

# STATE OF COLORADO

## Colorado General Assembly

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### MEMORANDUM

March 19, 2014

**TO:** Mike Callicrate and Angela Smith

**FROM:** Legislative Council Staff and Office of Legislative Legal Services

**SUBJECT:** Proposed initiative measure 2013-2014 #97, concerning the Care of Livestock Animals

Section 1-40-105 (1), Colorado Revised Statutes, requires the directors of the Colorado Legislative Council and the Office of Legislative Legal Services to "review and comment" on initiative petitions for proposed laws and amendments to the Colorado constitution. We hereby submit our comments to you regarding the appended proposed initiative.

The purpose of this statutory requirement of the Legislative Council and the Office of Legislative Legal Services is to provide comments intended to aid proponents in determining the language of their proposal and to avail the public of knowledge of the contents of the proposal. Our first objective is to be sure we understand your intent and your objective in proposing the amendment. We hope that the statements and questions contained in this memorandum will provide a basis for discussion and understanding of the proposal.

This initiative was submitted with a series of initiatives including proposed initiatives 2013-2014 #98 to 102. The comments and questions raised in this memorandum will not include comments and questions that were addressed in the memoranda for proposed initiatives 2013-2014 #64 to 67 and 2013-2014 #98 to 102 which were substantially similar, except as necessary to fully understand the issues raised by the revised proposed initiative. Comments and questions addressed in those other memoranda may also be relevant, and those questions and comments are hereby incorporated by reference in this memorandum. Only new comments and questions are included in this memorandum.

## **Purposes**

The major purpose of the proposed amendment to the Colorado Revised Statutes appears to be to repeal the exemption of accepted animal husbandry practices used in the care of companion and livestock animals from the animal cruelty statutes.

## **Technical Comments**

The following comments address technical issues raised by the form of the proposed initiative. These comments will be read aloud at the public meeting only if the proponents so request. You will have the opportunity to ask questions about these comments at the review and comment meeting. Please consider revising the proposed initiative as suggested below.

1. It is not necessary to include the section symbol (§) before the section number.
2. It is not necessary to show the deleted commas in the citation in section 18-9-201.5 (1), Colorado Revised Statutes, in stricken type. As such, the citation should read: "...articles 7 AND 10 ~~and 43~~ of title 35, C.R.S."
3. Because it is not being added to either the Colorado Revised Statutes or the Colorado constitution, the language in section 2 does not need to be in small capital letters.

## **Substantive Comments and Questions**

The proposed initiative does not raise any new substantive comments and questions.