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SCHOOL LAWS

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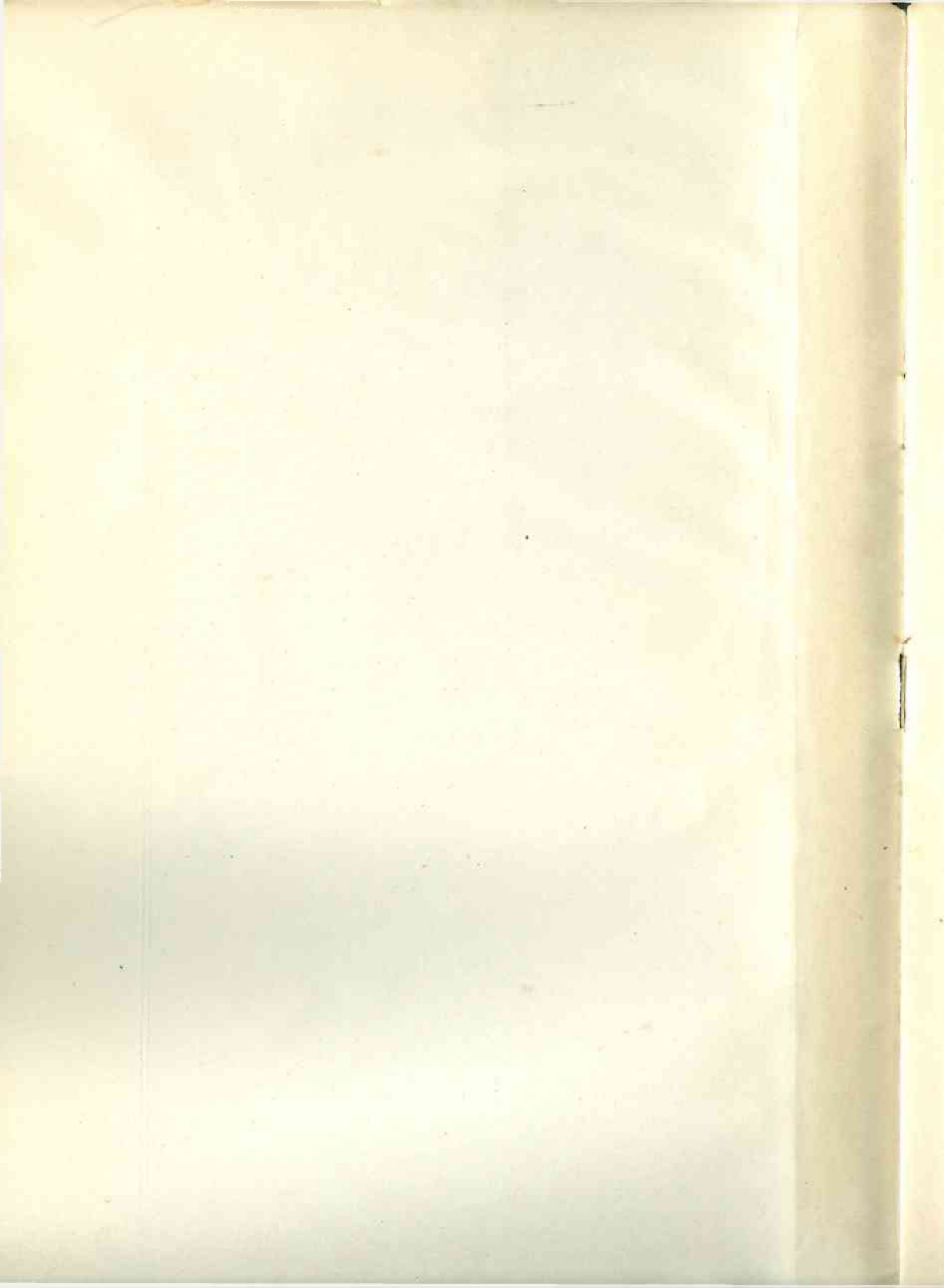
The Twenty-Eighth
General Assembly

State of Colorado



1931

INEZ JOHNSON LEWIS
STATE SUPERINTENDENT OF
PUBLIC INSTRUCTION



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AN ACT

HOUSE BILL NO. 586.

BY REPRESENTATIVE
COLVER.

TO AMEND SECTION 7933, COMPILED LAWS OF COLORADO, 1921, AS AMENDED BY CHAPTER 154, SESSION LAWS OF COLORADO, 1927, RELATING TO THE COMPENSATION OF COUNTY SUPERINTENDENTS OF SCHOOLS.

Be It Enacted by the General Assembly of the State of Colorado:

Section 1. Section 7933, Compiled Laws of Colorado, 1921, as amended by Chapter 154, Session Laws of Colorado, 1927, is hereby amended to read as follows:

Section 7933. County Superintendents of Schools in the several counties of this state shall receive, as their compensation for the services rendered, an annual salary, to be paid monthly out of the General County Fund, as follows:

First Class, Division "A," Salary \$3,000.00; Pueblo, Weld and Las Animas.

First Class, Division "B," Salary \$2,800.00; Boulder, El Paso and Larimer.

First Class, Division "C," Salary, \$2,400.00; Adams, Otero, Yuma and Mesa.

Second Class, Salary \$2,000.00; Arapahoe, Elbert, Delta, Fremont, Garfield, Huerfano, Jefferson, La Plata, Logan, Morgan, Montrose, and Washington.

Third Class, Division "A," Salary \$1,500.00; Alamosa, Baca, Bent, Chaffee, Cheyenne, Conejos, Crowley, Douglas, Gunnison, Kit Carson, Kiowa, Lincoln, Moffat, Phillips, Prowers and Routt.

Third Class, Division "B," Salary \$1,200.00; Clear Creek, Montezuma, Lake and Gilpin.

Fourth Class, Salary \$1,100.00; Costilla, Eagle, Grand, Jackson, Ouray, Park, Pitkin, Rio Blanco, San Miguel, Saguache and Sedgwick.

Fifth Class, Salary \$900.00; Archuleta, Custer, the City and County of Denver, Rio Grande, Summit and Teller.

Sixth Class, Salary \$500.00; San Juan and Dolores.

Seventh Class, Salary \$250.00; Mineral.

Eighth Class, Salary \$100.00; Hinsdale.

The Board of County Commissioners shall also allow the County Superintendent of Schools mileage, not to exceed fifteen cents (15c) per mile for the distance actually and necessarily traveled in the performance of duty, not to exceed One Thousand Dollars (\$1,000.00) per annum in all Counties.

The above classification shall apply only to this Statute.

Section 2. All Acts or parts of Acts in conflict herewith are hereby repealed.

Section 3. The General Assembly hereby finds, determines and declares that this Act is necessary for the immediate preservation of the public peace, health and safety.

Section 4. In the opinion of the General Assembly an emergency exists; therefore, this Act shall take effect and be in force from and after its passage.

Approved:

April 18, 1931.

AN ACT

HOUSE BILL NO. 209. BY REPRESENTATIVES
McKINSTRY AND CUR-
TIS AND SENATOR
KING.

TO ENABLE COUNTY HIGH SCHOOL DISTRICTS OF
THE STATE TO REFUND THEIR BONDED IN-
DEBTEDNESS.

*Be It Enacted by the General Assembly of the State of
Colorado:*

Section 1. The high school committee of any county high school district in this state may issue negotiable coupon bonds to be denominated refunding bonds for the purpose of refunding any of the bonded indebtedness of such district, whether due or not due, or which has or may hereafter become payable at the option of such district, or by consent of the bondholders or by any lawful means, whether such bonded indebtedness be now existing or may hereafter be created, and there shall not be funds of the district available for the payment or redemption of such outstanding bonds.

Section 2. Whenever the high school committee of any county high school district shall deem it expedient to issue refunding bonds under the provisions of this act, and the rate of interest thereon shall not exceed the rate of interest upon the bonds to be refunded, such refunding bonds may be issued without the submission of the question of issuing the same to a vote of the qualified electors of such district. In the event it is proposed to issue refunding bonds bearing a rate of interest greater than that of the bonds to be refunded, the high school committee shall cause the question of issuing such refunding bonds to be submitted to a vote

of such qualified electors of the district as have paid a school tax therein in the year preceding such election. Any such election shall be called and held as nearly as may be in the manner provided by law for the issuance of other county high school district bonds, except that a petition shall not be required.

Section 3. If the high school committee shall determine to issue refunding bonds bearing a rate of interest which shall not exceed the rate on the bonds to be refunded, it shall adopt a resolution fixing the date, the denomination or denominations, the rate of interest, which rate shall not be more than six (6) per centum per annum, the maturity dates, the last of which shall not be more than twenty-five (25) years from the date of such refunding bonds, and the place or places of payment within or without the State of Colorado of both principal and interest, and shall prescribe the form of such refunding bonds. Such refunding bonds shall be negotiable in form, shall recite the title of the Act under which they are issued, shall be executed in the name of the district, and signed by the president of the high school committee and have the seal of the district affixed thereto, attested by the secretary, and shall be countersigned by the county treasurer. The interest accruing on such refunding bonds shall be evidenced by semi-annual interest coupons thereto attached, bearing the engraved facsimile signature of the president of the high school committee, and when so executed such coupons shall be the binding obligations of the district according to their import. Such refunding bonds shall mature serially, commencing not later than five (5) years after the date of such bonds and maturing during a period not exceeding twenty-five (25) years from the date thereof. The amount of such annual maturities shall be fixed by the high school committee and specified in the resolution authorizing the issuance of the refunding bonds.

Section 4. Such refunding bonds may be exchanged dollar for dollar for the bonds to be refunded, or they may be sold at not less than their par value, as directed by the high school committee, and the proceeds thereof shall

be applied only to the purpose for which such refunding bonds were issued. Such refunding bonds shall not be issued until the outstanding bonds to be refunded have been called in and cancelled in an amount equal to or in excess of the bonds so issued, and all accrued interest on any such bonds to be refunded shall be paid before such refunding bonds are issued.

Section 5. The interest accruing on such refunding bonds prior to the time when the proceeds of tax levies are available therefor, shall be paid out of the general revenues of the district, and for the purpose of reimbursing such general revenues and for the payment of subsequent accruing interest, the high school committee shall certify and the Board of County Commissioners of the county in which the district is located shall levy annually a sufficient tax upon all the taxable property in the district fully to discharge such interest; and for the ultimate redemption of such refunding bonds there shall be certified and levied annually such a tax upon all the taxable property in the district as will be sufficient to discharge such bonds at maturity. All taxes for interest on and for the redemption of such bonds shall be paid in cash only and shall be kept by the county treasurer in a special fund to be used only in the payment of the interest upon and for the redemption of such bonds, and such taxes shall be levied and collected in the same manner as other county high school district taxes.

Section 6. After refunding bonds are issued pursuant to this Act, the resolution authorizing the same and providing for the levy of taxes for the payment of the interest upon and the principal of such refunding bonds shall not be altered or repealed until the refunding bonds so authorized shall have been fully paid.

Section 7. All acts or parts of acts in conflict herewith are hereby repealed.

Section 8. The General Assembly hereby finds, determines and declares that this Act is necessary for the immediate preservation of the public peace, health and safety.

Section 9. In the opinion of the General Assembly an emergency exists; therefore, this Act shall take effect and be in force from and after its passage.

Approved:

March 17, 1931.

AN ACT

HOUSE BILL NO. 207.

BY REPRESENTATIVES
McKINSTRY AND CUR-
TIS, AND SENATOR
KNOUS.

(By Request)

TO AMEND SECTION 8413, COMPILED LAWS OF
COLORADO, 1921.

*Be It Enacted by the General Assembly of the State of
Colorado:*

Section 1. That Section 8413, Compiled Laws of Colo-
rado, 1921, be and the same is hereby amended to read as
follows:

On the petition of fifty voters having the qualifica-
tions hereinafter prescribed, of any County High School
District, the County Superintendent of public schools and
ex-officio secretary of said District shall give notice, not less
than twenty days before any regular meeting now or which
may hereafter be provided by law, for electing members of
school boards in the respective districts of the State, or
special meeting held under the provisions of this Act, that
the question of contracting a bonded debt for the purpose
of erecting and furnishing high school buildings, or pur-
chasing ground, or for funding floating debts, will be sub-
mitted to such qualified voters of the County High School
District as have paid a school tax therein in the year next
preceding said meeting. Notice of such meeting shall be
given and such meeting shall be held and conducted and the
returns thereof made and the result declared in the manner
as nearly as may be as is by this Act provided for the or-
ganization of County High School Districts. Any person
offering to vote at such meeting in the respective public

school districts of the County High School District, may be challenged by any legally qualified elector of the district and any one of the judges of election shall thereupon administer to the person challenged, an oath as follows:

“You do swear (or affirm) that you are a citizen of the United States; that you have resided in the State of Colorado one year immediately preceding this election; that you have paid a school tax within this school district in the year next preceding this election, and that you have not voted at this election, so help you God (or under the pains and penalties of perjury).

If he shall refuse to take such oath or affirmation, his vote shall be rejected. The High School Committee of any such County High School District shall first agree, and certify the amount of indebtedness to be created, if any. In no case shall the aggregate amount of bonded indebtedness of any County High School District for high school purposes, exceed two per cent of the assessed value of the property of such High School District. At such election a separate ballot box for this purpose shall be provided and the qualified electors shall vote by ballot “For High School Bonds” or “Against High School Bonds.” If it shall appear from the final record of the County Superintendent that a majority of all the votes cast are for the High School Bonds, the High School Committee, as soon as practicable thereafter, shall issue coupon bonds of the County High School District, bearing interest not exceeding six per cent per annum, payable semi-annually, *which bonds shall mature serially commencing not later than five years and extending not more than twenty-five years from the date thereof*; the principal and interest thereof to be payable at such place or places as shall be fixed by said High School Committee and designated in said bonds. All such bonds so issued shall be signed by the President of the County High School Committee, and shall have the seal of the High School District attached, attested by the Secretary and shall be countersigned by the County Treasurer, and the coupons thereto annexed shall be signed by the President of the High School Committee by original or engraved signature.

Section 2. The General Assembly hereby finds and declares that this Act, is necessary for the immediate preservation of the public peace, health and safety, provided, however, that any bonds authorized at an election held prior to the time when this Act becomes effective, may be issued in accordance with the law in effect at the time of such election.

Approved:

April 20, 1931.

AN ACT

HOUSE BILL NO. 206. BY REPRESENTATIVES
McKINSTRY AND CUR-
TIS (By Request), AND
SENATOR KNOUS.

TO ENABLE SCHOOL DISTRICTS AND COUNTY
HIGH SCHOOL DISTRICTS TO REFUND THEIR
BONDED INDEBTEDNESS, AND REPEALING
SECTIONS 8376 TO 8379, INCLUSIVE, COMPILED
LAWS OF COLORADO, 1921.

*Be It Enacted by the General Assembly of the State of
Colorado:*

Section 1. Any School District or County High School District in this State may issue negotiable coupon bonds to be denominated refunding bonds for the purpose of refunding any of the bonded indebtedness of such District, whether due or not due, or which has or may hereafter become payable at the option of such District, or by consent of the bondholders or by any lawful means, whether such bonded indebtedness be now existing or may hereafter be created, and there shall not be funds of the District available for the payment or redemption of such outstanding bonds.

Section 2. Whenever the High School Committee of any County High School District shall deem it expedient to issue refunding bonds under the provisions of this Act, and the rate of interest thereon shall not exceed the rate of interest upon the bonds to be refunded, such refunding bonds may be issued without the submission of the question of issuing the same to a vote of the qualified electors of such District. If any School District proposes to issue refunding bonds, or if any County High School District proposes to

issue refunding bonds bearing a rate of interest greater than that of the bonds to be refunded, the Board of Education of a School District or the High School Committee of a County High School District shall cause the question of issuing such refunding bonds to be submitted to a vote of such qualified electors of the District as have paid a school tax therein in the year preceding such election. Any such election shall be called and held as nearly as may be in the manner provided by law for the issuance of other School District and County High School District bonds, except that a petition shall not be required in County High School Districts. A majority of all votes cast in favor of the proposition submitted shall be required for the issuance of such bonds.

Section 3. Such refunding bonds shall be authorized by a resolution fixing the date, the denomination or denominations, the rate of interest, which rate shall not be more than eight (8) per centum per annum in the case of School Districts, and six (6) per centum in the case of County High School Districts, the maturity dates, the last of which shall not be more than twenty-five (25) years from the date of such refunding bonds, and the place or places of payment within or without the State of Colorado of both principal and interest, and prescribing the form of such refunding bonds. Such bonds shall be negotiable in form, shall be executed in the name of the District, and signed by the President of the Board of Education or High School Committee and have the seal of the District affixed thereto, attested by the Secretary, and shall be countersigned by the County Treasurer. The interest accruing on such refunding bonds shall be evidenced by semi-annual interest coupons thereto attached, bearing the engraved facsimile signature of the President of the Board of Education or High School Committee, and when so executed such coupons shall be the binding obligations of the District according to their import. Such refunding bonds shall mature serially, commencing not later than five (5) years after the date of such bonds and maturing during a period not exceeding twenty-five (25) years from the date thereof. The amount

of such annual maturities shall be fixed by the Board of Education or High School Committee and specified in the resolution authorizing the issuance of the refunding bonds.

Section 4. Such refunding bonds may be exchanged, dollar for dollar, for the bonds to be refunded, or they may be sold at not less than their par value, as directed by the Board of Education or High School Committee, and the proceeds thereof shall be applied only to the purpose for which such refunding bonds were issued. Such refunding bonds shall not be issued until the outstanding bonds to be refunded have been called in and cancelled in an amount equal to or in excess of the bonds so issued, and all accrued interest on any such bonds to be refunded shall be paid before such refunding bonds are issued.

Section 5. The interest accruing on such refunding bonds prior to the time when the proceeds of tax levies are available therefor, shall be paid out of the general revenues of the District, and for the purpose of reimbursing such general revenues and for the payment of subsequently accruing interest, the Board of Education or High School Committee shall certify and the Board of County Commissioners of the County in which the District is located shall levy annually a sufficient tax upon all the taxable property in the District fully to discharge such interest; and for the ultimate redemption of such refunding bonds there shall be certified and levied annually such a tax upon all the taxable property in the District as will be sufficient to discharge such bonds at maturity. All taxes for interest on and for the redemption of such bonds shall be paid in cash only and shall be kept by the County Treasurer in a special fund to be used only in the payment of the interest upon and for the redemption of such bonds, and such taxes shall be levied and collected in the same manner as other School District and County High School District taxes.

Section 6. After refunding bonds are issued pursuant to this Act, the resolution authorizing the same and providing for the levy of taxes for the payment of interest upon and the principal of such refunding bonds shall not

be altered or repealed until the refunding bonds so authorized shall have been fully paid.

Section 7. Sections 8376 to 8379, inclusive, Compiled Laws of Colorado, 1921, and all other Acts or parts of Acts in conflict herewith are hereby repealed, provided however, that when any contract of sale of bonds shall have been entered into prior to the time this Act becomes effective, or when any bonds have been authorized at an election held prior to the time when this Act becomes effective, bonds may be issued in accordance with the law in effect at the time of such contract election.

Approved:

April 20, 1931.

AN ACT

HOUSE BILL NO. 222.

BY REPRESENTATIVES
BRIGHTON, ENGLAND,
STAFFORD, COLVER,
TARBELL, PARFET,
LEACH, EDWARDS,
BURCHFIELD, SEIDEN-
STICKER, SPANGLER,
ANDERSON, (DENVER),
ANDERSON, (ARAPA-
HOE), HARRIS, PHELPS,
HOLMAN, POPPEN, HOL-
LAND, BURGE, BEELER,
MINSHALL, JOHNS,
MAXFIELD, MOWATT,
FISHER, MORRIS, FAS-
SETT, BARROW, SMITH,
(WELD), LAFOLLETTE,
BURNETT, GRENARD,
OLDLAND, GRAHAM,
SMITH, (ALAMOSA),
LUCERO, DAMERON,
ASPINALL, BARRICK
AND ROGERS.

IN RELATION TO THE STATE BIRD.

*Be It Enacted by the General Assembly of the State of
Colorado:*

Section 1. The Lark Bunting, scientifically known as *Calamospiza melancorys stejneger*, is hereby made and declared to be the State bird of the State of Colorado.

Approved:

April 29, 1931.