

COLORADO PARKS AND WILDLIFE COMMISSION POLICY

Title: OCCUPANCY AND USE OF DIVISION-OWNED LIVING QUARTERS

Effective Date: January 14, 2021

I. PURPOSE

The purpose of this policy is to identify the value and necessity of maintaining and providing State-owned housing to Colorado Parks and Wildlife employees when certain conditions exist, namely:

- A security presence is needed for the protection of the State's resources;
- To allow for immediate response to CPW operations and facilities; and/or
- Employees are required to live on-site as a function of their employment and duties.

II. AUTHORITY

24-30-202(22), C.R.S. - State Controller Authority - to develop and enforce Fiscal Rules.

33-1-105 and 33-10-107(b) C.R.S. - "The commission has the power to lease, exchange, or sell any property, water, land, or interest in land or water...

33-1-105(1)(c) and 33-10-107(c) C.R.S. - Construct or otherwise establish...conveniences at any site or on any land in which the commission holds an interest and operate and maintain all such lands, facilities, and conveniences and provide services with respect thereto, and, when appropriate, make reasonable fees or charges for their use or enter into contracts for their maintenance or operation;

State of Colorado Fiscal Rules 1 CCR 101-1

Rule 2-8 Miscellaneous Compensation and Other Benefits - "A state agency or institution of higher education may provide housing for a state employee where state-owned facilities are available and it is in the best interest of the state."

III. DEFINITIONS

- A. **Housing:** Any permanent structure or dwelling owned by the State, intended to be used as a long-term permanent residence for an employee and his or her family during the course of employment with the State under the normal course of employee duties. When

considering whether a building constitutes “Housing,” consideration should be given to whether there are utilities associated with the location, whether the location is used as a permanent address for the purposes of official government documents and tax filings, and whether it is the primary abode for the employee throughout the year and during the course of his or her employment.

“Housing” does not include employee use for the purpose of training, short term assignments, bunkhouses, rustic backcountry cabins, tent pads, RV pads or other similar locations, or seasonal quarters for temporary employees.

IV. POLICY STATEMENT

The Parks and Wildlife Commission recognizes the value to the State and the Division of owning and maintaining living quarters for Division Employees in certain positions and circumstances. Providing Division staff housing in remote areas or areas of security concern allow staff to monitor Division property and assets as well as provide law enforcement and protect fish and wildlife in ways that would not be possible if staff did not live on site or have temporary access to living quarters. However, with the limited resources to construct and maintain employee residences with Capital Construction funds, it is imperative that the Division make sound and wise decisions regarding the construction, maintenance, and use of these structures.

Therefore, it shall be the policy of the Colorado Parks and Wildlife Commission that the ultimate responsibility for procurement of additional housing or disposal of currently owned housing, maintenance of these facilities, and the subsequent leasing of these facilities shall be at the discretion of the Director or his designee. This responsibility is delegated with the expectation that the Director will adhere to all relevant Colorado State Fiscal Rules, in particular 1 CCR 101-1 Rule 2-8, and Title 33 Article 1 C.R.S. in regards to Employee Housing.