

CHAPTER 212

GENERAL ASSEMBLY

SENATE BILL 97-216

BY SENATORS Blickensderfer, Lacy, Rizzuto, Congrove, Hopper, Matsunaka, Norton, Powers, Schroeder, and Wattenberg;
also REPRESENTATIVES Grampas, Owen, Romero, G. Berry, and Clarke.

AN ACT

CONCERNING THE REPEAL OF UNNECESSARY PROVISIONS OF LAW RESULTING FROM THE LAW'S
OBSOLESCENCE OR REDUNDANCY.

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

SECTION 1. 23-60-104 (3), Colorado Revised Statutes, 1995 Repl. Vol., is repealed as follows:

23-60-104. State board for community colleges and occupational education - student advisory council - state advisory council. (3) ~~The governor shall appoint a state council as provided in federal law to advise the board in carrying out its responsibilities regarding occupational education, and the board may appoint such other advisory groups as it deems necessary. The council shall include, but shall not be limited to, representatives of agriculture, business, labor, and educational institutions. The membership of the council shall assure adequate representation of all geographical areas of the state.~~

SECTION 2. 24-34-904 (1) (m), Colorado Revised Statutes, 1988 Repl. Vol., is repealed as follows:

24-34-904. Powers and duties - repeal. (1) The office has the following powers and duties:

(m) ~~To provide and coordinate environmental information and regulatory assistance in conjunction with the Colorado joint review process, created by article 10 of title 34, C.R.S.~~

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 3. 26-4-109, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is repealed as follows:

26-4-109. County departments - participation in Colorado care demonstration project - state department to obtain waivers. ~~The state department shall seek any necessary federal waivers for any county wishing to participate in the demonstration project pursuant to section 10-21-104, C.R.S., for the purpose of studying the feasibility of a program known as "The Colorado Care Health Insurance Program", as described in article 21 of title 10, C.R.S.~~

SECTION 4. 27-1-204 (2), (3), and (7), Colorado Revised Statutes, 1989 Repl. Vol., as amended, are repealed as follows:

27-1-204. Types of services purchased - limitation on payments. (2) ~~Each year the general assembly shall appropriate, on a per capita basis for the area covered by such services, funds for purchase of outpatient care provided by clinics and other activities of such clinics approved by the executive director of the department of human services, including but not limited to:~~

~~(a) Consultative services to schools, courts, and health and welfare agencies, both public and private;~~

~~(b) Rehabilitation services for patients suffering from mental or emotional disorders or mental retardation;~~

~~(c) Collaborative and cooperative services with public health and other groups for programs of prevention and treatment of mental illness, other psychiatric, psychological, and social disabilities, and mental retardation;~~

~~(d) Informational and educational services to the general public and to lay and professional groups;~~

~~(e) Study and training activities in the field of mental health.~~

(3) ~~Payment for services listed under subsection (2) of this section shall be in an amount not to exceed sixty percent of the cost of providing such services, which costs shall include a reasonable charge for capital outlay; but, during the first three years of the existence of newly established clinics, such payment for services may amount to seventy-five percent of such costs. Service hours for the purpose of state purchase under subsection (2) of this section and this subsection (3) shall be defined as the total manpower hours in a total program offered by such clinics.~~

~~(7) Of the amounts authorized in subsection (2) of this section, a sum not to exceed ten percent of such amounts may be used by the office of the executive director of the department of human services for the purpose of purchasing community mental health services provided by clinics without regard to matching requirements or per capita limitations.~~

SECTION 5. 24-75-201.5 (1), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-75-201.5. Revenue shortfalls - required actions by the governor with respect to the reserve. (1) (a) Whenever the revenue estimate for the current fiscal year, prepared in accordance with section 24-75-201.3 (2), indicates that general fund expenditures for such fiscal year based on appropriations then in effect will result in the use of one-half or more of the reserve required by section 24-75-201.1 (1) (d), the governor shall formulate a plan for reducing such general fund expenditures so that said reserve, as of the close of the fiscal year, will be at least one-half of the amount required by said section 24-75-201.1 (1) (d). The governor shall promptly notify the general assembly of such plan. Such plan shall be promptly implemented by the governor, using the procedures set forth in section 24-2-102 (4) ~~24-30-206 (3)~~; or 24-50-109.5 or any other lawful means.

(b) For the fiscal years 1990-91, 1991-92, and 1992-93 only, whenever the revenue estimate for the current fiscal year, prepared in accordance with section 24-75-201.3 (2), indicates that general fund expenditures for such fiscal year based on appropriations then in effect will result in the use of one-third or more of the reserve required by section 24-75-201.1 (1) (d), the governor shall formulate a plan for reducing such general fund expenditures so that said reserve, as of the close of the fiscal year, will be at least two-thirds of the amount required by said section 24-75-201.1 (1) (d). The governor shall promptly notify the general assembly of such plan. Such plan shall be promptly implemented by the governor, using the procedures set forth in section 24-2-102 (4) ~~24-30-206 (3)~~; or 24-50-109.5 or any other lawful means.

SECTION 6. 27-1-205 (1) (a), Colorado Revised Statutes, 1989 Repl. Vol., is amended to read:

27-1-205. Standards for approval. (1) In approving or rejecting community mental health clinics for the purchase of mental health services, the executive director of the department of human services shall:

(a) Consider the adequacy of mental health services provided by such clinics, ~~as listed in section 27-1-204 (2)~~; taking into consideration such factors as geographic location, local economic conditions, and availability of manpower;

SECTION 7. Article 10 of title 32, as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

32-10-180. Application of special district act. ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION AND EXCEPT AS PROVIDED IN THIS ARTICLE, THE THREE LAKES WATER AND SANITATION DISTRICT SHALL BE SUBJECT TO THE PROVISIONS OF THE "SPECIAL DISTRICT ACT", ARTICLE 1 OF THIS TITLE. ALL ACTIONS TAKEN BY THE DISTRICT UNDER THIS ARTICLE PRIOR TO THE EFFECTIVE DATE OF THIS SECTION SHALL BE CONSIDERED VALID AND EFFECTIVE, AND ANY EXISTING DEBT AND BOND OBLIGATIONS OF THE DISTRICT SHALL BE DEEMED VALID, EFFECTIVE, AND BINDING.

SECTION 8. Repeal. (1) 24-30-206, Colorado Revised Statutes, 1988 Repl. Vol., as amended, and 27-13-104, 27-13-106, 27-13-107, and 27-13-108, Colorado Revised Statutes, 1989 Repl. Vol., as amended, are repealed.

(2) **Three lakes water and sanitation district.** 32-10-103, 32-10-106 through

32-10-138, 32-10-174, 32-10-178, and 32-10-179, Colorado Revised Statutes, as amended, are repealed.

SECTION 9. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 27, 1997