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SCHOOL LAWS

Enacted by

The Forty-Third General Assembly

Second Regular Session

STATE OF COLORADO

1962



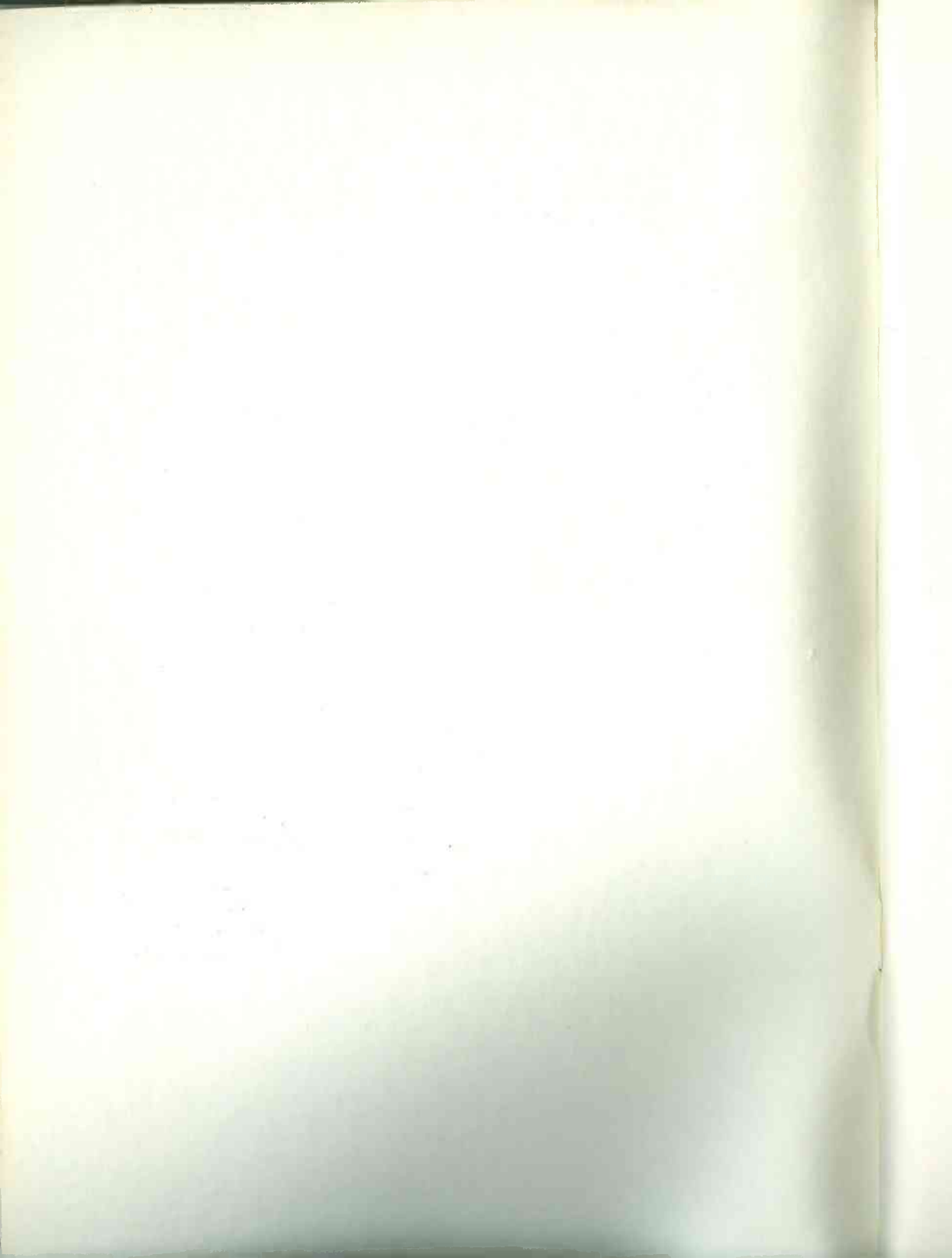
COLORADO STATE

DEPARTMENT OF EDUCATION

Byron W. Hansford, *Commissioner*

DENVER

1962



School Laws

Enacted by
The Forty-Third General Assembly
Second Regular Session

STATE OF COLORADO

1962

Prepared by
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HOUSE BILLS

1875

AN ACT
House Bill No. 10
(Ch. 76, S.L. '62)

**RELATING TO THE TRAINING OF TRAINABLE MENTALLY
RETARDED CHILDREN.**

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

SECTION 1. 123-29-5, Colorado Revised Statutes 1953 (Supp.), is hereby amended by the addition of a NEW SUBSECTION (4) to read:

123-29-5. Eligibility of children to participate in program—transportation of children. (4) The local school board of a participating district, if it determines that a child is in need of transportation to enable that child to participate in the program, may, with the approval of the state board, provide for the transportation of the child to and from the place of residence, whether within or without the district to the location where such special training facilities are conducted. In lieu of providing such transportation; the local board may reimburse parents for costs incurred in transporting their own or other children receiving training under this article.

SECTION 2. 123-29-6, Colorado Revised Statutes 1953 (Supp.), is hereby amended by the addition of a NEW SUBSECTION (g) to read:

123-29-6. Special training facilities — transportation of children. (g) Approval and requirements for the transportation of children.

SECTION 3. 123-29-8 (1), Colorado Revised Statutes 1953 (Supp.), is hereby amended to read:

123-29-8. Cost of program shared by district. (1) (a) The cost of administering and maintaining the program authorized by this article shall be paid jointly by the state and the participating school district for the school years beginning in September 1960, 1961 AND 1962. The per capita cost of educating a child in each school district participating in the program established by this article shall include the following expenses applicable only to such special training and educational facilities, under rules and regulations prescribed by the state board as follows:

(b) Salaries of professional personnel, assistants to teachers, and custodial employees; and specialized services as needed.

(c) Specialized educational supplies and equipment.

(d) Operation of physical plant, including heat, light, water, repairs, and maintenance, if regular school facilities are not used.

(e) Costs of transporting children.

SECTION 4. 123-29-9 (a), Colorado Revised Statutes 1953 (Supp.), is hereby amended to read:

123-29-9. Report to the general assembly. (1) (a) On the convening of the general assembly in January, 1962, and in January, 1963, the state board shall report and certify to the general assembly the following data, together with its recommendations and appraisal of the value and need of a state-wide program similar to the program conducted on an experimental basis under the provisions of this article:

SECTION 5. 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 by the Governor February 1, 1962.

AN ACT
House Bill No. 35
(Ch. 8, S.L. '62)

CONCERNING MONEYS APPROPRIATED FOR AND TO BE DISTRIBUTED DURING THE CURRENT FISCAL YEAR UNDER THE PROVISIONS OF "THE PUBLIC SCHOOL FOUNDATION ACT".

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

SECTION 1. **Appropriation.** In addition to any other moneys heretofore appropriated to the department of education for the purposes of assistance under the public school foundation act during the 1961-62 fiscal year, there is hereby appropriated out of moneys in the state treasury not otherwise appropriated, to the department of education the sum of one hundred twenty-one thousand eight hundred thirty dollars (\$121,830.00) for the purposes of the minimum equalization program of the public school foundation act during the current fiscal year.

SECTION 2. Section 6, chapter 221, Session Laws of Colorado 1961, is hereby repealed.

SECTION 3. **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 by the Governor March 6, 1962.

AN ACT
House Bill No. 62
(Ch. 21, S.L. '62)

MAKING AN APPROPRIATION TO THE STATE BOARD OF
AGRICULTURE FOR THE FORT LEWIS SCHOOL.

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

SECTION 1. In addition to any other moneys appropriated for the fiscal year beginning July 1, 1962, there is hereby appropriated for said fiscal year, out of any moneys in the state treasury not otherwise appropriated, to the state board of agriculture, for the Fort Lewis school, the sum of one hundred fifty thousand dollars (\$150,000.00), or so much thereof as may be necessary, for additional expenses incurred by the board in offering a tri-mester course of instruction at said school and the granting of degrees for completion of the full course of instruction.

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 by the Governor March 8, 1962.

AN ACT

House Bill No. 85

(Ch. 75, S.L. '62)

CREATING AN ADVISORY COMMITTEE ON JUNIOR COLLEGES TO ADVISE THE DIVISION OF EDUCATION BEYOND HIGH SCHOOL OF THE STATE DEPARTMENT OF EDUCATION, AND PROVIDING FOR ITS APPOINTMENT, DUTIES, AND FUNCTIONS.

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

SECTION 1. Legislative intent. The general assembly hereby declares that the expansion of the junior college system in the state of Colorado is necessary to provide needed facilities for education beyond the high school for Colorado students and that the creation of the committee as provided in this act is necessary for the orderly study and implementation of the expansion of the junior college system in the state.

SECTION 2. Committee created. There is hereby created a committee to be known as the "Advisory Committee on Junior Colleges," hereinafter referred to as the committee, which shall be advisory to the division of education beyond high school of the state department of education, the state board of education and the general assembly.

SECTION 3. Membership and appointment. The governor, within thirty days after the approval of this act, shall appoint a committee consisting of nine members. All said members shall be appointed from the public at large, and no member shall be employed by any school district in any capacity nor be a paid officer or employee of an education association or organization. Said committee shall exist for a period of three years from date of appointment.

SECTION 4. Duties and functions of committee. The committee shall have the following duties and functions:

Advise the division of education beyond high school of the state department of education, the state board of education and the general assembly on all matters affecting the growth, organization, coordination and financing of junior colleges in the state.

SECTION 5. The expenses of the members of the advisory com-

mittee for travel and subsistence shall be reimbursed out of any moneys appropriated to the state department of education.

SECTION 6. 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 by the Governor March 6, 1962.

A N A C T
House Bill No. 86
(Ch. 74, S.L. '62)

CONCERNING THE EXCHANGE OF TEACHERS.

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

SECTION 1. 123-10-23, Colorado Revised Statutes 1953, is hereby REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read as follows:

123-10-23. Exchange of teachers. (1) A board of education of a school district shall have authority to provide for the exchange of teachers with a school district of another state. The period of exchange shall not exceed one school year. The Colorado teacher exchanged must agree to return and perform services for a school district of Colorado on a full-time basis for at least one additional school year.

(2) A board of education of a school district shall have authority to provide for the exchange of teachers with a foreign government or agency thereof. The state department of education and boards of education of school districts are authorized to cooperate with appropriate federal agencies involved in teacher exchange programs. The period of exchange shall not exceed twenty-four months, exclusive of travel time to and from the foreign country. The Colorado teacher exchanged must agree to return and perform services for the school district in Colorado which authorized the exchange on a full-time basis for one school year for each year spent overseas.

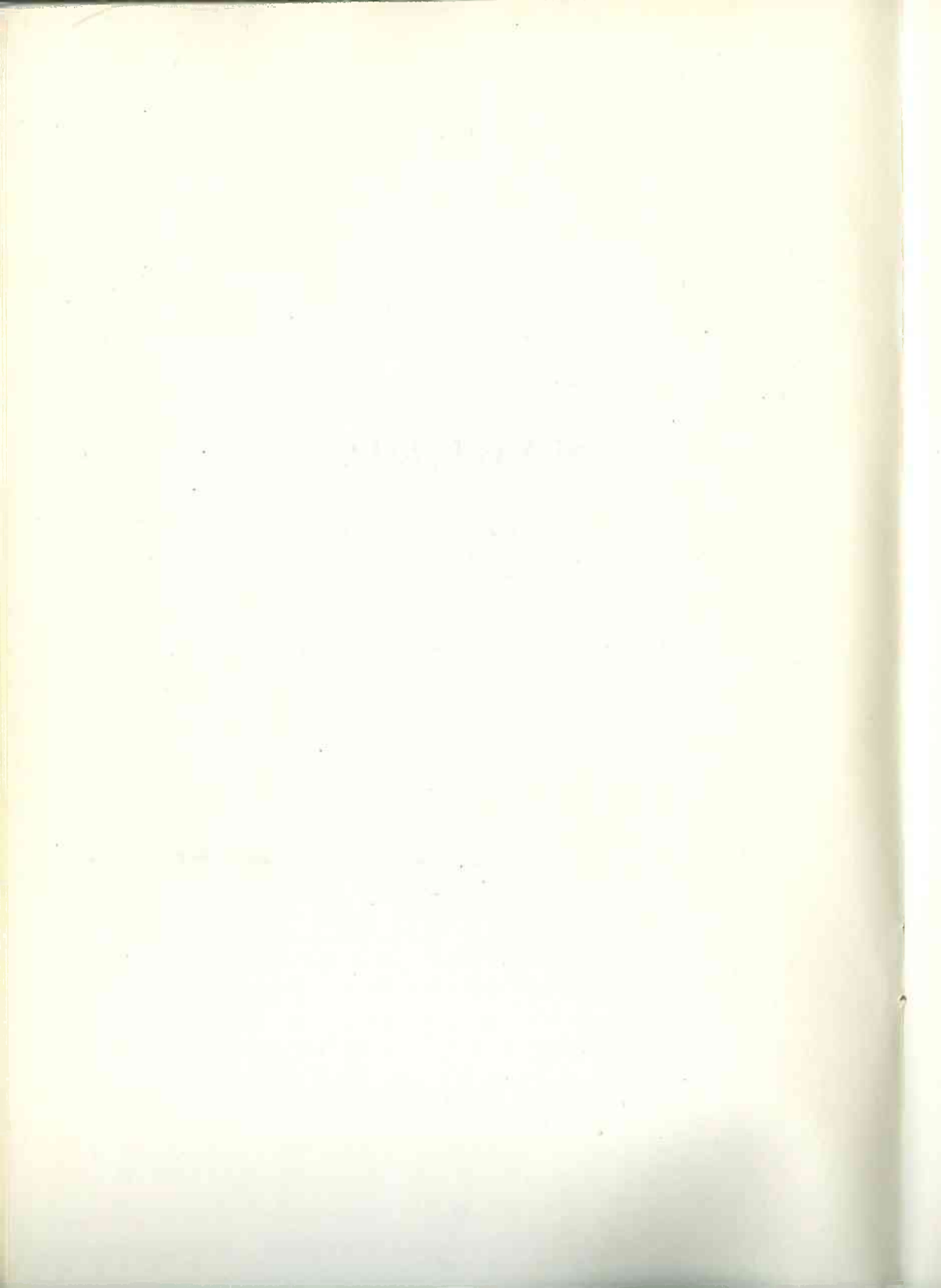
(3) A teacher shall have been in the employ of a school district of Colorado on a full-time basis for a period of at least three school years in order to be eligible for exchange pursuant to this section. The salary of the Colorado teacher exchanged may be paid by the school district of Colorado which authorized the exchange. If paid by the Colorado school district authorizing the exchange, the teacher shall be paid at not less than the rate to which he would otherwise be entitled in that district. A Colorado teacher exchanged pursuant to this section shall be deemed, during the period of exchange, to be in the employ of the school district of Colorado which authorized the exchange, and such teacher shall be subject to the provisions and benefits of retirement, tenure, insurance, and workmen's compensation as if actually performing the services within the school district of Colorado.

(4) The state department of education is directed to make progress reports as indicated and to report to the general assembly by December 1, 1964, on its experience with the program, together with such recommendations for continuation, modification, or termination as it deems advisable.

SECTION 2. 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 by the Governor February 20, 1962.

SENATE BILL



A N A C T
Senate Bill No. 30
(Ch. 77, S.L. '62)

RELATING TO PUBLIC SCHOOLS AND TO "THE PUBLIC SCHOOL FOUNDATION ACT", AND MAKING APPROPRIATIONS THEREFOR.

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

SECTION 1. **Short title.** This act shall be known and cited as "The Public School Foundation Act".

SECTION 2. **Definitions.** Unless otherwise clearly indicated by the context, the following words and phrases when used herein shall have the meanings hereby ascribed:

(1) "School district" means any first, second, or third class district, county high school district, union high school district, or joint school district.

(2) "Joint district" means a district organized under the provisions of section 123-7-5, CRS 1953, as amended, or under the provisions of article 8 of chapter 123, CRS 1953, as amended, or otherwise as provided by law, the territory of which is located in more than one county.

(3) "Junior college district" means any junior college district organized under the provisions of article 23 of chapter 123, CRS 1953, as amended.

(4) "State board" means the state board of education.

(5) "Board of education" means the school board, board of directors, and board of education of first, second, and third class school districts, the high school committee in union and county high school districts, and the junior college committee in junior college districts.

(6) "County superintendent" means the superintendent of schools of a county as provided for in section 8 of article XIV of the constitution.

(7) "Teacher" means any teacher, supervisor, principal, or superintendent holding a valid certificate.

(8) "Public school income fund" means the income derived from the public school fund created by article IX of the constitution, and statutes enacted pursuant thereto.

(9) "Adjusted gross income" means the amount, determined pursuant to the provisions of section 138-1-10, CRS 1953, reported on an individual income tax return filed with the department of revenue for a taxable year.

(10) "Adjusted gross income of a county" means the aggregate of the amounts, determined pursuant to the provisions of section 138-1-10, CRS 1953, reported on all individual income tax returns filed with the department of revenue by residents of a county for a taxable year.

(11) "Classroom unit" means twenty-five pupils in average daily attendance in the schools of a district.

(12) "Classroom unit value" means the amount arbitrarily ascribed in dollars to a classroom unit as the measurement of county and state support of a minimum equalization program.

(13) "Urban real property" as used in this act shall include those classes of property reported to the Colorado tax commission by the county assessors as urban property pursuant to the rules of the commission.

(14) "Sales ratio" is that number which represents the per cent that the assessed valuation of urban real property is of its sales price as reported pursuant to the provisions of the "Realty Recording Act", sections 118-6-21 to 118-6-33, Colorado Revised Statutes 1953 (Supp.), as determined for the three calendar years 1959, 1960, and 1961, and thereafter, as determined for the three calendar year period immediately preceding the year of distribution of moneys under this act, from statistical studies conducted by the legislative council.

(15) "Adjusted assessed valuation" of any county is that number which results from the following computation for the purposes of administering this act only:

(a) The difference between the urban sales ratio of the county and the average urban sales ratio of all counties of the state shall be computed to the nearest one-tenth by subtracting the smaller of the two numbers from the larger.

(b) The resulting difference determined in (a) shall be divided by the sales ratio of the county with the resulting quotient carried to the nearest one-tenth of a per cent.

(c) The certified assessed valuation of all locally assessed urban real properties in the county shall be multiplied by the quotient determined in (b).

(d) The result obtained by the multiplication process in (c) shall be added to the certified assessed valuation of all locally assessed urban real properties if the sales ratio of the county is a smaller amount than the average sales ratio of all counties of the state, and the result obtained in (c) shall be subtracted from the same certified assessed valuation of all locally assessed urban real properties if the sales ratio of the county is a larger amount than the average sales ratio of all counties of the state.

(e) The result obtained in (d) shall be added to the certified assessed valuation in the county of all locally assessed real properties other than urban real properties; state assessed properties; equities in state school lands; all producing metal mines as defined in section 137-5-3, CRS 1953; leasehold interests in lands producing oil and gas; and all personal property.

(f) The number resulting from the completion of steps (a) through (e) of this subsection shall be rounded to the nearest one thousand dollars and shall accordingly become the "adjusted assessed valuation" of the county for purposes of administering this act.

(16) "Full-time equivalent teacher" means the sum of one-fifth fractions of part-time regularly certified teachers if such part-time teachers are employed. Under no circumstance shall the fractional parts of any one teacher's time be totaled to more than one.

SECTION 3. Aggregate days of attendance – average daily attendance. (1) Aggregate days of attendance shall be the aggregate of all days of attendance in the public schools of a school district by all regularly enrolled pupils under twenty-one years of age, who have not completed the twelfth grade in any high school, during the school year immediately preceding the state fiscal year for which an appropriation for the support of public schools is made. No more than the first one hundred eighty days of school shall be used in computing aggregate days of attendance. Each school district shall be entitled to credit for one day of attendance for each full day of attendance by such regularly enrolled pupil. Attendance for more than one-half of the regular hours of school during a day shall be counted as a full day of attendance, and attendance for one-half or less of the regular hours of school during a day shall be counted as one-half day of attendance; attendance in night school classes for a minimum of two hours shall be counted as one-half day of attendance.

(2) In any case where a new school district is formed, the aggregate days of attendance during the preceding school year in all districts or portions thereof comprising the new district shall be used in determining the aggregate days of attendance of such new district.

(3) The state board is authorized and empowered to make final determination of the aggregate days of attendance for any district under subsections (1) and (2) hereof.

(4) Average daily attendance shall be computed by dividing aggregate days of attendance, as determined under subsections (1), (2) and (3) of this section, by the figure one hundred seventy-two.

SECTION 4. Classroom units. A classroom unit shall be the basis for determining minimum equalization support by each county and the state under the provisions of this act. A school district shall be entitled to one classroom unit for each twenty-five pupils in average daily attendance, calculated to the nearest one-fifth of a unit. No more than one hundred eighty days of school shall be taken into account in calculating the number of classroom units to which a school district may be entitled, and in no case shall a school district be entitled to a greater number of classroom units than the number of full-time equivalent teachers employed by such school district, except as hereinafter provided for in section 15 of this act.

SECTION 5. Reports to state board. (1) At the end of each school year, the secretary of the board of education of each school district electing to accept and be subject to the terms and conditions of this act shall certify to the state board, furnishing the county superintendent with a copy of such certification:

(a) That the district has elected to accept and be subject to the terms and conditions of this act; the filing of such certification shall constitute acceptance;

(b) The total number of days during which school was actually in session during the school year just completed;

(c) The total aggregate days of attendance during said school year.

(2) No later than October first of each year, the secretary of the board of education of each eligible school district shall certify to the state board the number of full-time equivalent teachers employed by such district as of the date of such certification, furnishing the county superintendent with a copy of such certification.

(3) On or before October fifth of each year, the Colorado tax commission shall certify to the state board the locally and state assessed valuation, combined, of all taxable property within each school district and each county of the state, together with the tax assessment in each county for each of the following classifications of property: Locally assessed urban real properties; locally assessed real properties other than

urban real properties; state assessed properties; equities in state school lands; all producing metal mines as defined in section 137-5-3, CRS 1953; leasehold interests in lands producing oil and gas; and all personal property. On or before November fifth of each year, the Colorado tax commission shall certify to the state board the special school district levy for each school district in the state, and at the same time furnish the state board with a statement setting forth the appraised valuation of all locally and state assessed taxable property, as determined by the state board of equalization for assessment purposes in each county of the state; provided, said Colorado tax commission shall make necessary corrections in the special school district levies when tax abatements have been allowed prior to November fifth in order that school district special levies will produce the same amount of revenue as called for in the annual budget of said school district.

(4) No later than November fifteenth of each year, the secretary of the board of education of each eligible school district shall certify to the county superintendent the number of high school graduates of the preceding school year who have enrolled in institutions of higher learning, and, if possible, the name of each institution and the number of graduates enrolled therein; and no later than December fifteenth of each year, the county superintendent shall certify such information to the state board.

SECTION 6. Required county support — shared county support — how determined. (1) To qualify for participation in the state minimum equalization program, each county of the state shall, at its sole cost, provide two hundred dollars for each of the actual number of classroom units to which all the school districts in such county were entitled during the last completed school year, and the aggregate amount thereof shall be designated as required county support.

(2) Each county's shared support of the state minimum equalization program shall be determined in the following manner:

(a) No later than October first of each year the department of revenue shall furnish to the state board a statement setting forth the adjusted gross income of each county of the state for the preceding taxable year.

(b) Not later than October fifth of each year the state tax commission shall furnish to the state board a statement setting forth the appraised valuation of all locally and state assessed taxable property within each county of the state, as determined by the state board of equalization for assessment purposes.

(c) No later than September first of each year the legislative council shall report to the state board the sales ratio as determined for the three

calendar years immediately preceding the year of distribution of moneys under this act, for each county in the state and for the state as a whole.

(d) The adjusted gross income of each county of the state for the latest taxable year shall be divided by the actual number of classroom units to which all the school districts in such county were entitled during the last completed school year, and the resulting quotient, to the nearest full dollar, shall be designated as the adjusted gross income of the county per classroom unit; and the adjusted assessed valuation of each county of the state shall be divided by the same divisor, and the resulting quotient, to the nearest full dollar, shall be designated as the adjusted assessed valuation of the county per classroom unit.

(e) Fifty-three one-hundredths of one per cent of the sum of the two quotients obtained in subsection (d) above, to the nearest full dollar, shall be designated as the measure of shared county support per classroom unit of the state minimum equalization program.

(f) The measure of shared county support per classroom unit, multiplied by the actual number of classroom units to which all the school districts in such county were entitled during the last completed school year, shall be the amount of such county's shared support of the state minimum equalization program.

(3) Upon determination of the amount of each county's required support and the amount of its shared support of the state minimum equalization program, the state board shall certify such amounts to the board of county commissioners of each county, no later than October fifteenth of each year.

(4) Classroom units referred to in this section shall be calculated on the basis of aggregate days attendance during the preceding school year.

SECTION 7. County school levy. (1) To provide funds to pay each county's required and shared support of the state minimum equalization program, it shall be the duty of the board of county commissioners in each county, at the same time that other taxes are levied for county purposes, to annually levy a tax on all of the taxable property within the county at a rate sufficient to produce an amount, which combined with general county school fees payable by the game and fish commission, determined and certified for the entire county in the same manner as is provided in section 123-3-1 (2) with respect to school fees for the special school fund, shall be equal to the sum of the amounts certified by the state board as provided in subsection (3) of section 6 of this act, and such levy shall be designated as the county school levy.

(2) Upon receipt of certification from the several boards of county commissioners of the amount of general county school fees due, the game and fish commission shall cause to have drawn and signed vouchers, which the state controller shall honor by issuing warrants on the game cash fund, established by section 62-2-5, which warrants shall be payable to the respective county treasurers of the certifying counties. Payment of such general county school fees shall be due on the last day of February of each year, and upon receipt of payment, the county treasurer shall credit the amount to the county public school fund. The claim established by the certification of general county school fees due to a county shall constitute a preferred claim upon the game cash fund, and the certifying county shall be treated as a preferred creditor and paid in full. The game and fish commission shall have all the rights and obligations as to valuation and assessment and as to certification of general county school fees before the county board of equalization, the state board of equalization and the state tax commission as are granted to or imposed upon private taxpayers.

(3) In all cases where a county or a city and county shall comprise one school district only, the inclusion of the county school levy with the special levy of the district shall constitute compliance with the provisions of this section.

SECTION 8. County public school fund. There is hereby created in the office of the county treasurer of each county of the state a continuing fund to be known as the county public school fund, into which fund shall be paid the proceeds of the county school levy, other moneys provided for in this act, and other county school moneys.

SECTION 9. Distribution of county public school fund. (1) Each eligible school district in the county shall be entitled to participate in the county public school fund in the proportion that its total classroom unit value, determined as provided in section 6 of this act, is of the aggregate classroom unit value of all eligible school districts in the county. Upon approval of the county superintendent, a district shall be considered eligible if all or part of its pupils are attending school in a school district located in an adjoining state; in such event, the days of attendance of pupils in the schools of the out-of-state district shall be considered as the days of attendance to calculate the classroom units of the eligible district, except that the amount that may be due to it under this section shall not exceed the amount of tuition and transportation costs paid by said district to the out-of-state district.

(2) The state board shall determine the proportionate part of the county public school fund to be paid to each eligible school district in the county, and on or before December thirtieth of each year shall certify such

determination to the county treasurer and furnish the county superintendent with a copy of such certification. The proportions so certified shall be the basis upon which the county public school funds shall be distributed during the following calendar year, and at the end of each month during such year, the county treasurer shall credit the proper proportions of the moneys in the county public school fund to the special funds of the eligible school districts in the county.

SECTION 10. State public school fund. There is hereby created in the office of the state treasurer a fund to be known as the state public school fund. There shall be credited to said fund the net balance of the public school income fund existing as of June 30, 1962, and quarterly distributions from the public school income fund thereafter made; the state's share of all moneys received from the federal government pursuant to the provisions of section 100-8-2; and such moneys as may from time to time be appropriated by the general assembly to cover the state's share of the state minimum equalization program, contingency reserve, excess growth, small attendance centers, and junior colleges.

(2) Any unexpended balance of appropriated moneys in the state public school fund at the end of each fiscal year shall revert to the general fund, but the balances derived from other sources shall remain in said fund and become available for distribution during the following fiscal year.

SECTION 11. State minimum equalization program – classroom unit values. From and after July 1, 1962, the state of Colorado shall provide to each eligible school district in the state the difference between the aggregate amount required to provide five thousand two hundred dollars for each classroom unit in said district to which the district is entitled under the program and the amount received by said school district from the county public school fund of the county in which it is located, assuming one hundred per cent collection of the county school levy.

SECTION 12. Distribution of state public school fund. (1) The amount which each eligible school district shall be entitled to receive from the state public school fund shall be computed by the state board.

(2) No later than June thirtieth of each year the state board shall determine the approximate amount of money in the state public school fund to become available for distribution to eligible school districts during the following fiscal year, on a quarterly basis.

(3) Upon determination of the amounts payable quarterly to each eligible school district, but no later than the fifteenth day of August, November, February and May of each fiscal year, the state board shall certify to the state treasurer the amount to be paid to each county of the

state, and to the county treasurer of each county the amount thereof to be credited to each eligible school district in his county, and shall furnish the county superintendent with copies of such certifications. Upon receipt of such certification, but no later than the first day of September, December, March and June of each fiscal year, the state treasurer shall make distribution of the amounts so certified to the respective county treasurers, who shall forthwith credit to the special fund of each school district in his county the amount to which each such district shall be entitled.

(4) If it be determined that any school district has been overpaid at any quarterly payment date, the state board shall adjust the next following quarterly payment to such district so as to recover the amount of such overpayment. In the event that an overpayment to any district cannot be so recovered, the amount of overpayment shall be refunded to the state public school fund by the district receiving the same.

(5) Should the amount of the appropriation made be less than the amount determined to be the state's actual share of the cost of the state minimum equalization program allowed school districts under this act, the amount to be distributed to any school district shall be in the same proportion as the amount of the appropriation made bears to the amount determined to be the state's actual share.

SECTION 13. Minimum days of school—school closings. (1) From and after the effective date of this act no district maintaining a school year of less than one hundred seventy-two days shall be entitled to receive any moneys from the county public school fund or from the state public school fund. In the event of enforced closing of school by order of the board of education of a school district because of public emergency, storm, or other act of God, or upon the order of a health officer having jurisdiction, the aggregate days of attendance for such closed period shall be computed upon the basis of average attendance during the remainder of the school year during which school was held, provided, however, that a reasonable effort was made to reopen the school as soon as permissible. Average attendance shall be the quotient obtained by dividing the actual number of days the school was in session into the total of all days of attendance, computed as defined for aggregate days of attendance in section 3 of this act. Days of enforced closing shall be considered as days of school under the provisions of this act.

(2) The state board is authorized and empowered to determine the merit of all claims made pursuant to the provisions of this section.

SECTION 14. Excess growth. (1) If during the first twelve weeks

of a school year, the school district shall experience an increase in average daily attendance in excess of seven per cent of its average daily attendance during the first twelve weeks of the preceding school year, such school district may, at the discretion of the state board, be allowed one additional classroom unit for each twenty-five pupils in average daily attendance in excess of such seven per cent increase. Any such percentage increase shall be certified by the secretary of the board of education of such school district to the county superintendent, and by him to the state board, no later than December tenth of each year.

(2) The general assembly shall annually make a separate appropriation to the state board to cover the state's share of the estimated cost of additional classroom units allowed school districts by reason of excess growth. Should the amount of the appropriation made be less than the amount determined to be the state's actual share of the cost of additional classroom units allowed school districts by reason of excess growth, as determined by subsection (1) of this section, then the amount to be distributed to any school district shall be in the same proportion as the amount of the appropriation made bears to the amount determined to be the state's actual share; but should the amount of the appropriation made exceed the amount determined to be the state's actual share, then any unexpended balance of the appropriation shall revert to the general fund at the end of the fiscal year.

SECTION 15. Small attendance centers. (1) In the event that any school district maintaining a full twelve-year program within the district shall necessarily operate one or more isolated elementary or secondary school attendance centers having less than one hundred seventy-five pupils in average daily attendance in either an elementary or a secondary center because such school attendance center is located twenty or more miles from the nearest similar school attendance center or twenty or more miles from a similar attendance center in the same district, if such district was organized either under articles 8 or 25 of chapter 123, CRS 1953, as amended, such school district shall be entitled to additional classroom units or one-fifth fraction thereof, in excess of those otherwise provided for in section 4 of this act, based on the average daily attendance of such isolated school centers, to the maximum number of classroom units set out in the following table; provided, that in no case shall the number of additional classroom units or fractional part thereof allowed under this section, and allowed under all other sections of this act, total more than the actual number of full-time and equivalent part-time teachers employed in the center or centers covered under this section:

Average Daily Attendance—	Elementary	Secondary	
	First to sixth grade or first to eighth grade units	Seventh to twelfth grades	Ninth to twelfth grades
25.0 or less.....	0	0	0
25.2 to 50.....	2	4	4
50.2 to 75.....	3	5	5
75.2 to 100.....	4	6	6
100.2 to 125.....	5	7	7
125.2 to 150.....	6	7	7
150.2 to 175.....	—	7	7

(2) At the end of each school year, the secretary of the board of education of each such district shall certify to the county superintendent the following information:

(a) The total number of days during which school was actually in session at each small attendance center.

(b) The total aggregate days of attendance during the school year at each elementary or secondary school attendance center.

(c) No later than June twentieth of each year, the county superintendent shall certify the information specified in paragraphs (a) and (b) of this subsection to the state board.

(3) The general assembly shall annually make a separate appropriation to the state board to cover the state's share of the estimated cost of additional classroom units allowed to school districts pursuant to the provisions of subsection (1) of this section. Should the amount of the appropriation made be less than the amount determined to be the state's actual share of the cost of additional classroom units allowed school districts as in subsection (1) of this section provided, then the amount to be distributed to any school district shall be in the same proportion as the amount of the appropriation made bears to the amount determined to be the state's actual share; but should the amount appropriated exceed the amount determined to be the state's actual share, then any unexpended balance of the appropriation shall revert to the general fund at the end of the fiscal year.

SECTION 16. Low income counties. Any county in which the adjusted gross income per classroom unit for the preceding taxable year shall be less than one hundred three thousand dollars shall be entitled to an additional amount of two hundred dollars for each of the actual number of classrooms to which all the school districts in such county were entitled during the last completed school year, as calculated on the basis of the

aggregate days attendance during the preceding school year. The state board shall make distribution to each county qualifying for such additional state support from the appropriation annually made to the contingency reserve fund.

SECTION 17. Contingency reserve fund. (1) An amount determined by the general assembly shall be annually appropriated to the state board as a contingency reserve fund. The state board is authorized and empowered to approve and order payments from such contingency reserve fund for supplemental assistance to school districts determined to be in need thereof as the result of any or all of the following circumstances:

- (a) Financial emergencies caused by an act of God;
- (b) Any contingency which could not have been reasonably foreseen at the time of the adoption of the annual budget;
- (c) Unusual physical, geographical or small-size conditions not otherwise provided for in this act.
- (d) Additional state support for districts in counties qualifying under the provisions of section 16 of this act.

(2) Application by a school district for supplemental assistance shall set forth fully the grounds upon which it relies for assistance, and shall be sworn to under oath by the president and secretary of the board of education of the district.

(3) The state board shall conduct such investigation as it shall deem proper, and if it finds that an application should be granted, it shall determine the amount to be paid and by order upon the state treasurer shall direct payment from the contingency reserve fund of such amount to the treasurer of the county in which the district is located, who shall forthwith credit such amount to the special fund of the district.

(4) Any unexpended balance in the contingency reserve fund at the end of each fiscal year shall revert to the general fund.

SECTION 18. Joint districts. (1) The board of education of a joint school district shall determine the location of its administrative headquarters and shall notify both the state board and the treasurer of each county in which the territory of such joint district is situated of such location.

(2) The classroom units to which a joint district shall be entitled shall be calculated by the state board upon the total average daily attendance of all schools in the district, but the classroom units so calculated shall be assigned to each county in which the joint district is situated in

the same proportion as the average daily attendance of pupils residing in each such county bears to the total average daily attendance of all pupils in the joint district. The secretary of the board of education of a joint district, at the time of making reports and certifications required in section 5 of this act shall certify to the state board the required information applicable to each such county, with a copy to the county superintendent of the headquarters county.

(3) Allocation of moneys in the county public school fund to a joint district partially situated in a county shall be made on the basis set forth in subsection (2) of this section.

(4) All moneys collected by the county treasurer of a county in which part of a joint district is situated shall be credited to such joint district, and at the end of each month paid over to the treasurer of the county in which the administrative headquarters of such joint district is located, and forthwith credited by him to the appropriate fund of such joint district. The treasurer of the county in which the administrative headquarters of the joint district is located shall make no charge for collection of moneys transferred to him from other counties. Warrants of a joint district shall be drawn only upon the treasurer of the county in which its administrative headquarters is located.

(5) Payments of money from the state public school fund shall be made to the treasurer of the county in which the administrative headquarters of the joint district is located.

SECTION 19. General provisions. (1) The fiscal year of each school district shall be as determined by its board of education.

(2) No moneys received from the state public school fund by any school district shall be used by it for debt service or capital outlay.

(3) No county treasurer shall charge a collection fee upon any moneys distributed to his county or any school or junior college district located therein pursuant to the provisions of this act.

(4) Nothing contained in this act shall affect or limit the rights of school districts to make such other levies as are provided by law.

(5) Nothing contained in this act shall in any manner affect the rights of school districts to moneys allowable or payable to such school districts under the provisions of other existing laws.

SECTION 20. Rules and regulations. (1) The state board is authorized and empowered to make reasonable rules and regulations necessary for the administration of this act.

(2) All reports and certifications required from secretaries of boards of education and county superintendents pursuant to the provisions of this act shall be made in such manner and form as may be prescribed by the state board.

SECTION 21. On the effective date of this act, any existing balances in the county public school funds of the several counties of the state, theretofore provided for by law, shall be transferred to the county public school fund created by section 8 of this act, and any moneys thereafter collected from any county school levy theretofore made and other county school moneys shall be paid into said county public school fund.

SECTION 22. **Junior college districts—grants.** (1) Any junior college district heretofore organized shall be entitled to a direct grant from the state public school fund of two thousand one hundred dollars for each seven students carrying an average of forty-five quarter hours or thirty semester hours of credit during the preceding regular academic year. No later than September first of each year, the junior college committee of each junior college district shall certify to the state board the number of students and the quarter or semester hours credited to such students during the preceding regular academic year. Upon receipt of such certification, the state board shall determine the amount which shall be paid to each junior college district. In determining such amounts, the total number of quarter or semester hours shall be divided by the figure forty-five, if quarter hours, and by the figure thirty, if semester hours; the quotient arrived at in either case shall be divided by the figure seven, and the resulting quotient shall be the number of direct grants to which each junior college district shall be entitled; fractions of one-half or more shall be counted as an additional direct grant, and fractions of less than one-half shall be disregarded.

(2) A junior college district hereafter organized shall during its first regular academic year be entitled to a direct grant of two thousand one hundred dollars for each seven students enrolled and taking full-time courses as of October first of the calendar year in which the district was organized; thereafter such district shall be entitled to direct grants in the manner provided for in subsection (1) of this section.

(3) No later than September fifteenth of each year, the state board shall certify to the state treasurer the amount to be paid to junior college districts as direct grants from the state public school fund, and upon such certification the state treasurer shall make distribution of such amounts to the respective treasurers of the counties in which the college buildings of the districts are located, who shall forthwith credit such amounts to a

fund designated "For the expense of _____ Junior College." Such moneys shall be paid out on warrants lawfully drawn on said county treasurers by the junior college committee, and may be used for current operating costs of the junior college.

(4) The general assembly shall annually make a separate appropriation to the state board to cover the aggregate amount of grants determined to be payable to junior college districts pursuant to the provisions of this section. Should the amount of the appropriation made be less than the aggregate amount of grants determined to be payable, then the amount to be distributed to any junior college district shall be in the same proportion as the amount of the appropriation made bears to the aggregate amount of grants determined to be payable; but should the amount of the appropriation made exceed the aggregate amount of grants determined to be payable, then any unexpended balance of the appropriation shall revert to the general fund at the end of the fiscal year.

SECTION 23. Article 26 of chapter 123, Colorado Revised Statutes 1953 (Supp.), as amended by chapters 221 and 222 of the Session Laws of Colorado 1961, is hereby repealed.

SECTION 24. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to the state public school fund, the sum of thirty-nine million six hundred eighty-one thousand three hundred fifty dollars (\$39,681,350.00), which amount, together with other moneys heretofore appropriated to said fund, shall be distributed by the state board of education during the fiscal year beginning July 1, 1962, to eligible school districts of the state as the state's share of the state minimum equalization program, pursuant to the provisions of this act.

SECTION 25. There is also hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to the state public school fund, the following sums:

(1) The sum of one million five hundred twenty-three thousand six hundred dollars (\$1,523,600.00), to be distributed by the state board of education during the fiscal year beginning July 1, 1962, to provide the state's share of the cost of additional classroom units allowed eligible school districts of the state by reason of excess growth, pursuant to the provisions of section 14 of this act.

(2) The sum of one million one hundred sixty-five thousand two hundred dollars (\$1,165,200.00), to be distributed by the state board of education during the fiscal year beginning July 1, 1962, to provide the

state's share of the cost of additional classroom units allowed eligible school districts of the state by reason of necessary operation of small attendance centers, pursuant to the provisions of section 15 of this act.

(3) The sum of five hundred thousand dollars (\$500,000.00), to be used by the state board of education during the fiscal year beginning July 1, 1962, as a contingency reserve fund, and to be expended pursuant to the provisions of section 17 of this act.

(4) The sum of one million three hundred thirty-eight thousand seven hundred fifty dollars (\$1,338,750.00), to be distributed by the state board of education during the fiscal year beginning July 1, 1962, to eligible junior college districts of the state, pursuant to the provisions of section 22 of this act.

(5) The sum of two million seven hundred fifty thousand dollars (\$2,750,000.00), or so much thereof as may be necessary, to be distributed by the state board of education during the fiscal year beginning July 1, 1962, to eligible school districts of the state, pursuant to the provisions of sections 123-10-56 through 123-10-66, Colorado Revised Statutes 1953 (Supp.), as amended. Any provisions of said sections to the contrary notwithstanding, the moneys appropriated by this subsection shall also be used to transport children who necessarily must attend out-of-state schools, subject to the allocation by formula in the provisions of said sections.

(6) Any unexpended balances of the appropriations made in the preceding subsections of this section shall revert to the general fund at the end of the fiscal year.

SECTION 26. Legislative council to study school problems — appropriation. (1) The legislative council is directed to continue its committee on school aid for the purpose of reviewing the formula for distribution of state school support under the provisions of this act, to recommend necessary or desirable refinements or changes therein, and also to study other matters affecting the public schools of the state.

(2) All expenditures incurred in the conduct of the studies directed by this section shall be approved by the chairman of the legislative council and shall be paid by vouchers and warrants as provided by law. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to the legislative council, the sum of five thousand dollars (\$5,000.00), or so much thereof as may be necessary, for the purpose of making such studies. Such appropriation shall become available upon the effective date of this section as provided in section 28 of this act, and shall remain available until December 31, 1962.

SECTION 27. Legislative council to continue statistical studies of sales ratio — appropriation. The legislative council shall continue to conduct statistical studies of information derived from the certificates required to be filed pursuant to the provisions of sections 118-6-21 through 118-6-33, Colorado Revised Statutes 1953 (Supp.), and to submit reports of such studies to the general assembly. All expenditures incurred in conducting such studies and making such reports shall be approved by the chairman of the legislative council and shall be paid by vouchers and warrants as provided by law. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to the legislative council, the sum of thirty thousand dollars (\$30,000.00), or so much thereof as may be necessary, for the purpose of continuing such studies. Such appropriation shall become available for expenditure upon the effective date of this section as provided in section 28 of this act, and shall remain available until June 30, 1963.

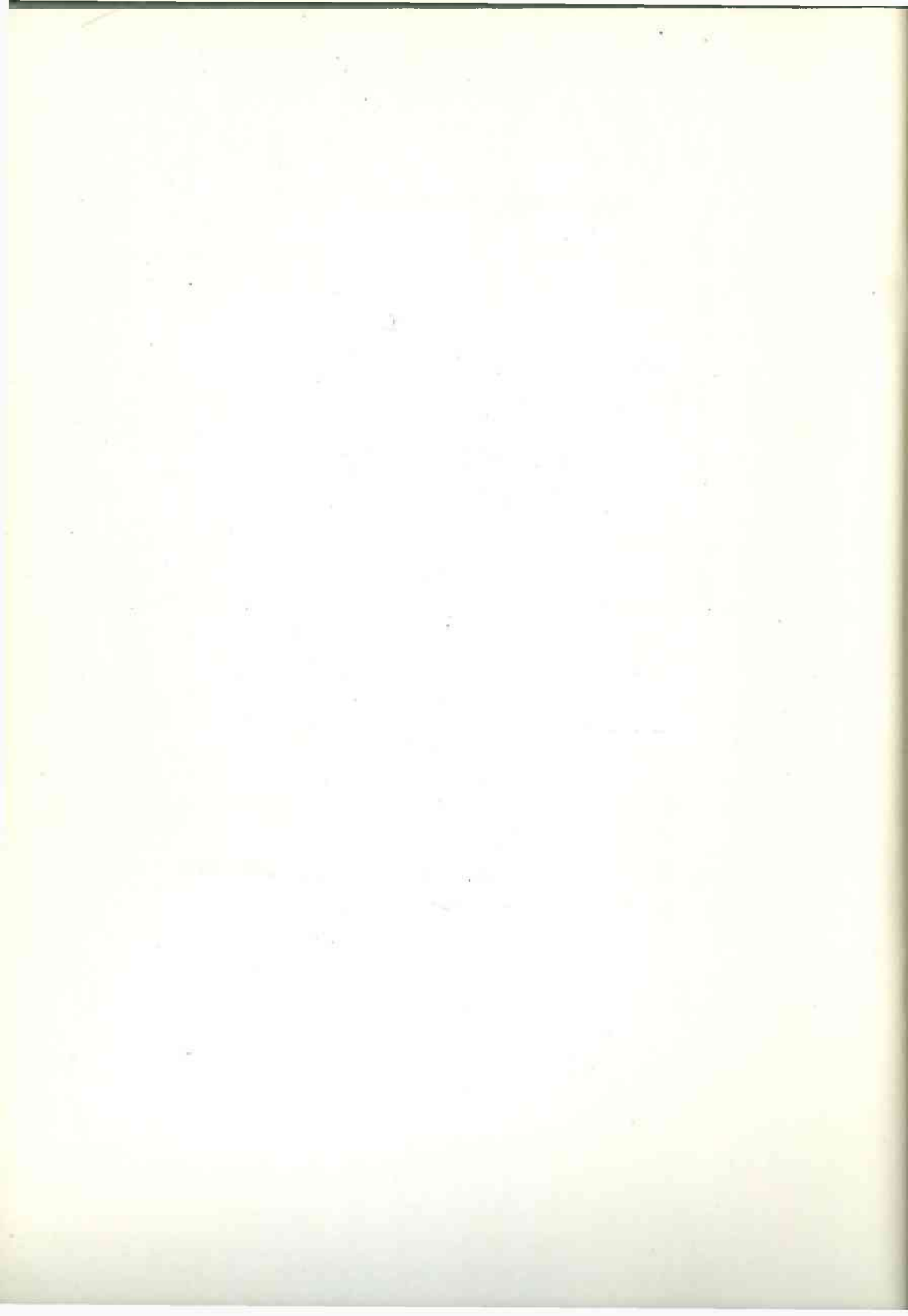
SECTION 28. Effective date. This act shall take effect on June 30, 1962, with the exception of sections 26 and 27, which shall take effect upon the date of approval of this act by the governor.

SECTION 29. Severability clause. 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 this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 30. 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 by the Governor March 12, 1962.

RESOLUTIONS



HOUSE JOINT RESOLUTION NO. 2

WHEREAS, additional work and study by the Legislative Council on the revision, codification, and amendments to the laws of the state of Colorado pertaining to children was authorized by a joint resolution of the Forty-third General Assembly, first session, 1961; and

WHEREAS, during the past year, the study was focused on emotionally disturbed, retarded and delinquent children and recommendations were made pertaining thereto, and additional study is needed on these subjects and on other aspects of laws relating to children and child welfare; now, therefore,

Be It Resolved by the House of Representatives of the Forty-third General Assembly of the State of Colorado, the Senate concurring herein:

1. That the Legislative Council is hereby directed to continue the study of children's laws and child welfare in Colorado and shall report its findings and recommendations to the Forty-fourth General Assembly prior to or upon the convening thereof in 1963.

2. That all expenditures incurred in the conduct of the study directed by this resolution shall be approved by the chairman of the Legislative Council, and shall be paid by vouchers and warrants as provided by law. An additional \$1,500 shall be made available for this study from any 1962 appropriation made for interim studies by the Legislative Council.

HOUSE CONCURRENT RESOLUTION NO. 2

SUBMITTING TO THE QUALIFIED ELECTORS OF THE STATE OF COLORADO AN AMENDMENT TO ARTICLE XIV OF THE CONSTITUTION OF THE STATE OF COLORADO, RELATING TO COUNTY AND OTHER LOCAL OFFICERS; PROVIDING A MEANS WHEREBY CHANGES IN COUNTY OFFICES MAY BE VOTED BY THE PEOPLE OF A COUNTY; ELIMINATING THE TWO-YEAR TERM FOR CERTAIN LOCAL OFFICERS; AND ELIMINATING THE PROVISIONS THAT COMPENSATION OF COUNTY AND PRECINCT OFFICERS SHALL BE BASED UPON A POPULATION CLASSIFICATION OF COUNTIES AND PAID FROM FEES WHERE FEES ARE PRESCRIBED.

Be It Resolved by the House of Representatives of the Forty-third General Assembly of the State of Colorado, the Senate concurring herein:

SECTION 1. There shall be submitted to the qualified electors of the state of Colorado at the next general election for members of the general assembly, for their approval or rejection, the following amendment to article XIV of the constitution of the state of Colorado, to-wit:

Section 8 of article XIV of the constitution of the state of Colorado is hereby amended to read:

Section 8. Unless and until otherwise provided by law, there shall be elected in each county, at the same time at which members of the general assembly are elected, commencing in the year nineteen hundred and sixty-two, and every four years thereafter, one county clerk, who shall be ex-officio recorder of deeds and clerk of the board of county commissioners; one sheriff; one coroner; one treasurer who shall be collector of taxes; one county superintendent of schools; one county surveyor; and one county assessor; and there shall also be one county attorney who shall be appointed. Such officers shall be paid such salary or compensation, either from the fees, perquisites, and emoluments of their respective offices, or from the general county fund, as may be provided by law. The term of office of all such officials shall be four years, and they shall take office on the second Tuesday in January next following their election, or at such other time as may be provided by law. No law of the general assembly making any change in the method of selection of the above named officers, or providing for the abolishment or consolidation of any

of the offices which they hold, shall be in force until the same shall have been submitted, at a general election, to a vote of the people of any county affected, and approved by a majority of the votes cast thereon in said county.

Section 12 of article XIV of the constitution of the state of Colorado is hereby amended to read:

Section 12. The general assembly shall provide for the election or appointment of such other county, township, precinct, and municipal officers as public convenience may require, and their terms of office shall be as prescribed by law.

Section 15 of article XIV of the constitution of the state of Colorado is hereby repealed.

SECTION 2. Each elector voting at said election and desirous of voting for or against said amendment shall cast his vote as provided by law either "Yes" or "No" on the proposition: "An amendment to article XIV of the constitution of the state of Colorado, relating to county and other local officers; providing a means whereby changes in county offices may be voted by the people of a county; eliminating the two-year term for certain local officers; and eliminating the provisions that compensation of the county and precinct officers shall be based upon a population classification of counties and paid from fees where fees are prescribed."

SECTION 3. The votes cast for the adoption or rejection of said amendment shall be canvassed and the result determined in the manner provided by the laws of the state of Colorado for the canvassing of votes for representatives in Congress, and if a majority of the electors voting on the question shall have voted "Yes," the said amendment shall become a part of the state constitution.

HOUSE JOINT RESOLUTION NO. 3

WHEREAS, Colorado statutes and constitutional provisions pertaining to school attendance contain conflicting provisions as to applicability, age limits, and the time periods for which attendance is required; and

WHEREAS, there are inconsistencies between statutory school attendance requirements and statutory provisions relating to the employment of minors; and

WHEREAS, both the statutes providing for school attendance and those relating to the employment of minors have not been substantially re-examined or modified since original adoption despite continuous change in educational needs and standards and in the state's economy; and

WHEREAS, statutory provisions pertaining to school attendance and the employment of minors help provide the necessary framework for adequate educational and vocational opportunities for the youth of Colorado; now, therefore,

Be It Resolved by the House of Representatives of the Forty-third General Assembly of the State of Colorado, the Senate concurring herein:

1. That the Legislative Council is hereby directed to make a thorough study of all laws and constitutional provisions pertaining to school attendance and employment of minors, including any laws and constitutional provisions not specifically relating to school attendance or employment of minors but which are affected thereby, with special emphasis given to the relationship between school attendance provisions and those relating to the employment of minors.

2. That in the conduct of its study, the Legislative Council may retain such technical assistance as it may determine necessary.

3. That all expenditures incurred in the conduct of the study directed by this resolution shall be approved by the chairman of the Legislative Council and shall be paid by vouchers and warrants drawn as provided by law. Said expenditures shall be payable out of any appropriation made for interim studies of the Legislative Council. No more than \$1,500 shall be expended for this purpose.

4. That the Legislative Council shall make its final report, including recommendations for the revision of statutes pertaining to school attendance and the employment of minors, to the Forty-fourth General Assembly upon its convening in 1963.

HOUSE JOINT RESOLUTION NO. 4

WHEREAS, a Legislative Council study of migratory labor problems in Colorado was authorized by a joint resolution of the Forty-third General Assembly, first session, 1961; and

WHEREAS, in carrying out this research assignment a comprehensive field study was made in 1961 in all major areas of the state where migrants are employed, except northern Colorado; and

WHEREAS, more migrant workers are employed in the northern Colorado area than in any other part of the state and an extensive study of this area is necessary to complete the assignment on this subject given the Legislative Council; now, therefore,

Be It Resolved by the House of Representatives of the Forty-third General Assembly of the State of Colorado, the Senate concurring herein:

1. That the Legislative Council shall continue the study of migrant labor and various related problems and shall report its findings and recommendations to the Forty-fourth General Assembly prior to or upon the convening thereof in 1963.

2. That all expenditures incurred in the conduct of the study directed by this resolution shall be approved by the chairman of the Legislative Council and shall be paid by vouchers and warrants as provided by law. Said moneys shall be payable out of any appropriation made for interim studies of the Legislative Council. No more than \$5,000 shall be expended for this purpose during 1962.

HOUSE JOINT RESOLUTION NO. 7

WHEREAS, increasing attention has been given in recent years to the functions and duties of elected county superintendents of schools in Colorado, particularly as to the justification of this office in counties which have undergone school district reorganization; and

WHEREAS, the 1961 Interim Legislative Committee on County Salaries recommended that further study be made of the activities of county superintendents of schools in this state; and

WHEREAS, funds will be needed to carry out the committee's work in calendar year 1962; now, therefore,

Be It Resolved by the House of Representatives of the Forty-third General Assembly of the State of Colorado, the Senate concurring herein:

1. That the Legislative Council is hereby directed to conduct a study on the functions and duties of the office of county superintendent of schools under our constitution and statutes, the present activities of these officials, and the effect which school district reorganization has had thereon.

2. That a report of findings and recommendations shall be submitted to the Forty-fourth Colorado General Assembly by January, 1963.

3. That not to exceed \$1,750.00 shall be payable out of any appropriation made for interim studies of the Legislative Council for expenditures incurred by the Advisory Committee on Educational Endeavor in the conduct of its activities during calendar year 1962. All such expenditures shall be approved by the Chairman of the Legislative Council and shall be paid by vouchers and warrants drawn as provided by law.

HOUSE CONCURRENT RESOLUTION NO. 7

SUBMITTING TO THE QUALIFIED ELECTORS OF THE STATE OF COLORADO AN AMENDMENT TO SECTION 15 OF ARTICLE X OF THE CONSTITUTION OF THE STATE OF COLORADO, DELETING THE REQUIREMENT THAT ALL TAXABLE PROPERTY IN THE STATE SHALL BE ASSESSED AT ITS FULL CASH VALUE, AND PROVIDING THAT THE STATE AND COUNTY BOARDS OF EQUALIZATION SHALL PERFORM SUCH DUTIES AS MAY BE PRESCRIBED BY LAW.

Be It Resolved by the House of Representatives of the Forty-third General Assembly of the State of Colorado, the Senate concurring herein:

SECTION 1. At the next general election for members of the general assembly, there shall be submitted to the qualified electors of the state of Colorado, for their approval or rejection, the following amendment to the constitution of the state of Colorado, to-wit:

Section 15 of article X of the constitution of the state of Colorado is hereby amended to read:

Section 15. There shall be in each county of the state a county board of equalization, consisting of the board of county commissioners of said county. As may be prescribed by law, the county boards of equalization shall raise, lower, adjust, and equalize valuations for assessment of taxes upon real and personal property located within their respective counties, subject to review and revision by the state board of equalization.

There shall be a state board of equalization, consisting of the governor, state auditor, state treasurer, secretary of state and attorney general. As may be prescribed by law, the state board of equalization shall review the valuations determined for assessment of taxes upon the various classes of real and personal property located in the several counties of the state, and shall raise, lower and adjust the same, to the end that all valuations for assessment of taxes shall be just and equalized; provided, however, that said state board of equalization shall have no power of original assessment.

The state board of equalization and the county boards of equalization shall perform such other duties as may be prescribed by law.

SECTION 2. Each elector voting at said election and desirous of voting for or against the said amendment shall cast his vote as provided by law either "Yes" or "No" on the proposition: "An amendment to section 15 of article X of the constitution of the state of Colorado, deleting the requirement that all taxable property in the state shall be assessed at its full cash value, and providing that the state and county boards of equalization shall perform such duties as may be prescribed by law."

SECTION 3. The votes cast for the adoption or rejection of said amendment shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress, and if a majority of the electors voting on the question shall have voted "Yes," the said amendment shall become a part of the state constitution.

HOUSE JOINT RESOLUTION NO. 14

WHEREAS, at the first regular session of this General Assembly a direct appropriation for the Board of Standards of Child Care was omitted from the so-called "Long Appropriation Bill," and during the current fiscal year the administrative duties of the board are being performed by the Department of Public Welfare; and

WHEREAS, there has arisen some question in the minds of members of this General Assembly and of other interested persons as to whether the Board of Standards of Child Care should operate as an independent agency, as a part of the Department of Public Welfare, or as a part of the Department of Education; and

WHEREAS, because of the confusion now existing in the operation of the administrative duties of the board, particularly as it affects approximately two thousand licensees throughout the state, it is thought that a study of the entire organizational set-up and future operation of the Board of Standards of Child Care is necessary; now, therefore,

Be It Resolved by the House of Representatives of the Forty-third General Assembly of the State of Colorado, the Senate concurring herein:

(1) That the Legislative Council is hereby directed to review the present administration of the Board of Standards of Child Care with a view toward determining its proper place in the organizational administration of the state government, so that the duties, functions, and policy-making decisions of the board can most effectively and efficiently be carried out.

(2) That all expenditures incurred in the conduct of the study directed by this resolution shall be approved by the chairman of the Legislative Council and shall be paid by vouchers and warrants drawn as provided by law, said moneys to be payable out of any appropriation made for interim studies of the council, but no more than \$1,000 shall be expended for this purpose.

(3) That the Legislative Council shall report its findings and recommendations to the Forty-fourth General Assembly not later than its convening in first regular session in 1963.

SENATE JOINT RESOLUTION NO. 9

WHEREAS, the State Teachers' Emeritus Retirement Fund and the State Institutions of Higher Learning Emeritus Retirement Fund were created by recent legislation, seeking to provide for retirement benefits for certain persons who have rendered valuable services to the State of Colorado; and

WHEREAS, amendments to the laws under which these funds are distributed are constantly being presented to the General Assembly, and a comprehensive study of the two programs should be made to determine the sufficiency of benefits paid under the programs, the number of persons benefited, and the extension of the programs to persons not now eligible; now, therefore,

Be It Resolved by the Senate of the Forty-third General Assembly of the State of Colorado, the House of Representatives concurring herein:

(1) The Legislative Council is hereby directed to make a thorough and comprehensive study of the programs under the State Teachers' Emeritus Retirement Fund and the State Institutions of Higher Learning Emeritus Retirement Fund, in their entirety, and any of the phases of said programs, with a view toward future amendments to be made thereto by the General Assembly.

(2) In the course of its study the Legislative Council may call upon interested citizens and organizations to present their views and to assist the Council.

(3) All expenditures incurred in the conduct of this study shall be approved by the chairman of the Legislative Council and shall be paid by vouchers and warrants drawn as provided by law.

(4) The Legislative Council shall report its findings and recommendations to the First Regular Session of the Forty-fourth General Assembly, including in such report its recommendations of legislative changes deemed necessary or advisable.



