



COLORADO

Executive Director's Office

Department of Personnel
& Administration

1525 Sherman St.
Denver, CO 80203

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

DEPARTMENT OF PERSONNEL & ADMINISTRATION Office of the Executive Director STATE ARCHIVES ADMINISTRATIVE RULE (Effective July 1, 2015)

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 May 7, 2015, at 1525 Sherman Street, Room 516, Fifth Floor, Denver, Colorado 80203 at 2:30 p.m. The basis for repeal of these rules is to comply with SB 15-190. The rulemaking hearing was held by a Hearing Officer in order to repeal the State Archives Administrative Rate rule. The Interim Executive Director is exercising her authority as granted under section 24-30-102, C.R.S., section 24-80-102(10), C.R.S., and SB 15-190.

The Notice of Rulemaking was issued March 30, 2015, for publication by the Secretary of State in the April 10, 2015 edition of the Colorado Register. 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 March 30, 2015. The proposed rules and the proposed statement of basis and purpose also have been available for review at the Colorado State Archives website since March 30, 2015. The Hearing Officer took testimony at the public hearing on May 7, 2015. The Interim Executive Director completed deliberations on the proposed repeal of rules on May 8, 2015. The rules were accepted through formal public hearing and approved by the Attorney General.



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

Passage of SB 15-190 eliminated the need for the Department of Personnel & Administration to establish State Archives rates in rule, and instead allows for the establishment of rates via policy.

The Executive Director repealed the rules contained within 1 CCR-109-2.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 SB 15-190.

The permanent rule repeal shall become effective July 1, 2015.

Dated this 30th day of March, 2015



Kara Veitch
Interim Executive Director
Department of Personnel & Administration

