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SCHOOL LAWS

Enacted by

The Thirty-ninth General Assembly

Second Regular Session

STATE OF COLORADO



1954

H. GRANT VEST

State Commissioner of Education

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SCHOOL LAWS

The Constitution of the State of Florida

CHAPTER 100



1931

SCHOOL LAWS

Enacted by

THIRTY-NINTH

GENERAL ASSEMBLY

Second Regular Session

STATE OF COLORADO

1954

THE
STATE OF
NEW YORK
IN SENATE,
January 10, 1891.
REPORT
OF THE
COMMISSIONERS OF THE LAND OFFICE,
IN ANSWER TO A RESOLUTION
PASSED BY THE SENATE
MAY 10, 1889.

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AN ACT

House Bill No. 20

(Ch. 57, S.L. '54)

TO AMEND SECTIONS 194 AND 195, CHAPTER 146, 1935 COLORADO STATUTES ANNOTATED, AS AMENDED, CONCERNING TAX LEVIES FOR COUNTY AND UNION HIGH SCHOOLS.

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

SECTION 1. Section 194, Chapter 146, 1935 Colorado Statutes Annotated, as amended, is hereby amended to read as follows:

Section 194. Each high school district heretofore formed or that may be formed as provided in this chapter, shall exercise all the powers and perform all the duties that are at the time of the adoption of this chapter accorded to and required of directors of first and second class districts throughout the state; **provided**, that the amount of tax certified to the county commissioners for the maintenance of the high school in any high school district shall in no case exceed eight mills on the dollar for taxes levied for the years 1954, 1955, 1956, 1957 and 1958 and thereafter five mills on the dollar of the assessed valuation of the high school district.

SECTION 2. Section 195, Chapter 146, 1935 Colorado Statutes Annotated, as amended, is hereby amended to read as follows:

Section 195. The county commissioners of any county wherein is located a county or union high school district heretofore or hereafter organized, according to law, or where any high school district is organized under the provisions of this chapter or heretofore or hereafter organized as a union high school under section 162 or under section 171 of this chapter, shall levy annually at the time of levying taxes for other purposes, a high school tax on all the taxable property of the county embraced within the limits of such county or union high school district, said tax not to exceed eight mills on the dollar for taxes levied

for the years 1954, 1955, 1956, 1957 and 1958 and thereafter five mills on the dollar of the assessed valuation of such county or union high school district.

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.

Approved February 12, 1954

AN ACT

House Bill No. 33

(Ch. 59, S.L. '54)

REGARDING PAYMENT TO RETIRED PRESIDENTS, DEANS, PROFESSORS, INSTRUCTORS AND RESEARCH WORKERS OF STATE INSTITUTIONS OF HIGHER LEARNING; ESTABLISHING A STATE INSTITUTIONS OF HIGHER LEARNING EMERITUS RETIREMENT FUND; AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. This act shall apply to all presidents, deans, professors, instructors and research workers retired from service of state institutions of higher learning of Colorado, provided that said persons:

(a) Shall have served as an employee at least seventeen (17) years in one or more state institutions of higher learning of Colorado;

(b) Shall be at least sixty-five (65) years of age;

(c) Shall have retired from teaching, administration or research in an institution of higher learning prior to January 1, 1953;

(d) Shall be a resident of Colorado.

SECTION 2. Retired presidents, deans, professors, instructors and research workers eligible under section 1 of this act shall make application to the Commissioner of Education for annuity or pension benefits as herein provided prior to July 1, 1954, and no application shall be accepted by the Commissioner of Education on or after July 1, 1954.

SECTION 3. All retired presidents, deans, professors, instructors and research workers who are declared eligible to receive the benefits of this act by the Commissioner of Education shall receive a monthly annuity or pension so long as they shall remain a resident of Colorado, effective on and after the first day of the first month after the passage of this act and thereafter.

SECTION 4. There is hereby created a State Institutions of Higher Learning Emeritus Retirement Fund, from which the Commissioner of Education shall authorize payments from such appropriations as shall be made to the fund. Persons qualifying for retirement benefits under this act shall receive a monthly payment of one hundred dollars (\$100.00) per month, less any pension or retirement benefit received from any other retirement annuity or pension fund supported in whole or in part by the state or its political subdivisions; **provided, however,** that all payments hereunder shall be prorated on an equal monthly basis within the limits of the appropriations made and no payment shall exceed one hundred dollars (\$100.00) per month.

SECTION 5. For the purpose of carrying out the provisions hereof, there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to the State Institutions of Higher Learning Emeritus Retirement Fund, the sum of thirteen thousand seven hundred dollars (\$13,700.00) for the period beginning the first day of the first month after the passage of this act and ending June 30, 1954, and the sum of thirty-two thousand nine hundred dollars (\$32,900.00) for the fiscal year 1954-1955, or so much thereof as may be necessary, for the payment of retirement benefits provided for in this act.

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

SECTION 7. 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 February 11, 1954

AN ACT

House Bill No. 40

(Ch. 50, S.L. '54)

AUTHORIZING THE CONVEYANCE AND TRANSFER OF CERTAIN LANDS IN COSTILLA COUNTY BY THE STATE OF COLORADO, ACTING THROUGH THE BOARD OF TRUSTEES OF THE ADAMS STATE COLLEGE OF COLORADO.

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

SECTION 1. The State of Colorado, acting through the board of trustees of the Adams State College of Colorado at Alamosa, in consideration of one dollar and other valuable considerations, is hereby authorized to execute conveyances of and to transfer to the Centennial Union High School District No. 25 in Costilla County the following described lands :

Lots 1, 2, 3, 4, and 5, in Block 26 (being all of Block 26), according to the original plat of the town of San Luis, Colorado.

together with all improvements thereon and all water rights appurtenant thereto.

SECTION 2. 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 February 4, 1954

A N A C T

House Bill No. 73

(Ch. 25, S.L. '54)

MAKING AN APPROPRIATION TO THE STATE PUBLIC SCHOOL FUND.

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

SECTION 1. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to the State Public School Fund, for the fiscal year 1954-1955, the sum of eleven million five hundred thousand dollars (\$11,500,000.00), for the purpose of providing funds for distribution under the provisions of the Public School Finance Act of the State of Colorado, and any amendments thereto.

SECTION 2. 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 February 24, 1954

SENATE BILLS

AN ACT

Senate Bill No. 22

(Ch. 58, S.L. '54)

CONCERNING THE FORT LEWIS SCHOOL, AND TO
AMEND THE LAW RELATING THERETO.

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

SECTION 1. Section 1, Chapter 194, Session Laws of Colorado, 1947, is hereby amended to read as follows:

Section 1. The State Board of Agriculture is hereby authorized and directed to have prepared plans for a building or buildings to be constructed within the city limits of Durango, La Plata County, Colorado, for purposes of the Fort Lewis School, Hesperus, Colorado, and situated on grounds owned by the State of Colorado and used for the purposes of said school, and upon approval of said plans by the board, to begin construction of said building or buildings.

SECTION 2. Section 93, Chapter 38, 1935 Colorado Statutes Annotated, is hereby amended to read as follows:

Section 93. Unless otherwise provided by law, a separate account of said fund shall be kept by the several county treasurers of this state and also by the state treasurer, and the same shall be available to the State Board of Agriculture for secondary instruction in agriculture, mechanic and household arts; for investigations in agriculture and kindred problems; for extension service; for the operation of the school farm; for the upkeep and construction of buildings, the clearing of lands and other necessary improvements at the Fort Lewis School.

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.

Approved March 9, 1954

AN ACT

Senate Bill No. 26

(Ch. 33, S.L. '54)

CONCERNING MOTOR VEHICLES AND TO AMEND THE LAW RELATING THERETO.

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

SECTION 1. Section 144, Chapter 16, 1935 Colorado Statutes Annotated, as amended, is hereby amended to read as follows:

SECTION 144. **Mandatory Revocation of License by Department.** (a) The department shall forthwith revoke the license of any operator or chauffeur upon receiving a record showing that such operator or chauffeur has:

1. Been convicted of manslaughter resulting from the operation of a motor vehicle; or
2. Been convicted of driving a motor vehicle while under the influence of narcotic drugs, or while an habitual user of narcotic drugs; or
3. Been convicted of any felony in the commission of which a motor vehicle was used; or
4. Been convicted of the failure to stop and render aid as required by this act in the event of a motor vehicle accident resulting in the death or injury of another; or
5. Been convicted of perjury or the making of a false affidavit or statement under oath to the department under this or any other law relating to the ownership or operation of motor vehicles; or
6. Been three times convicted of reckless driving of a motor vehicle for acts committed within a period of two years; or
7. Been twice convicted of driving a motor vehicle while under the influence of intoxicating liquor for acts committed within a period of five years; or

8. Been twice convicted of driving while under the influence of any drug, other than a narcotic drug, to a degree which made him incapable of safely operating a motor vehicle.

(b) Upon revoking the license of any person as required by this section, the department shall immediately notify the licensee in writing served personally or by registered mail, with return receipt requested, addressed to the last known address of the licensee as shown by the records of the department; **provided, however,** should an operator or chauffeur, who has had his license revoked under this section be subsequently acquitted of such charge by a court of record, the department shall forthwith and in any event not later than ten days after receipt of notice of such acquittal, reinstate said license to the operator or chauffeur affected.

SECTION 2. Section 145, Chapter 16, 1935 Colorado Statutes Annotated, as amended, is hereby amended to read as follows:

Section 145 (a) The department is hereby authorized to suspend the license of any operator or chauffeur without preliminary hearing upon a showing by its records or other sufficient evidence that the licensee:

1. Has committed an offense for which mandatory revocation of license is required upon final conviction, in which case an operator or chauffeur whose license has been suspended may apply for examination and a new license at the end of one year from the date of suspension or revocation by the department;
2. Is an habitually reckless or negligent driver of a motor vehicle;
3. Is an habitual violator of the traffic laws;
4. Is incompetent to drive a motor vehicle;
5. Has permitted an unlawful or fraudulent use of such license;
6. Has committed an offense in another state, which if committed in this state would be grounds for suspension or revocation; or
7. Conviction on charges of any misuse of licenses, titles, permits or plates.

(b) Upon suspending the license of any person as hereinbefore in this section authorized, the department shall immediately notify the licensee in writing served personally or by registered mail, with return receipt requested, addressed to the last known address of the licensee as shown by the records of the department. Upon request of the person whose license is suspended, the department shall afford him an opportunity for a hearing as early as practicable and within not to exceed thirty days after receipt of such request. Such hearing shall be held in the county wherein the licensee resides unless the department and the licensee agree that the hearing may be held in some other county. Upon such hearing the department or its authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses and the production of books and papers and may require a re-examination of the licensee. After a hearing the department may either rescind its order of suspension or may extend the period of suspension of such license or revoke such license.

SECTION 3. Chapter 16, Section 124, Subsection 1, 1935 Colorado Statutes Annotated, is hereby amended to read as follows:

Subsection 1. To any person, as an operator, who is under the age of sixteen (16) years, or to any person as a special minor operator who is under the age of fifteen (15) years.

SECTION 4. Chapter 16, Section 126, 1935 Colorado Statutes Annotated, is amended by adding a new subsection—Subsection (c) to read as follows:

Subsection (c): Any minor over the age of fifteen (15) years who has satisfactorily completed a regular motor vehicle driving course as prescribed by any public or private school, provided such course has been approved by the chief of the Colorado State Patrol, or who has satisfactorily completed a special motor vehicle driving course directed by any public or private school superintendent, principal or teacher, and which course has been approved by the chief of the Colorado State Patrol, may apply for a special minor operator's license upon the presentation of a written or printed statement signed by the proper authority that said minor has completed a written or special motor vehicle driving course as above defined, provided all instructors of the above courses hold a valid operator's or chauffeur's license. The department shall issue a special minor oper-

ator's license provided all of the other requirements relating to operator's licenses, as now provided by law, have been complied with, and further providing that such special minor operator's licenses shall be voided on the licensee's sixteenth birthday and shall be subject to revocation unless said special minor operator when driving any motor vehicle on the public highways of this state is accompanied by a parent, guardian, regular or special driving course instructor, or any other responsible person holding a valid operator's or chauffeur's license and who is willing to assume the obligations imposed under Section 128 of this act; and further providing that such special minor operator's license shall expire on the next ensuing birthday of said minor.

SECTION 5. Chapter 16, Section 127, Subsection (a), 1935 Colorado Statutes Annotated, is hereby amended to read as follows:

Subsection (a): Every application for an instruction permit or for an operator's, special minor operator's, or chauffeur's license shall be made upon a form furnished by the department and shall be verified by the applicant before a person selected and authorized by the department to administer oaths without charge and every said application shall be accompanied by the required fee.

SECTION 6. Chapter 16, Section 133, Subsection (a), 1935 Colorado Statutes Annotated, is hereby amended to read as follows:

Subsection (a): The department shall, upon payment of the required fee issue to every applicant qualifying therefor an operator's, special minor operator's, or chauffeur's license as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address and a brief description of the licensee, and a space upon which the licensee shall write his usual signature with pen and ink immediately upon receipt of the license. No license shall be valid until it has been so signed by the licensee.

SECTION 7. Chapter 16, Section 133, 1935 Colorado Statutes Annotated, is hereby further amended by the addition of a new subsection—Subsection (d)—to read as follows:

Subsection (d): The fee for the issuance of a special minor operator's license or reissuance thereof when lost, shall be one

dollar and the collection and remittance of this fee shall be the same as provided for in Subsection (b) of this section.

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.

Approved March 11, 1954

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