

Final
STAFF SUMMARY OF MEETING

COMMITTEE ON STATUTORY REVISION COMMITTEE

Date: 11/17/2017

ATTENDANCE

Time: **12:05 PM to 01:10 PM**

Place: SCR 352

This Meeting was called to order by
Senator Martinez Humenik

This Report was prepared by
Jessica Wigent

	Arndt	E
	Hooton	X
	Nordberg	X
	Tate	E
	Thurlow	X
	Zenzinger	X
	Brad Ramming, Esq.	X
	Patrice Bernadette Collins, Esq.	X
	Moreno	X
	Martinez Humenik	X

X = Present, E = Excused, A = Absent, * = Present after roll call, R = Remote Participation

Bills Addressed:	Action Taken:
1a. Modernize state and local officials' surety bond requirements	Recommendation(s) Approved
1b. Amend reporting requirements for unfunded DHS programs	Recommendation(s) Approved
1ci. "Rights of Married Women" (part 2 of article 2 of title 14, C.R.S.)	Recommendation(s) Approved
1cii. "Husband and wife"/ "father and mother" terminology	Witness Testimony and/or Committee Discussion Only
2a. Terminology related to county depts of human/social services	Recommendation(s) Approved
2b. Senate Bill 17-242 clean-up	Recommendation(s) Approved
2c. Remove inactive waiver in title 25.5, C.R.S.	Recommendation(s) Approved
3. Other business	Witness Testimony and/or Committee Discussion Only

12:06 PM -- 1a. Modernize state and local officials' surety bond requirements 8-17-2017_Memo2C.pdf



11-17-2017_Bill1a.pdf 10-19-2017_Bill1Ciii.pdf

12:07 PM -- Kip Kolkmeier, Office of Legislative Legal Services (OLLS), testified before the Committee concerning Bill 1a, the second of two bills addressing oaths and bonds of public officials that was discussed in both the August and October meetings. The bill removes obsolete provisions, clarifies that it is a *crime insurance* policy that would be purchased by a public body in lieu of a personal surety bond (because that's the kind of policy that covers the same types of protections as a personal surety bond), and amends three municipal code provisions, which changes were specifically requested by the Colorado Municipal League. Mr. Kolkmeier explained that the net effect of the bill is to eliminate six specific obsolete personal surety bond provisions and to provide a single, consistent way for a governmental body to purchase insurance in lieu of personal surety bonds.

BILL:	1a. Modernize state and local officials' surety bond requirements
TIME:	12:09:57 PM
MOVED:	Moreno

MOTION:	Senator Moreno moved to introduced Bill 1a, LLS 18-0160. The motion passed on a vote of 6-0.	
SECONDED:		
		VOTE
	Arndt	Excused
	Hooton	Yes
	Nordberg	Yes
	Tate	Excused
	Thurlow	Yes
	Zenzinger	Yes
	Brad Ramming, Esq.	
	Patrice Bernadette Collins, Esq.	
	Moreno	Yes
	Martinez Humenik	Yes
YES: 6 NO: 0 EXC: 0 ABS: 0 REMOTE PARTICIPATION: 0 FINAL ACTION: PASS		



12:11 PM -- 1b. Amend reporting requirements for unfunded DHS programs 10-19-2017_Bill1d.pdf



11-17-2017_Bill1b.pdf

12:11 PM -- Kristen Forrestal, OLLS, testified before the Committee concerning Bill 1b, which was drafted by Jane Ritter and which was discussed at the October meeting. At that meeting the Committee asked to the bill draft to be updated to 1) Include feedback from Colorado Counties, Inc., and 2) Remove reporting requirements until the unfunded programs receive funding.

BILL:	1b. Amend reporting requirements for unfunded DHS programs	
TIME:	12:13:44 PM	
MOVED:	Moreno	
MOTION:	Senator Moreno moved to introduce Bill 1b. The motion passed on a vote of 6-0.	
SECONDED:		
		VOTE
	Arndt	Excused
	Hooton	Yes
	Nordberg	Yes
	Tate	Excused
	Thurlow	Yes
	Zenzinger	Yes
	Brad Ramming, Esq.	
	Patrice Bernadette Collins, Esq.	
	Moreno	Yes
	Martinez Humenik	Yes

YES: 6 NO: 0 EXC: 2 ABS: 0 REMOTE PARTICIPATION: 0 FINAL ACTION: PASS



12:15 PM -- 1ci. "Rights of Married Women" (part 2 of article 2 of title 14, C.R.S.) 8-19-2017_Memo2lii.pdf



11-17-2017_Bill1ci.pdf

12:15 PM -- Kristen Forrestal, OLLS, testified before the Committee concerning bill draft 1ci, which was drafted by Jane Ritter, OLLS, and which was first introduced to the Committee at the August meeting. The bill draft, which includes feedback from the Family Law Bar of the Colorado Bar Association, modernizes outdated references to the "rights of married women."

BILL:	1ci. "Rights of Married Women" (part 2 of article 2 of title 14, C.R.S.)	
TIME:	12:16:49 PM	
MOVED:	Moreno	
MOTION:	Senator Moreno moved to introduce Bill 1ci. The motion passed on a vote of 6-0.	
SECONDED:		
		VOTE
	Arndt	Excused
	Hooton	Yes
	Nordberg	Yes
	Tate	Excused
	Thurlow	Yes
	Zenzinger	Yes
	Brad Ramming, Esq.	
	Patrice Bernadette Collins, Esq.	
	Moreno	Yes
	Martinez Humenik	Yes
YES: 6 NO: 0 EXC: 2 ABS: 0 REMOTE PARTICIPATION: 0 FINAL ACTION: PASS		



12:18 PM -- 1cii. "Husband and wife"/ "father and mother" terminology 8-17-2017_Memo2liv.pdf



11-17-2017_Bill1cii.pdf

12:19 PM -- Kristen Forrestal, OLLS, testified before the Committee concerning Bill 1cii, which was drafted by Jane Ritter, OLLS, and which was first introduced to the Committee at the August meeting. Committee Member Collins asked specifically about provisions in the bill that amended the Colorado Criminal Code, including spousal privileges, including testimonial privileges and the rights of prisoners. Committee Member Ramming proposed removing section 32 of the bill draft. After a discussion among the members, the decision was made to

table the vote on Bill 1cii until January.

BILL:	1cii. "Husband and wife"/ "father and mother" terminology	
TIME:	12:25:33 PM	
MOVED:	Moreno	
MOTION:	Senator Moreno moved to table Bill 1cii until the Committee's January meeting. The motion passed on a vote of 6-0.	
SECONDED:		
		VOTE
	Arndt	Excused
	Hooton	Yes
	Nordberg	Yes
	Tate	Excused
	Thurlow	Yes
	Zenzinger	Yes
	Brad Ramming, Esq.	
	Patrice Bernadette Collins, Esq.	
	Moreno	Yes
	Martinez Humenik	Yes
YES: 6 NO: 0 EXC: 2 ABS: 0 REMOTE PARTICIPATION: 0 FINAL ACTION: PASS		



12:26 PM -- 2a. Terminology related to county depts of human/social services 11-17-2017_Memo2a.pdf

12:27 PM -- Nicole Myers, OLLS, testified before the Committee concerning Memo and Bill 2a, both of which were drafted by Jane Ritter, OLLS. Ms. Myers explained that in 1993, the General Assembly restructured the State Department of Human Services, with the intent of referring to county departments as "county departments of social services." However, she explained, in the years since, the terminology has become blurred, and now county departments of social services and county departments of human services exist, which presents a problem of clarity in the statutes, specifically whether statutes that reference county departments of social services apply equally to county departments of human services. The bill draft modernizes the outdated references, which now read "county departments of human or social services." Ms. Myers relayed the message that Ms. Ritter had shared the bill draft with Colorado Counties, Inc., and that they had no objection to updating the references.

BILL:	2a. Terminology related to county depts of human/social services	
TIME:	12:29:14 PM	
MOVED:	Moreno	
MOTION:	Senator Moreno moved to introduce Bill 2a. The motion passed on a vote of 6-0.	
SECONDED:		
		VOTE
	Arndt	Excused
	Hooton	Yes
	Nordberg	Yes
	Tate	Excused

Thurlow	Yes
Zenzinger	Yes
Brad Ramming, Esq.	
Patrice Bernadette Collins, Esq.	
Moreno	Yes
Martinez Humenik	Yes
YES: 6 NO: 0 EXC: 2 ABS: 0 REMOTE PARTICIPATION: 0 FINAL ACTION: PASS	



12:30 PM -- 2b. Senate Bill 17-242 clean-up 11-17-2017_Memo2b.pdf

12:31 PM -- Nicole Myers, OLLS, testified before the Committee concerning Memo and Bill 2b, both of which were drafted by Jane Ritter, OLLS. Ms. Myers explained that in 2017, the General Assembly enacted Senate Bill 17-242, which modernized terminology in the Colorado Revised Statutes related to behavioral health issues, including mental illness and addiction. The bill, which was 240 pages at introduction, missed a few provisions and could not account for legislation that passed during the session that used terminology that did not conform to the updated language. Ms. Myers explained that Bill 2b updates and modernizes outdated references to "the mentally ill," "drunkard," "addict," and related terms, as was done through Senate Bill 17-242.

BILL:	2b. Senate Bill 17-242 clean-up	
TIME:	12:34:11 PM	
MOVED:	Moreno	
MOTION:	Senator Moreno moved to introduce Bill 2b. The motion passed on a vote of 6-0.	
SECONDED:		
		VOTE
	Arndt	Excused
	Hooton	Yes
	Nordberg	Yes
	Tate	Excused
	Thurlow	Yes
	Zenzinger	Yes
	Brad Ramming, Esq.	
	Patrice Bernadette Collins, Esq.	
	Moreno	Yes
	Martinez Humenik	Yes
YES: 6 NO: 0 EXC: 2 ABS: 0 REMOTE PARTICIPATION: 0 FINAL ACTION: PASS		



12:35 PM -- 2c. Remove inactive waiver in title 25.5, C.R.S. 11-17-2017_Memo2c.pdf

12:35 PM -- Brita Darling, OLLS, testified concerning Memo and Bill 2c, which were proposed by the

Department of Health Care Policy and Financing (HCPF). Ms. Darling explained that Bill 2c removes outdated references to the Persons Living with AIDS (PLA) Waiver, which in 2104 was consolidated into another, broader waiver.

12:37 PM -- Zach Lynkiewicz, legislative liaison for HCPF, and Colin Laughlin, director of benefits and services management in the Office of Community Living in HCPF, testified before the Committee. Mr. Lynkiewicz explained that the persons being served by the PLA Waiver were transferred to the broader waiver to ensure that people receiving these services did not have to apply for services under a waiver that disclosed their health diagnosis, which, he explained, is important to HCPF clients' privacy. Mr. Laughlin explained that the waivers were combined as a result of a Community Living Advisory Group recommendation to reduce the administrative burden of the state, by reducing the number of waivers.

BILL:	2c. Remove inactive waiver in title 25.5, C.R.S.	
TIME:	12:39:36 PM	
MOVED:	Moreno	
MOTION:	Senator Moreno moved to introduce Bill 2c. The motion passed on a vote of 6-0.	
SECONDED:		
		VOTE
	Arndt	Excused
	Hooton	Yes
	Nordberg	Yes
	Tate	Excused
	Thurlow	Yes
	Zenzinger	Yes
	Brad Ramming, Esq.	
	Patrice Bernadette Collins, Esq.	
	Moreno	Yes
	Martinez Humenik	Yes
YES: 6 NO: 0 EXC: 2 ABS: 0 REMOTE PARTICIPATION: 0 FINAL ACTION: PASS		



12:45 PM -- 3. Other business 11-17-2017_DORA_Memo.pdf 10-17-2017_Memo2G.pdf

12:45 PM -- Ginny Brown, legislative liaison for the Department of Regulatory Agencies, and Ronne Hines, division director of the Division of Professions and Occupations, housed in DORA, testified before the Committee concerning a bill that was approved for introduction at the October meeting, which clarified language in the "Colorado Mental Health Act" concerning "generally accepted standards of practice." They presented a memo to the Committee explaining their opposition to the bill. The Committee asked that the bill be discussed again at the January meeting, with both proponents and opponents.

12:54 PM -- Jerry Barry, OLLS, discussed a memo concerning the in-progress bill draft to modernize the Administrative Organization Act. After a discussion with the Committee, he will bring the draft of the bill for the Committee's consideration in January, as well as amendments for them to consider that take into account feedback



from the various departments who have been consulted concerning the bill. 11-17-2017_AOA Memo.pdf



SRC_ModernizeAOA_MemoandBill.pdf

01:03 PM -- The Committee members discussed the statistics in the 2017 Annual Report.



SRC Annual Report 2017_FINAL.pdf

01:04 PM -- The Committee decided that their next meeting will be held on January 19, 2017, at 1:00pm. The meeting will be held in HCR 0112.