (4)~~
6 ~~TO BE APPOINTED BY THE BOARDS OF COUNTY COMMISSIONERS OF THE~~
7 ~~COUNTIES AND WHO SHALL SERVE AT THE PLEASURE OF THE BOARDS;~~

8 (d) TWO MEMBERS REPRESENTING THE MUNICIPALITIES ELIGIBLE
9 TO RECEIVE MONEYS FROM THE FUND PURSUANT TO SECTION 12-47.1-1601
10 (4) TO BE APPOINTED BY THE MAYORS OF THE MUNICIPALITIES AND WHO
11 SHALL SERVE AT THE PLEASURE OF THE MAYORS;

12 (e) ONE MEMBER REPRESENTING THE SPECIAL DISTRICTS
13 PROVIDING EMERGENCY SERVICES THAT ARE ELIGIBLE TO RECEIVE
14 MONEYS FROM THE FUND PURSUANT TO SECTION 12-47.1-1601 (4) TO BE
15 APPOINTED BY THE CHAIRPERSONS OF THE BOARDS OF DIRECTORS OF THE
16 DISTRICTS AND WHO SHALL SERVE AT THE PLEASURE OF THE
17 CHAIRPERSONS;

18 (f) ONE MEMBER OF THE COLORADO HOUSE OF REPRESENTATIVES
19 TO BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
20 AND WHO SHALL SERVE AT THE PLEASURE OF THE SPEAKER;

21 (g) ONE MEMBER OF THE COLORADO SENATE TO BE APPOINTED BY
22 THE PRESIDENT OF THE SENATE AND WHO SHALL SERVE AT THE PLEASURE
23 OF THE PRESIDENT; AND

24 (h) TWO MEMBERS REPRESENTING THE GOVERNOR, TO BE
25 APPOINTED BY THE GOVERNOR AND WHO SHALL SERVE AT THE PLEASURE
26 OF THE GOVERNOR.

1 (2) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
2 AFFAIRS SHALL CONVENE THE FIRST MEETING OF THE COMMITTEE. THE
3 COMMITTEE SHALL SELECT A CHAIRPERSON OF THE COMMITTEE WHO
4 ~~SHALL CONVENE THE COMMITTEE FROM TIME TO TIME AS THE EXECUTIVE~~
5 CHAIRPERSON DEEMS NECESSARY.

6 (3) THE COMMITTEE SHALL HAVE THE FOLLOWING DUTIES:

7 (a) TO ESTABLISH A STANDARDIZED METHODOLOGY AND CRITERIA
8 FOR DOCUMENTING, MEASURING, ASSESSING, AND REPORTING THE IMPACT
9 OF LIMITED GAMING UPON ELIGIBLE LOCAL GOVERNMENTAL ENTITIES;

10 (b) TO REVIEW THE DOCUMENTED IMPACTS OF THE GAMING
11 INDUSTRY UPON ELIGIBLE LOCAL GOVERNMENTAL ENTITIES ON A
12 CONTINUING BASIS;

13 (c) TO PRIORITIZE APPLICATIONS FROM ELIGIBLE LOCAL
14 GOVERNMENTAL ENTITIES BASED UPON THE NEEDS OF THE ENTITIES AND
15 DOCUMENTED IMPACTS OF LIMITED GAMING ON THE ENTITIES;

16 (d) TO MAKE FUNDING RECOMMENDATIONS ON A CONTINUING
17 BASIS TO BE CONSIDERED BY THE EXECUTIVE DIRECTOR IN MAKING
18 FUNDING DECISIONS FOR APPLICATIONS SUBMITTED BY ELIGIBLE LOCAL
19 GOVERNMENTAL ENTITIES PURSUANT TO SECTION 12-47.1-1601 (4) (a).

20 **SECTION 2.** Part 15 of article 47.1 of title 12, Colorado Revised
21 Statutes, 1991 Repl. Vol., as amended, is amended BY THE ADDITION
22 OF A NEW SECTION to read:

23 12-47.1-1502. **Repeal of part.** THIS PART 15 IS REPEALED,
24 EFFECTIVE JULY 1, 2001.

25 **SECTION 3.** 12-47.1-701 (1) (c) (I) and (4) (b), Colorado
26 Revised Statutes, 1991 Repl. Vol., as amended, are amended to read:

1 **12-47.1-701. Limited gaming fund - ~~repeal~~.** (1) There is hereby
2 created in the office of the state treasurer the limited gaming fund. The
3 fund shall be maintained and operated as follows:

4 (c) ~~At the end of each state fiscal year, the state treasurer shall~~
5 distribute the balance remaining in the limited gaming fund, except for an
6 amount equal to all expenses of the administration of this article for the
7 preceding two-month period, according to the following guidelines:

8 (I) Fifty percent shall be transferred to the state general fund or
9 such other fund as the general assembly shall provide, including the state
10 highway fund. ~~For the 1995-96 fiscal year and each fiscal year thereafter,~~
11 ~~the gaming impact advisory committee created in section 12-47.1-1401~~
12 ~~(7) shall recommend to the joint budget committee of the general~~
13 ~~assembly an amount to be transferred to the state highway fund to be used~~
14 ~~solely for proposed or anticipated transportation needs that are~~
15 ~~attributable to limited gaming and to reimburse the department of~~
16 ~~transportation for any emergency repairs and modifications performed~~
17 ~~during the previous fiscal year that are attributable to limited gaming.~~
18 The general assembly shall determine and appropriate an amount as a
19 separate line item to be transferred to the state highway fund.

20 (4) (b) (I) Of the fifty percent transferred to the general fund
21 pursuant to section 9 (5) (b) (II) of article XVIII of the state constitution,
22 two percent shall be transferred to the municipal limited gaming impact
23 fund created in section 12-47.1-1501 and the amount transferred to the
24 general fund pursuant to this subsection (4) shall be further reduced to
25 forty-eight and eight-tenths percent.

26 (II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2001.

1 **SECTION 4. Repeal.** Part 14 of article 47.1 of title 12, Colorado
2 Revised Statutes, 1991 Repl. Vol., as amended, is repealed.

3 **SECTION 5. Effective date.** This act shall take effect July 1,
4 1997.

5 **SECTION 6. Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, and safety.