



## University of Colorado 2013 Legislative Wrap-Up

### CU Initiated Legislation

<b>Bill:</b> <a href="#">HB13-1310</a>	
<b>Title:</b>	Pharmacy Intern Definition Repeal
<b>Senate Sponsors</b>	<a href="#">M. Hodge</a> (D)
<b>House Sponsors</b>	<a href="#">J. May</a> (D)
<b>Summary:</b>	Under the Pharmacy Practice Act, a pharmacy intern is permitted to practice a limited scope of pharmacy under the supervision of a licensed pharmacist while progressing toward licensure. This bill deletes the portion of the definition that includes a person licensed as a pharmacist in Colorado or another state, in good standing, and who is making the clinical rotations of the nontraditional pharmacy program at the University of Colorado, or other Pharmacy Board-approved program.
<b>Approved by Governor:</b>	May 28, 2013
<b>Effective Date:</b>	May 28, 2013

<b>Bill:</b> <a href="#">HB13-1320</a>	
<b>Title:</b>	Support For Meritorious Colorado Students
<b>Senate Sponsors</b>	<a href="#">R. Heath</a> (D)
<b>House Sponsors</b>	<a href="#">D. Hullinghorst</a> (D) <a href="#">M. Waller</a> (R)
<b>Summary:</b>	Under current law, 55 percent of incoming freshmen enrolling at state institutions of higher education, and not less than two-thirds of total student enrollment, must be resident students. Beginning with the 2013 academic year, this bill allows a qualifying institution of higher education to count students identified as a "Colorado scholar" as 2 resident students for purposes of calculating the required percentages and fractions of resident to nonresident students. An institution is qualified if it creates a Colorado scholar program to award institutional financial aid or scholarships to resident undergraduates based on competitive, merit-based criteria.

<b>Approved by Governor:</b>	June 5, 2013
<b>Effective Date:</b>	June 5, 2013

## **Major Legislation Impacting CU**

<b>Bill:</b> <a href="#"><u>HB13-1001</u></a>	
<b>Title:</b>	Advanced Industries Acceleration Act
<b>Senate Sponsors</b>	<a href="#"><u>P. Steadman</u></a> (D) <a href="#"><u>R. Heath</u></a> (D)
<b>House Sponsors</b>	<a href="#"><u>D. Young</u></a> (D) <a href="#"><u>C. Gerou</u></a> (R)
<b>Summary:</b>	The bill creates a grant program within the state's Office of Economic Development and International Trade to provide an incentive to bolster collaboration between industry, research institutions, federal laboratories and private sector funders. Grants will be available for projects seeking support for proof of concept research and development, early stage capital and retention and infrastructure.
<b>Approved by Governor:</b>	May 15, 2013
<b>Effective Date:</b>	August 7, 2013

<b>Bill:</b> <a href="#"><u>HB13-1044</u></a>	
<b>Title:</b>	Authorize Graywater Use
<b>Senate Sponsors</b>	<a href="#"><u>G. Schwartz</u></a> (D)
<b>House Sponsors</b>	<a href="#"><u>R. Fischer</u></a> (D)
<b>Summary:</b>	This bill authorizes the Water Quality Control Commission (WQCC) under the Colorado Department of Public Health and Environment (CDPHE) to promulgate a regulation with standards for the use of graywater. Graywater is defined by the bill as wastewater collected within a building from sources other than toilets and urinals, kitchen sinks, dishwashers, and nonlaundry utility sinks. Following WQCC promulgation of a rule governing graywater use, counties and municipalities may adopt local legislation to allow graywater use. Where local graywater use is allowed, the governing body of the county or municipality must consult with the local board of health, local public health agencies, and any water and sanitation service providers serving the county, and must also provide for local enforcement of the WQCC regulation.
<b>Approved by Governor:</b>	May 15, 2013
<b>Effective Date:</b>	May 15, 2013

<b>Bill:</b> <a href="#">HB13-1147</a>	
<b>Title:</b>	Voter Registration At Public Higher Ed Institution
<b>Senate Sponsors</b>	<a href="#">L. Newell</a> (D)
<b>House Sponsors</b>	<a href="#">J. Melton</a> (D)
<b>Summary:</b>	The bill requires institutions of higher education to provide students who are electronically registering for classes with a link to the online voter registration website operated by the Secretary of State. Institutions of higher education that do not use electronic course registration are required to provide information on voter registration to students, including prominently posting information about voter registration in the registrar's office.
<b>Approved by Governor:</b>	April 18, 2013
<b>Effective Date:</b>	August 7, 2013

<b>Bill:</b> <a href="#">HB13-1194</a>	
<b>Title:</b>	In-state Tuition For Military Dependents
<b>Senate Sponsors</b>	<a href="#">V. Marble</a> (R)
<b>House Sponsors</b>	<a href="#">J. Everett</a> (R)
<b>Summary:</b>	Under current law, a member of the armed forces is eligible to obtain in-state tuition notwithstanding his or her length of residency upon moving to Colorado on a permanent change-of-station basis or temporary assignment to duty in Colorado. As amended by the House Education Committee, this bill grants that same eligibility to any dependent of a member of the armed forces with certain limitations. To qualify as a dependent, a spouse must have been the member's spouse both at the time the member was stationed in Colorado and when the spouse is requesting in-state tuition. For a child of a member to qualify, he or she must be under 22 years of age and enroll in a public institution of higher education within 10 years after the member was stationed in Colorado. This bill also eliminates the requirement under current law that the student be a graduate of a high school in Colorado
<b>Approved by Governor:</b>	May 28, 2013
<b>Effective Date:</b>	May 28, 2013

<b>Bill:</b> <a href="#">HB13-1222</a>	
<b>Title:</b>	Family Care Act Family Medical Leave Eligibility
<b>Senate Sponsors</b>	<a href="#">J. Ulibarri</a> (D)
<b>House Sponsors</b>	<a href="#">C. Peniston</a> (D)
<b>Summary:</b>	Under the federal "Family and Medical Leave Act" (FMLA), an employee is entitled to 12 workweeks of leave during a 12-month period to care for a spouse, child, or parent of the employee who has a serious health condition.

Current Colorado law is silent with regard to required family and medical leave, so Colorado employees are entitled to leave as specified in the FMLA. The act expands the group of family members for whom employees in Colorado may take FMLA leave when the family member has a serious health condition to include a person who is the employee's partner in a civil union or is the employee's domestic partner and either: Has registered the domestic partnership with the municipality in which the person resides or with the state, if applicable; or Is recognized by the employer as the employee's domestic partner. An employer may require the employee requesting leave to provide reasonable documentation or a written statement of family relationship, in accordance with the FMLA, and to submit the same certification of the family member's serious health condition as the employer may require under the FMLA. FMLA leave taken by an employee pursuant to this section runs concurrently with leave taken under the FMLA and does not increase the total amount of leave to which an employee is entitled during a 12-month period under the FMLA, this act, or both. An employee who is denied leave to care for a partner in a civil union or domestic partner may recover damages or equitable relief, as is currently the case for persons denied leave to care for a family member for whom leave is permitted under the FMLA. If the FMLA is expanded to allow leave for an employee's partner in a civil union or domestic partner, the act is repealed.

**Approved by Governor:** May 3, 2013

**Effective Date:** August 7, 2013

**Bill:** [HB13-1292](#)

**Title:** Keep Jobs In Colorado Act

**Senate Sponsors** [A. Kerr](#) (D)  
[J. Nicholson](#) (D)

**House Sponsors** [D. Pabon](#) (D)  
[S. Lee](#) (D)

**Summary:** The bill makes changes to contracting requirements for state and local government agencies, including changes to the enforcement of the 80 percent labor law, the preference for resident bidders, the addition of competitive sealed best value bidding, and the modification of disclosure requirements related to outsourcing services, labor, and manufactured goods. It also requires the Public Utilities Commission to consider best value employment metrics in connection with the construction or expansion of generating facilities.

**Approved by Governor:** May 24, 2013

**Effective Date:** May 24, 2013

**Bill:** [SB13-023](#)

**Title:** Increase Damages Caps Under CGIA

**Senate Sponsors** [B. Cadman](#) (R)  
[J. Morse](#) (D)

**House Sponsors** [C. Levy](#) (D)

	<a href="#">B. Gardner</a> (R)
<b>Summary:</b>	The bill increases the damages limitation cap under the Colorado Governmental Immunity Act (CGIA) to \$350,000 for the claim on an individual party and a total recovery of \$990,000 for any single occurrence. Current law caps damage recoveries at \$150,000 for the claim on any individual party and a total recovery of \$600,000 for any single occurrence. The proposed caps represent an inflation adjustment from the last times that the amounts were adjusted in 1979 and 1992. Beginning January 1, 2018, and every four years thereafter, the Secretary of State (SOS) is required to adjust the caps by an amount reflecting the percentage change in the Consumer Price Index for Denver-Boulder-Greeley. The adjusted amounts are to be published on the SOS web site.
<b>Approved by Governor:</b>	April 19, 2013
<b>Effective Date:</b>	July 1, 2013

<b>Bill:</b> <a href="#">SB13-028</a>	
<b>Title:</b>	Track Utility Data High Performance State Building
<b>Senate Sponsors</b>	<a href="#">M. Jones</a> (D)
<b>House Sponsors</b>	<a href="#">M. Tyler</a> (D)
<b>Summary:</b>	As introduced the bill requires state agencies, including higher education institutions, to monitor, track and verify utility usage data for all state-assisted facilities constructed, designed, or renovated on or after July 1, 2013.
<b>Approved by Governor:</b>	March 22, 2013
<b>Effective Date:</b>	March 22, 2013

<b>Bill:</b> <a href="#">SB13-033</a>	
<b>Title:</b>	In-state Classification CO High School Completion
<b>Senate Sponsors</b>	<a href="#">M. Johnston</a> (D) <a href="#">A. Giron</a> (D)
<b>House Sponsors</b>	<a href="#">A. Williams</a> (D) <a href="#">C. Duran</a> (D)
<b>Summary:</b>	This bill establishes that any student meeting the following criteria shall be charged resident tuition rates at institutions of higher education: the student attended high school in the state for at least 3 years immediately preceding graduation or attaining a general education equivalent degree (GED); and the student is admitted to a school of higher education within 1 academic year following graduation, or the attainment of a GED. A high school graduate who has not been admitted to college within 1 year following graduation, but who otherwise satisfies the requirements in the bill, may be classified as an in-state student for tuition purposes so long as the student has been physically present in Colorado for at least 18 months prior to enrolling.
<b>Approved by Governor:</b>	April 29, 2013

<b>Effective Date:</b>	April 29, 2013
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**Bill:** [SB13-042](#)

<b>Title:</b>	Foreign Asst Med Professor Renew Physician License
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<b>Senate Sponsors</b>	<a href="#">J. Morse</a> (D)
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<b>House Sponsors</b>	<a href="#">M. Waller</a> (R)
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<b>Summary:</b>	Under current law, distinguished foreign teaching physicians can be licensed for one year by the Colorado Medical Board to practice medicine at a state medical school. Distinguished foreign teaching physicians are graduates of foreign medical schools who may be licensed in a foreign jurisdiction and meet certain conditions. To renew a license, a distinguished foreign teaching physician must be a full-time faculty member at the level of associate professor or higher. This bill allows a distinguished foreign teaching physician at the level of assistant professor to renew his or her license.
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<b>Approved by Governor:</b>	April 19, 2013
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<b>Effective Date:</b>	April 19, 2013
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## Legislation of Interest to CU

<b>Bill:</b> <a href="#">HB13-1004</a>	
<b>Title:</b>	Colorado Careers Act Of 2013
<b>Senate Sponsors</b>	<a href="#">A. Kerr</a> (D)
<b>House Sponsors</b>	<a href="#">C. Duran</a> (D) <a href="#">J. Melton</a> (D)
<b>Summary:</b>	The act directs the department of human services to administer a transitional jobs program to provide transitional jobs. The department shall: Define eligibility requirements for the program; Implement the program throughout the state, potentially with a gradual phase-in through 2014; collect data on performance outcomes and evaluate the data in order to present the results of the program in a timely and structured manner; Define the process to select local agency contractors for the program; and Define allowable uses of funding from the program. The transitional jobs program is repealed, effective July 1, 2017. The act appropriates \$2,400,000 to the department of human services for the transitional jobs program. The act also appropriates \$1,500,000 to the department of higher education for the Colorado First customized job training program.
<b>Approved by Governor:</b>	May 28, 2013
<b>Effective Date:</b>	July 1, 2013

<b>Bill:</b> <a href="#">HB13-1025</a>	
<b>Title:</b>	Deductible Workers' Compensation Insurance
<b>Senate Sponsors</b>	<a href="#">C. Jahn</a> (D)
<b>House Sponsors</b>	<a href="#">S. Swalm</a> (R)
<b>Summary:</b>	Current workers' compensation law allows employers a deductible of up to \$5,000 in a workers' compensation policy. The act increases the amount of the authorized deductible up to the amount of the workers' compensation insurance rate split point approved by the commissioner of insurance. The act specifies that it does not abrogate an employer's responsibility to pay the full amount of workers' compensation benefits, and that it is a violation of the workers' compensation laws for an employer to require an employee to pay any part of workers' compensation benefits due or to require an employee to use any other type of insurance to pay any part of workers' compensation benefits. In addition, the act specifies that it does not allow a workers' compensation insurance carrier to stop offering no-deductible workers' compensation insurance policies.
<b>Approved by Governor:</b>	April 26, 2013
<b>Effective Date:</b>	July 1, 2013

<b>Bill:</b> <a href="#">HB13-1041</a>	
<b>Title:</b>	Procedures For Transmission Of Records Under CORA
<b>Senate Sponsors</b>	<a href="#">J. Kefalas</a> (D)
<b>House Sponsors</b>	<a href="#">B. Pettersen</a> (D)
<b>Summary:</b>	This bill sets parameters for the transmission of public records under the Colorado Open Records Act (CORA). For records that are to be mailed, once payment is received or payment arrangements have been made, the public entity is required to send the records as soon as possible, but no later than within three business days. For records that are sent by e-mail, the public entity is not permitted to charge fees.
<b>Approved by Governor:</b>	March 8, 2013
<b>Effective Date:</b>	March 8, 2013

<b>Bill:</b> <a href="#">HB13-1315</a>	
<b>Title:</b>	Higher Ed Undergrad Student Health Ins Requirement
<b>Senate Sponsors</b>	<a href="#">J. Kefalas</a> (D)
<b>House Sponsors</b>	<a href="#">R. Fischer</a> (D)
<b>Summary:</b>	Under current law, the governing board of an institution of higher education may not require an undergraduate student to purchase health care insurance. The act repeals this prohibition and also provides that, if a student is required to purchase health care insurance, the board must allow the same exemption for those participating in a health care sharing ministry as specified in the federal "Patient Protection and Affordable Care Act".
<b>Approved by Governor:</b>	
<b>Effective Date:</b>	May 28, 2013

<b>Bill:</b> <a href="#">SB13-043</a>	
<b>Title:</b>	On-premises Alcohol Consumption Prohibit Removal
<b>Senate Sponsors</b>	<a href="#">A. Kerr</a> (D)
<b>House Sponsors</b>	<a href="#">B. Gardner</a> (R)
<b>Summary:</b>	Current law prohibits a retail gaming licensee that is licensed to sell alcohol beverages for on-premises consumption from knowingly permitting patrons to remove an alcohol beverage from the licensed premises and protects a retail gaming licensee from prosecution if the licensee either stations personnel at each exit to prevent removal of alcohol beverages from the premises or posts a sign by each exit notifying patrons that removal of alcohol beverages is illegal. The act extends the prohibition and protection from prosecution to all persons licensed under the "Colorado Liquor Code" to sell alcohol beverages for on-premises consumption, including: Limited winery licensees; Beer and



wine licensees; Bed and breakfast permit holders; Hotel and restaurant licensees; Tavern licensees; Optional premise licensees; Brew pub licensees; Club licensees; Arts licensees; Racetrack licensees; Public transportation system licensees; Vintner's restaurant licensees; and Art gallery permit holders. Additionally, instead of permitting an on-premises licensee to choose to either post a sign or station personnel at each exit, the act requires all on-premises licensees to post a sign notifying patrons that they cannot remove alcohol from the premises, regardless of whether the licensee also stations personnel at exits. Licensees other than retail gaming establishments may post a sign that is smaller than that required at retail gaming establishments. A licensee who shows reckless disregard for the prohibition against alcohol beverage removal from the licensed premises, which may include permitting removal of alcohol beverages from the licensed premises 3 times within a 12-month period, may be charged with knowingly permitting the removal, regardless of whether the licensee posts the required sign.

**Approved by Governor:** May 10, 2013

**Effective Date:** May 10, 2013

**Bill:** [SB13-178](#)

**Title:** Red Rocks Physician Assistant Graduate Program

**Senate Sponsors** [E. Hudak](#) (D)

**House Sponsors** [M. Hamner](#) (D)

**Summary:** Currently, Red Rocks community college offers a certificate program in physician assistant studies, and, through an affiliation with St. Francis university in Pennsylvania, students may obtain a master of medical science degree. The eligibility requirements of the accrediting body of physician assistant programs now requires the sponsor of the program to confer a graduate degree upon completion of the program. The bill authorizes Red Rocks community college to continue providing its physician assistant studies program by authorizing Red Rocks community college to confer a graduate degree on students who complete the physician assistant studies program.

**Approved by Governor:** May 17, 2013

**Effective Date:** August 7, 2013

## Health Care Legislation of interest to AMC or University of Colorado Health

<b>Bill:</b> <a href="#">HB13-1068</a>	
<b>Title:</b>	On-site Inspections Of Medicaid Providers
<b>Senate Sponsors</b>	<a href="#">E. Roberts</a> (R)
<b>House Sponsors</b>	<a href="#">D. Young</a> (D)
<b>Summary:</b>	The act requires medicaid providers to permit the centers for medicare and medicaid services, or its agent or designated contractors, and the department of health care policy and financing, or its agent, to conduct unannounced, on-site inspections of all provider locations. The act also requires the department to conduct pre-enrollment and post-enrollment site visits of medicaid providers who are designated as moderate or high categorical risks to the medicaid program to verify the accuracy of information submitted to the medicaid program and to determine compliance with state and federal regulations. These site visits may be waived pursuant to rules of the medical services board if medicare or other federally designated entities have conducted site visits. The state board shall promulgate rules establishing risk categories for medicaid providers who do not already have a risk category designated under the medicare program or federal regulations.
<b>Approved by Governor:</b>	April 8, 2013
<b>Effective Date:</b>	April 8, 2013

<b>Bill:</b> <a href="#">SB13-200</a>	
<b>Title:</b>	Expand Medicaid Eligibility
<b>Senate Sponsors</b>	<a href="#">I. Aguilar</a> (D)
<b>House Sponsors</b>	<a href="#">M. Ferrandino</a> (D)
<b>Summary:</b>	The act amends the optional eligibility groups in Colorado's medicaid program to increase the income eligibility levels for parents and caretaker relatives of medicaid children from 100% to 133% of FPL and for childless adults or adults without dependent children as described in federal law to 133% of FPL. In addition, the act allows moneys in the hospital provider fee cash fund to be used to meet the state share of funding for the increase in income eligibility for parents and caretaker relatives of medicaid children from 61% to 133% of FPL and the increase in income eligibility for childless adults or adults without a dependent child to up to 133% of FPL.
<b>Approved by Governor:</b>	May 13, 2013
<b>Effective Date:</b>	May 13, 2013

### **Bill:** [SB13-225](#)

<b>Title:</b>	STEMI Heart Attack Stroke Data Hosp Designation
<b>Senate Sponsors</b>	<a href="#">A. Giron</a> (D)
<b>House Sponsors</b>	<a href="#">J. Ginal</a> (D) <a href="#">D. Primavera</a> (D)
<b>Summary:</b>	The bill creates the STEMI Task Force and the Stroke Advisory Board in the Department of Public Health and Environment STEMI Task Force. Comprised of 15 members appointed by the Governor, the task force is required to study and make recommendations for developing a statewide plan to improve quality of care to STEMI heart attack patients, including: the creation of a state database or registry consisting of data on STEMI care that mirrors data hospitals submit to nationally recognized organizations; developing access to aggregated STEMI data; a plan that encourages hospitals to coordinate services for the referral of patients requiring STEMI care; and criteria used by nationally recognized bodies for designating a hospital in STEMI care, and whether such designation is appropriate or needed in Colorado. The term "STEMI" is defined as ST-elevation myocardial infarction, a severe heart attack caused by a prolonged period of blocked blood supply that affects a large area of the heart. The bill also creates a Stroke Advisory Board comprised of 18 members appointed by the Governor. The purpose of this advisory board is to evaluate potential strategies for stroke prevention and treatment and develop a statewide plan to improve quality of care for stroke patients.
<b>Approved by Governor:</b>	May 24, 2013
<b>Effective Date:</b>	May 24, 2013

<b>Bill:</b> <a href="#">SB13-264</a>	
<b>Title:</b>	Develop Rural Family Medicine Residency Programs
<b>Senate Sponsors</b>	<a href="#">I. Aguilar</a> (D) <a href="#">J. Kefalas</a> (D)
<b>House Sponsors</b>	<a href="#">M. McLachlan</a> (D) <a href="#">E. Vigil</a> (D)
<b>Summary:</b>	The act requires the commission on family medicine to support the development of rural family medicine residency programs. This specific duty of the commission repeals, effective July 1, 2016. For state fiscal year 2013, the act increases the general fund appropriation to the department of health care policy and financing (department) by \$500,000 for allocation to other medical services, for the commission on family medicine residency training programs, for the development of family medicine residency programs in rural areas. The department anticipates receiving \$500,000 in federal funds for the same purpose.
<b>Approved by Governor:</b>	May 24, 2013
<b>Effective Date:</b>	August 7, 2013

## **Budget Legislation**

### **Bill: [SB13-090](#)**

<b>Title:</b>	Suppl Approp Dept Of Higher Ed
<b>Senate Sponsors</b>	<a href="#">P. Steadman</a> (D)
<b>House Sponsors</b>	<a href="#">C. Levy</a> (D)
<b>Summary:</b>	The bill adds an additional \$9M to institutions of higher education in the current fiscal year.
<b>Approved by Governor:</b>	February 19, 2013
<b>Effective Date:</b>	February 19, 2013

### **Bill: [SB13-133](#)**

<b>Title:</b>	Distribution Of State Share Of Ltd Gaming Revenues
<b>Senate Sponsors</b>	<a href="#">P. Steadman</a> (D)
<b>House Sponsors</b>	<a href="#">C. Gerou</a> (R)
<b>Summary:</b>	The bill inserts dollar amounts instead of percentages for the transfers of the state share of limited gaming revenues certain funds including the bioscience discovery evaluation cash fund and the innovative higher education research fund.
<b>Approved by Governor:</b>	March 8, 2013
<b>Effective Date:</b>	June 15, 2013

### **Bill: [SB13-236](#)**

<b>Title:</b>	Transfers Of Money Related To Capital Construction
<b>Senate Sponsors</b>	<a href="#">P. Steadman</a> (D)
<b>House Sponsors</b>	<a href="#">C. Levy</a> (D)
<b>Summary:</b>	For the 2012-13 fiscal year, the bill increases the transfer from the general fund to the capital construction fund from \$60,491,314 to \$60,911,498. For the 2013-14 fiscal year, the bill transfers \$192,566,495 from the general fund to the capital construction fund and \$500,000 from the general fund exempt account of the general fund to the capital construction fund.
<b>Approved by Governor:</b>	May 10, 2013
<b>Effective Date:</b>	May 10, 2013

### **Bill: [SB13-230](#)**

<b>Title:</b>	2013-14 Long Appropriations Bill
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<b>Senate Sponsors</b>	<a href="#">P. Steadman</a> (D)
<b>House Sponsors</b>	<a href="#">C. Levy</a> (D)
<b>Summary:</b>	For the fiscal year beginning July 1, 2013, the act provides for the payment of expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions. The grand total for the operating budget is set at \$21, 916, 220, 211 of which \$6,623,756,749 is from the general fund portion of the appropriation, \$1,387,576,600 is from the general fund exempt portion, \$6,641,031,875 from the cash funds portion, \$1,657,557,452 is from the reappropriated funds portion, and \$5,606,297,535 is from the federal funds portion. For the fiscal year beginning July 1, 2013, the act provides for the payment of capital construction projects. The grand totals for capital construction projects is \$283,668,966 of which \$188,069,493 is from the capital construction fund portion of the appropriation, \$86,218,813 is from the cash funds portion, \$7,133,670 is from the reappropriated funds portion, and \$2,266,990 is from the federal funds portion.
<b>Approved by Governor:</b>	April 29, 2013
<b>Effective Date:</b>	April 29, 2013