

FILE COPY

DIGEST
OF
SENATE AND HOUSE BILLS ENACTED
BY THE
FORTY-SECOND GENERAL ASSEMBLY
OF THE
STATE OF COLORADO
(1960 - Second Regular Session)

and
APPROVED OR VETOED BY THE GOVERNOR
(Together with a Subject Index)

Compiled by the
Legislative Reference Office
251 State Capitol
Denver

Note: The first date appearing after the act is the date on which it was approved by the Governor; the second date is the effective date of the act.

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HOUSE BILLS ENACTED AND APPROVED OR VETOED

- | No. | Subject | | |
|-----|---|-------------|--------------------------|
| 1 | <u>Policemen's pensions.</u> Abolishes the state mill levy of two-tenths of one mill on taxable property of the state for the policemen's pension fund tax, and substitutes therefor the payment annually by the state treasurer of \$600,000 to the policemen's pension fund from revenues derived from the tax imposed on certain insurance premiums collected from foreign or alien insurance companies by the commissioner of insurance. | February 15 | February 15 |
| 2 | <u>Assessment of public utilities - secrecy of documents.</u> Provides that the documents supplied the Colorado tax commission by any public utility giving information for assessment purposes shall be considered private documents, available only to the commission, other state governmental agencies, and county assessors. | February 15 | February 15 |
| 3 | <u>Probate fees.</u> (See H.B. No. 86 this digest passed as a substitute for this bill which was vetoed by the governor because of certain technical errors in the numbering of the subsections of this bill). | | VETOED February 8, 1960. |
| 5 | <u>Public utility - definition for assessment purposes.</u> Re-defines the term "public utility" for assessment purposes to clarify the inclusion of air line companies in said definition. | February 12 | February 12 |
| 8 | <u>Hospital districts.</u> Amends present law to provide that hospital districts organized under ch.179, S.L. '59, may be composed of one or more contiguous counties or portion thereof. The minimum number of signatures on any petition initiating the organization of any such district shall be 15% of the registered voters in each county or portion thereof involved, resident within the proposed district. If a district is located entirely within one county and consists of at least 95% of the taxable property within such county, the determination of the board of directors | | |

No.

Subject

8
Cont. as to amount of money necessary for district purposes shall be advisory only, and in such event the board of county commissioners shall possess all powers of the board of directors as to the amount of tax to be levied. All moneys for any hospital district shall be deposited in the discretion of the board of directors with either the county treasurer of the county in which the greatest percentage of the assessed valuation of the taxable property of the district is located, or with the secretary-treasurer of the board of directors. In the event of dissolution of any district, the property shall be prorated on the basis of the assessed valuation of the taxable property of the counties composing the district.

March 11

March 11

10 Colorado tax commission. Eliminates the present provisions of law that one member of the Colorado tax commission may hold an investigation, inquiry or hearing, and that all investigations, inquiries, hearings and decisions of the commission and every order made by a commissioner, when approved and confirmed by the commission and so shown on its record of proceedings, shall be deemed to be the order of the commission.

February 12

February 12

11 Tax levies for newly organized taxing districts. Provides that newly organized taxing districts, except school districts, may not levy a tax, nor shall the board of county commissioners certify any such tax to the county assessor, nor the county assessor extend the levy for such district, unless the county assessor of county where the district is located has received notice of the organization of such district prior to May 1st and that a tax will be levied for the current year; provides further that the clerk or any court or board or any officer with whom a petition for the organization of any such district has been filed shall notify the county in which the district is located that such petition has been filed, and shall include a description of the boundaries of such district.

March 11

January 1, 1961

12 Appropriation - to legislative department. \$384,900 for second regular session; \$85,000 for legislative studies.

January 19

January 19

No.

Subject

- 14 Delinquent children. Amends the present law by providing a new definition of the term "delinquent child" as any child under 18 years who has violated either once or more any state law or municipal ordinance, other than state traffic or game and fish laws or regulations; or who is habitually truant from school, or is beyond control so as to seriously endanger the welfare of others. Further amends the law conferring jurisdiction upon justices of the peace to try any case against any child involving state traffic or game and fish laws or regulations or municipal traffic ordinances, or to conduct a preliminary examination in any case where a felony is charged.
- March 10 March 10
- 15 Rules of criminal procedure. Provides that the supreme court shall have power to prescribe rules of criminal procedure in all courts of the state, and to fix the dates when such rules shall take effect and the extent to which they shall apply to all proceedings then pending.
- February 4 February 4
- 16 Assessment of livestock. Amends present law to provide that at any time during the current year subsequent to the making of the assessment of livestock and the agreement between the owner of such stock and the assessor as to the counties in which the stock may be grazed during the year, if the stock is grazed in any county not included in the agreement or for a length of time not indicated in the agreement, or if any stock assessed entirely within one county is moved into another county, a new agreement may be made by the owner and the assessor of any county affected. If such new agreement is made after the assessor has filed his abstract of assessment, an abatement or refund of taxes may be made on written request as the terms of the new agreement may require. Clarifies the language of the present law as to the amount of taxes the owner of livestock shall pay if he removes said stock to another state for a part of the year, or if the owner of livestock from another state grazes such stock in Colorado.
- March 11 January 1, 1961
- 17 Mortality table. Provides for a more current statutory mortality table.

February 12 February 12

House Bills (3)

- | No. | Subject | | |
|-----|---|------------|------------|
| 19 | <u>Appropriation - relief.</u> For the relief of Mrs. Edward G. Griswold - \$525.00, of which \$34.26 shall be payable to the public employees' retirement association and \$490.74 to Mrs. Griswold. | January 28 | January 28 |
| 20 | <u>Voter registration.</u> Amends present law to provide that the registration of voters preceding any primary or general election in counties or cities and counties of over 300,000 population shall be made by a committee consisting of three qualified electors called the "registration committee" to be appointed for each precinct as now provided by law for the appointment of registration committees; and provides for a registration day in each such precinct at least 20 days prior to any primary and general election. Also provides that in such counties and cities and counties there shall be established at least 20 branch registration offices of the county clerk or election commission which shall remain open at least 15 days prior to the close of registration books prior to any primary or general election, with one-half of the locations and personnel of such branch offices to be selected equally from lists submitted by the county chairmen of the two major political parties. | March 11 | March 11 |
| 21 | <u>Marriage counseling services - district courts.</u> Provides that in each county or city and county of the several judicial districts of the state containing 100,000 or more population, the judge or judges of any such district may appoint in such county or city and county one or more domestic relations counselors and other personnel, all to serve at the pleasure of the appointing power. Provides that the judge or judges in a district where a counselor or counselors are appointed shall determine the location of offices, qualifications of personnel, and salaries of personnel in such amounts as approved by the county commissioners, except that in districts having over 300,000 population the judges shall fix the compensation and prescribe the qualifications of personnel. Expenses of personnel and equipment shall be paid out of the county general fund. Provides for the duties of counselors, under the supervision of the judge or judges of the district, and for the payment of a fee for counseling services to be paid by either the husband or wife or jointly as determined by the court. Provides that where the population | | |

- | No. | Subject | | |
|-------------|--|-------------|-------------|
| 21
Cont. | of any county or judicial district is under 100,000, the court may, at the request of either party or the attorney for either party, in its discretion, appoint a suitable person as marriage counselor in any pending divorce or separate maintenance action, such appointment to be temporary and compensation therefor to be paid by a fee fixed by the court, unless the parties are indigent, in which event the court may enter an order directing the cost of such counseling to be paid from the county general fund. | March 10 | March 10 |
| 22 | <u>Colorado state reformatory.</u> Permits the Colorado state reformatory to employ three additional employees for the current fiscal year. | January 19 | January 19 |
| 23 | <u>Appropriation - supplemental to university of Colorado.</u> \$75,000 for salary adjustments to certain non-academic employees. | February 12 | February 12 |
| 24 | <u>Capital construction fund - transfer of moneys to.</u> Provides that within 90 days after the close of the fiscal years ending June 30, 1960 and 1961, the state treasurer and state controller, with the approval of the governor, shall transfer any unappropriated and unencumbered surplus in the general revenue fund, exclusive of the cash revolving fund, to the capital construction fund. | March 11 | March 11 |
| 25 | <u>Trailer coaches and mobile homes.</u> Amends the present provisions of law by making it unlawful for any person to possess or have in custody or control any trailer coach <u>whether operated on the highways or not</u> , (except those owned by a licensed dealer or manufacturer) which is not registered and has attached thereto motor vehicle registration license plates. This in effect provides that all trailer coaches and mobile homes, with the exception noted, must be registered as a motor vehicle and subject to the payment of the specific ownership tax, whether operated on the highways or not. | March 3 | March 3 |

No.	Subject		
27	<u>Appropriation - relief of Hugo Machin.</u> \$2,350 to compensate Mr. Machin for contracting silicosis while in employ of state as a deputy coal mine inspector.	February 4	February 4
28	<u>Insurance premiums - tax on.</u> Reduces from 50% or more to 30% or more the amount of assets that any insurance company must have invested in bonds or warrants of this state, or of any county, city, town or district of this state, or other property within the state in which such company is permitted by law to invest its funds, in order to come within the 1% tax on insurance premiums; and provides further that there shall be no tax in the case of any policy issued prior to 1959 by a domestic insurance company maintaining its principal place of business in this state and having 30% or more of its assets invested as provided above.	March 11	March 11
31	<u>Appropriation - supplemental to state institutions of higher learning emeritus retirement fund.</u> \$5,000 for retirement benefits.	February 4	February 4
32	<u>Appropriation - supplemental to district courts -</u> \$14,192 for general operating expenses.	February 4	February 4
33	<u>Appropriation - supplemental to department of rehabilitation -</u> \$59,000 for general operating expenses.	February 4	February 4
34	<u>Appropriation - supplemental to Colorado tax commission -</u> \$9,800 for general operating expenses and capital outlay.	February 15	February 15
35	<u>Appropriation - supplemental to supreme court -</u> \$8,330 for general operating expenses.	February 12	February 12

No.

Subject

- 36 Training of trainable mentally retarded children - appropriation. Provides a "pilot" program for trainable mentally retarded children who are incapable of being educated through ordinary classroom instruction. The state board of education is to supervise the program, but local school districts are to administer the program under such supervision.

Any school district which maintains a school may make application to the board to participate in the program, and from such applications the board shall select certain school districts dispersed throughout the state to participate. The act provides qualifications for eligible children to receive the special training, and gives the board authority to prescribe necessary rules in regard to special training facilities, location of classrooms, curricula, class size limitations, special equipment and instructional supplies, and hours of instruction. The act also provides qualifications of psychologists to give psychological evaluations of children, qualifications of teachers and of assistants. Local board has authority to employ such teachers and assistants provided they meet necessary qualifications.

The cost of the program is to be paid jointly by the state and the participating school district; \$50,000 is made available for the program from state funds. The board is to report to the 43rd general assembly on the program and give its appraisal of and need for such a program on a statewide basis.

February 19

February 19

- 37 Taxation of personal property. Amends the present law to exclude from the ad valorem taxation of personal property such tangible personal property as is customarily used in personal hobby, sporting or recreational activities and not used for the production of income at any time.

March 18

March 18

- 40 Colorado centennial commission - termination. Provides that the Colorado centennial commission shall cease to function from and after January 31, 1960, and that all remaining funds of the commission shall be transferred to the general fund.

February 12

February 12

- 44 Appropriation - supplemental to department of agriculture - \$11,000 from general fund for capital outlay, repair and maintenance of property; \$8,200 and \$8,312 from cash fund,

House Bills (7)

No.	Subject		
44 Cont.	for state payment to retirement fund and for capital outlay, respectively.	February 12	February 12
45	<u>Appropriation - supplemental to state industrial school for boys.</u> \$17,500 for personal services.	February 12	February 12
48	<u>Appropriation - supplemental to state board of physical therapy.</u> \$3,144 for general operating expenses and capital outlay.	February 12	February 12
49	<u>Appropriation - supplemental to public utilities commission.</u> \$8,281 for personal services and state payment to retirement fund.	February 12	February 12
50	<u>Appropriation - supplemental to state board of accountancy.</u> \$1,911 for operating expenses.	February 12	February 12
51	<u>Appropriation - supplemental to civil service commission.</u> \$2,439 for operating expenses.	February 12	February 12
52	<u>Appropriation - supplemental to state electrical board.</u> \$20,602 for general operating expenses and capital outlay.	February 12	February 12
54	<u>Appropriation - supplemental to state park and recreation board.</u> \$52,722 for general operating expenses and capital outlay.	February 24	February 24
55	<u>Appropriation - supplemental to state department of public welfare.</u> \$50,000 for blue cross and blue shield administrative expenses for old age pension medical program.	February 15	February 15

No.

Subject

57

Courts of record - assisting judges - remuneration - increase in certain county judges' salaries. Amends existing law to provide that judges in courts of record (district, county, juvenile, and superior courts) may call upon other judges of such courts of record to assist them, or to sit in the same term of court except in superior courts. In the case of county courts of counties of Classes I and II, and in district, juvenile and superior courts, any county judge called upon shall have been admitted to the practice of law. The act provides for the remuneration for such assisting judges, too diversified to enumerate in a digest and contingent upon many varied conditions. The title of the act was extended and the act amended to increase the salaries of county judges in counties of Class II, Group A, from \$9,500 to \$10,500, effective the second Tuesday in January, 1961. The counties affected include Pueblo, El Paso, Weld, Jefferson, Arapahoe, Boulder, Adams, and Larimer.

(Note: Under existing law only certain judges of certain courts of record could call upon other judges for assistance).

March 18

March 18 (except Sec 11
increase in county judges'
salaries - Jan.10, 1961)

60

Water conservancy districts. Amends "the water conservancy act" (1937) by enlarging the scope of the act to include "public corporations"; this in effect permits a water conservancy district to extend its services under the terms of the act for the benefit of lands included within a "public corporation". The board of directors of a water conservancy district is authorized to levy and collect assessments for such special benefits accruing to property within public corporations, and to make an allotment of water to each petitioning public corporation, other than a municipality. The amendments to the act, in turn, grant to public corporations, in any petition for water, to agree to make payments for the beneficial use of such water, and to pay therefor by assessment in each year on lands within the public corporation, the amount of said assessment to be determined by the board of directors, less any amount paid or undertaken to be paid by such corporation in cash or as credited thereto by payments from the general fund of such corporation. The board of any water conservancy district may also sell, lease, or otherwise dispose of the use of water to public corporations (in addition to others as provided in the present act) by term contracts or perpetual use contracts, for irrigation,

No. Subject

60
Cont. domestic, or commercial use, and provides that a public corporation shall meet annual installments as provided in said contracts for the use of such water in accordance with law.

February 15 February 15

62 Migratory labor. Includes migratory labor under the provisions of the wage act of 1959 (ch. 167, S.L. '59), amending the act to include "migratory field labor contractor or crew leader" under the definition of "employer" in said act, and to include "migratory laborer" under the definition of "employee." Provides that each field labor contractor or crew leader shall keep payroll records for a period of 3 years on each migratory laborer, of wage rates, wages earned, number of hours worked, and in the case of contractual or piece work where a field labor contractor or crew leader pays the employee, the aggregate amount earned, and all withholdings from wages, such information to be on a form furnished by and in the manner prescribed by the industrial commission. Said forms are to be mailed to the commission twice each year, and the commission is required to make periodic reports to the governor's committee on migrant labor. Each field labor contractor or crew leader is also required by the act to give each migratory laborer, or the head of a working family, with every payment of wages, a written statement of the information specified above.

March 10 March 10

65 Appropriation - supplemental to division of planning.
\$58,800 for general operating expenses.

February 15 February 15

66 Appropriation - supplemental to department of revenue.
From department of revenue administration fund - \$245,118 for personal services, general operating expenses, and capital outlay.

March 18 March 18

67 Employment security. Re-enacts section 82-1-3 (7) (e) (vii) of the "Employment Security Act" (repealed in 1959), and by said re-enactment exempts from the word "employment" under said act the following: services performed by lawyers, physicians, dentists, chiropractors, optometrists, pharmacists, nurses or physical therapists; students nurses; residents or interns; clergy and those within the dis-

No.

Subject

67
Cont. cipline of a church or religious order; administrative officials compensated \$7,000 or more per annum; teachers in elementary and secondary schools, research scientists, full-time students and faculty members when services are performed in the employ of a corporation, community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, literary or educational purposes, or for prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual; or services performed other than as a regular staff member in a sheltered workshop certified by the federal government.

Notwithstanding any other provisions of the employment security law, for the purposes of the above re-enacted subparagraph only, employers who provided employment within the provisions of said subparagraph shall pay contributions with respect to such employment in reduced amounts beginning with the effective date of this act and ending Dec. 31, 1960, as it applies to employers subject to the 1959 tax; and further, a corporation, community chest, fund or foundation organized and operated for religious, charitable, scientific, literary or educational purposes, etc. shall pay reduced contributions for 1960 as computed by the department of employment security in accordance with the provisions of this act.

February 29

February 29

68 Public utilities - statements required to be filed for assessment purposes. Requires the president or other officers of every public utility, between March 1st and April 1st of each year, to file with the Colorado tax commission a statement signed and sworn to by such officer, on forms provided by the commission, containing such information concerning the public utility and all of its property wherever located, as the commission may reasonably require for the purpose of determining the taxable value of such public utility in Colorado and apportioning such taxable value among the political subdivisions of the state. If no such statement is filed, the commission shall assess such property according to the best information available to it. Any officer of a public utility who shall knowingly and willfully swear to any false statement in any such report shall be guilty of perjury and punished therefor as provided by law. Repeals

No. Subject

68 Cont. several sections of the present law requiring detailed information to be filed by public utilities with the commission for assessment purposes.

March 18

January 1, 1961

71 Appropriation - supplemental to office of the governor. \$60,000 for personal and professional services, general operating expenses, and expenses for the payments of the costs of executive research and studies as the governor may deem proper. Appropriation remains available through June 30, 1961.

February 15

February 15

72 Television relay or translator facilities. Provides that any city, town, village, metropolitan recreation district, or school district may own and operate television relay and translator facilities. Provides that the board of directors of a metropolitan recreation and/or park district may enter into agreements with counties and school districts (as well as with municipalities, the state or federal government) for construction or purchase contracts of work, material, or both, involving \$5000 or more, and provides that any such district may operate a system of television relay and translator facilities, and to use, acquire, equip and maintain land, buildings and other recreational facilities therefor. Any political subdivision authorized by this act to operate television transmission and relay booster facilities may receive funds from any private or public source for constructing the same. Any tax levied for the purposes of this act shall not come within the tax limitations for any such political subdivision.

March 10

March 10

73 Justice courts - jurisdiction of misdemeanors. Provides that upon the complaint of any competent person made under oath or affirmation before a justice of the peace or his clerk or a deputy clerk (present law provides upon complaint being made as required by law) the justice of the peace of the county in which the offense was committed shall issue a warrant for the arrest of such person so charged. Also provides that the clerk or deputy clerk, as well as the justice of the peace, before whom any person

- | No. | Subject | | |
|-------------|--|----------|----------|
| 73
Cont. | is brought on complaint of any crime, misdemeanor or other offense, bailable by the laws of this state, may take the recognizance of such person in cash, as well as with surety or surities, in a reasonable sum for his appearance at some future time. | March 18 | March 18 |
| 75 | <u>Appropriation to state park and recreation board.</u> \$100,000 from capital construction fund for acquisition of lands to be used for state park or recreation purposes. Such lands to be acquired only in conformity with plan entitled "A State Park System for Colorado", and with approval of the governor. Appropriation available until June 30, 1961. | March 18 | March 18 |
| 77 | <u>Appropriation - additional to state department of public welfare.</u> For next fiscal year, out of state public welfare fund: aid to dependent children - \$1,045,000; aid to needy disabled - \$350,000; child welfare services - \$325,000; for incentive payments to recipients of aid to dependent children and needy disabled - \$75,000. Out of emergency and contingent account of state department - \$250,000 for aid to indigent tuberculars. All balances from above appropriations and from emergency and contingent fund to be transferred to general fund on June 30, 1961. | March 18 | March 18 |
| 78 | <u>Appropriation - to Colorado agricultural experiment station of Colorado state university.</u> \$16,160 for research program of development and use of Colorado materials for canal and reservoir sealing purposes. Appropriation available until June 30, 1961. | March 18 | March 18 |
| 81 | <u>Appropriation - supplemental to state school organization fund.</u> \$6,500 for state school reorganization and consolidation. | March 11 | March 11 |
| 82 | <u>Appropriation - supplemental to Colorado school of mines.</u> \$22,600 for general operating expenses. | March 18 | March 18 |

- | No. | Subject | | |
|-----|--|----------|----------|
| 83 | <u>Appropriation to department of game and fish.</u> For next fiscal year, out of game cash fund: for general expenses of department, including game damage and administrative reimbursements - \$3,711,696; for matching federal funds under Pittman-Robertson Act - \$200,000, and under Dingell-Johnson Act - \$50,000. | March 18 | March 18 |
| 84 | <u>Appropriation - supplemental to Colorado state home at Trinidad.</u> \$18,000 for general operating expenses. | March 18 | March 18 |
| 86 | <u>Courts of record - fees in probate proceedings.</u> The principal purposes of this bill are as follows: (1) to correct certain omissions in the 1959 act which amended the probate fee section whereby fees in estates in the higher brackets were less than in estates in lower brackets; (2) to correct the numbering of sections and subsections of H.B. No. 3 (enacted by this general assembly and vetoed by the governor because of such incorrect numbering) and likewise to correctly identify certain unnumbered paragraphs of the present law; (3) the act also eliminates from the present probate fees the \$7.50 fee required at the time of filing a petition for the sale or mortgage of real estate. | March 18 | March 18 |
| 92 | <u>Appropriation - supplemental to state department of public health.</u> \$32,921 for general operating expenses and for purchase of poliomyelitis vaccine. | March 18 | March 18 |
| 93 | <u>Income tax - regulated investment companies.</u> Provides that investment companies determined by director of revenue to be "regulated investment companies" within the meaning of the federal internal revenue code shall be taxed in the same manner as other corporations under the state income tax except: (1) they shall be allowed a deduction for all dividends paid in the taxable year of the company; (2) they shall not be allowed the net operating loss deduction and the dividends received deduction under sections 138-1-27 (4) (b) and 138-1-11 (7), CRS 1953, respectively, "Dividends paid in the taxable year" shall include dividends declared by company prior to filing its income tax return | | |

No. Subject

93 for such year, and distributed to shareholders in the
Cont. 12-month period after close of such year, and not later
 than the date of the first regular dividend payment
 after such declaration. Act applies to all taxable or
 fiscal years commencing on and after January 1, 1960.

March 18

March 18

96 Public school foundation act -

Appropriation of state moneys for public schools. Appropriates state funds for distribution under public school foundation act, as provided in this act, \$32,010,000 for next fiscal year.

Interim committee - Creates a legislative interim committee of 9 members to study and recommend to 43rd general assembly, 1st regular session, a formula for distribution of state moneys to public schools under foundation act. \$2,500 for expenses.

Sales ratio formula - Defines "sales ratio" as that number which represents the per cent that the certified assessed valuation of real property is of its sales price as reported under the Realty Recording Act, and determined annually for 3 previous consecutive years as of July 1, 1960, from studies of the legislative council. Provides a formula for computing the "adjusted assessed value" of any county; amends the present minimum equalization program section of the foundation act by providing that the "adjusted assessed value" of a county, as computed under the sales ratio formula, shall be used in determining the state funds given each school district; and provides that the March 1st and June 1st payments from the state public school fund, which are adjusted payments (now based upon certified assessed valuations) for the preceding calendar year, shall be based on the "adjusted assessed value" for the preceding calendar year. Provides for reports to be made by the tax commission and the legislative council to the state board of education giving information for determination by board of distribution under new formula.

Directs legislative council to continue its sales ratio study and allocates \$30,000 for such purpose.

Junior colleges. Increases state junior college grants from \$1050 to \$2100.

Miscellaneous. Provides that the act shall be effective to

- | No. | Subject | | |
|-------------|--|----------|----------|
| 96
Cont. | and including June 30, 1961 only. Provides that if state appropriations exceed 100% implementation, any surplus shall be distributed as a "direct grant reserve." | March 18 | March 18 |
| 97 | <u>Appropriation to state department of employment.</u> From the state purchasing department storeroom revolving fund, \$10,583.48 for settlement of claims by federal government against said revolving fund. | March 10 | March 10 |
| 98 | <u>Appropriation to state park and recreation board.</u> From capital construction fund for construction of and equipping a marina at Cherry Creek state recreation area. Moneys are to be repaid to capital construction fund over a 4-year period from revenues derived from operation of said marina. Moneys to be available on effective date of act. | March 10 | March 10 |
| 100 | <u>"Long appropriation act."</u> For expenses of the executive, legislative, and judicial departments and for state institutions - \$57,807,985 from the general fund; \$19,025,877 from cash funds; and \$12,039,448 for capital construction from the capital construction fund and specific funds; all for the next fiscal year. | March 18 | March 18 |
| 102 | <u>Appropriation - transportation of public school pupils.</u> To public school transportation fund - \$1,916,000 for transportation of public school pupils, including children who must necessarily attend out-of-state schools. Act also eliminates from present law the requirement that a school district to be eligible to receive such transportation funds shall have spent for transportation of pupils a sum in excess of amount produced by tax of one-half mill on taxable property of district. | March 10 | March 10 |

SENATE BILLS ENACTED AND APPROVED OR VETOED

- | No. | Subject | | |
|-----|---|-------------|-------------|
| 2 | <u>Assessment of certain intangible property.</u> Repeals 2 obsolete sections of the present law (137-3-18 and 137-3-27, CRS 1953) concerning the assessment of certain intangible property. | February 13 | February 13 |
| 7 | <u>Assessment of taxable personal property - tax schedules.</u> Amends the present law to provide that if any person in making a tax schedule return on his taxable personal property omits any of his property or includes any information concerning the property which is false, erroneous, or misleading, the assessor shall make an assessment based upon the best information obtainable by him. If the assessor adds property to the taxpayer's return, he shall promptly notify the taxpayer. | February 13 | February 13 |
| 8 | <u>Colorado state patrol.</u> Grants the officers under the patrol all powers of sheriffs and peace officers with respect to the enforcement of the laws of the state during and in connection with: (1) the Colorado state fair held annually at Pueblo, the cost thereof to be paid by the Colorado state fair commission within the amount appropriated therefor, provided moneys may be used for this purpose from the highway users tax fund, which shall be immediately reimbursed after the service is performed; (2) the Golden Jubilee Jamboree of the Boy Scouts of America to be held near Colorado Springs July 22 to 28, 1960, and appropriates \$12,500 from the general fund for such purpose. The powers so granted the officers of the patrol do not supersede powers of sheriffs or peace officers but are in addition thereto. | February 4 | February 4 |
| 11 | <u>Elections - precincts using voting machines and use of machines in cities and counties of over 300,000 population.</u> Amends present law to eliminate provisions that officials creating precincts may in their sole discretion determine the maximum number of registered voters in an election precinct using voting machines, and may in their sole discretion, provide more than one voting machine for each precinct. | | |

No.

Subject

11
Cont. Substitutes therefor the provisions that one precinct shall be established in every political subdivision using voting machines for every 1,000 registered electors as shown by the registry list 165 days before a general election. Also provides that at general elections in any election precinct in counties and cities and counties of over 300,000 population using voting machines, one machine shall be supplied for each 250 registered electors or fraction thereof, as computed by the total number of registrations in the registration book at the close of the last day for registration before any such election.

February 4

February 4

13 Assessment of taxable personal property. Amends present law to provide that if any taxable personal property, other than livestock, is brought into state after the assessment date, such property shall be assessed in proportion to the time it is located in the state; and if such property does not remain in state until the next assessment date, the owner may apply for a reassessment, such reassessment to supersede the original assessment. If the original assessment of such property is already reported to the tax commission in the abstract, an abatement of taxes shall be approved. Taxes on property so reassessed shall be paid before such property is removed from state at the fixed levy for the current year, or if levy has not been fixed, at the previous year's levy. If a county treasurer believes that any property will be removed from the state, he shall collect at once the full amount of the taxes on the original assessment, and if such property is so removed, the taxpayer, upon application, may apply for a reassessment and a refund on the excess taxes paid.

February 15

January 1, 1961

14 Assessment of property - oath of taxpayer. Eliminates from the present law the obsolete provision that a taxpayer shall swear on his tax schedule that the schedule contains a true, full and complete list of property held by him on the first day of March and substitutes therefore the words "assessment date." Also eliminates from said oath the provision that the taxpayer has valued his property at its full cash value.

February 13

February 13

No.

Subject

- 17 State homes for the aged. Amends present law to provide that anticipation warrants issued for the construction of homes for the aged shall bear interest at a rate determined by the board, rather than at the going rate, such interest not to exceed 5%. Also provides that the Monte Vista Golden Age Center shall not be considered in the limitation in the present law that the 6 additional homes authorized shall not be constructed until all existing homes are self-supporting, but provides that no additional homes shall be constructed if any existing homes are not self-sustaining and require general fund appropriations for any operating expenditures excluding capital improvements.
- March 10 March 10
- 19 Justices of peace. Provides that the population of justice precincts for fixing the compensation of justices of the peace shall be determined by the last preceding federal census until January 1 of the second year after such census, and thereafter as determined by estimated population figures of the division of planning. Fixes the compensation of justices in precincts of 100,000 population or over at an amount equal to the fees of their office but not exceeding \$7,500.
- March 10 March 10
- 20 Juvenile courts. Amends the present law by providing that a juvenile court shall be created and established in each county and city and county having a population of 250,000 or more (present law states 100,000 or more) as determined by the last preceding federal census until January 1 of the second year after such census, and thereafter as determined by estimated population figures of the division of planning.
- March 10 March 10
- 22 Birth certificates in case of adoption. Amends the present law to provide that in case of adoption of any person through the Colorado courts regardless of the place of birth, the state registrar shall prepare a birth certificate in the new name of the adopted person in the same manner as in the case of other adopted persons. (Note: This bill was vetoed by the governor because of strong opposition to the bill by the immigration service of the U.S. government)

VETOED February 8

No. Subject

23 Metropolitan sewage disposal districts.-

Territory within a district. Provides for the establishment of metropolitan sewage disposal districts, which may be composed of territory included within the corporate boundaries of two or more municipalities which need not be contiguous nor located within the same county. "Municipality" includes a city, a city and county, an incorporated town, a sanitation district, or a water and sanitation district, and any other political subdivision or public entity now or hereafter created by law having specific boundaries within which it is authorized to provide sewage service. Municipalities within a district retain full power to provide sewer service and to authorize a district to provide sewage disposal.

Organization. The organization of a district may be initiated by an ordinance of the governing body of any municipality, setting forth the municipalities proposed to be included in the district, and the municipalities required to take action to be included in the district before organization. The governing body of a municipality which is proposed to be included in a district, and which desires to be so included, shall enact an ordinance, after public hearing, that such municipality be so included, and only a municipality which enacts such ordinance shall be included within any organized district.

Board of directors - powers of board and district - financing. Provides for a board of directors of a district based on population in each of the municipalities within the district and appointed by the chief executive elected official of each such municipality with the approval of the governing body. Prescribes the powers and duties of such board, among which is the primary power to construct and maintain a sewage disposal system, and to finance the cost of acquiring, improving and extending such system by borrowing money, or the issuance of bonds, debentures or warrants, said bonds to bear interest not to exceed 6%, and said bonds and the income therefrom to be exempt from taxation except estate taxes, but no bonded indebtedness shall be an indebtedness on the part of any municipality included within the district nor shall any indebtedness be created without first submitting the creation thereof to the taxpaying electors of the district at a special election or an election held concurrently with a primary or general election.

During the first 5 years of a district's existence the board shall have power to levy and collect ad valorem taxes on all taxable property within the district not to exceed a total of 3/4 of one mill during said 5 year period.

Among other powers of a district is the power of eminent domain and the power to fix rates and charges to municipalities within the district for services; if such charges are not paid, the

No. Subject

23
cont.

board can levy and collect an ad valorem tax against all taxable property within the municipality which fails to pay such charges, such tax to be without limitation and in addition to the 3/4 mill above.

Miscellaneous. The act provides for boundary changes of a district, inclusion of territory, addition of annexed and consolidated territory, exclusion of territory, service of areas outside the boundaries of a district, dissolution of districts, and the manner of holding any election required under the law.

March 18

March 18

24

Federal surplus property - Fort Logan. Provides that if any federal surplus property acquired by the governor shall consist of rental property, the director of the department of institutions is authorized to continue renting such property, and he is also authorized to sell any salvage resulting from the repair, remodelling or demolition of the facilities of such property, the moneys received from such rentals and salvage to be credited to the Fort Logan state hospital fund. Moneys in said fund shall be held, subject to appropriation, for the following purposes: (1) to cover cost of operating such rental property, or cost of repair, remodelling, or demolition of such facilities; (2) after computing such costs, of the funds remaining, payments shall be made therefrom to the federal government if the law, contract, deed, or conveyance under which the state acquired such property requires that the net proceeds, or any part thereof, shall be returned to the federal government.

February 13

February 13

25

Mentally ill and mentally deficient persons. Provides that within the 5 day period during which any respondent, after the entering of any order of adjudication or commitment, may file a demand for a review of the order of a medical commission by a judge or jury, the respondent may be removed from the county, in which event he shall have an additional 15 days, or a total of 20, to file such demand. If a demand is made for a jury trial before the respondent is removed from the county, the judge shall enter an order detaining said respondent within the county for a period not to exceed 5 days.

February 15

February 15

No. Subject

28 Supreme court - assisting judges - supplemental appropriation. Appropriates \$5,000 for the current fiscal year to permit qualified district and county judges, and qualified former district and supreme court judges, to assist the supreme court in disposing of cases before it. Provides that any district or county judge rendering such service shall be entitled to supplemental remuneration for each case, in such amount as the supreme court may allow, and be reimbursed for his actual and necessary personal maintenance expenses while engaged in such duties outside of his county or district, not to exceed \$20 per day and 8¢ mileage. Former district and supreme court judges shall likewise receive remuneration as fixed by the court and the same personal maintenance expenses of not to exceed \$20 a day and 8¢ mileage.

February 8

February 8

34 Sales and use taxes - enabling legislation for counties, cities and towns to levy same. Provides that any county or any city and town (including cities and towns of all classes, but excluding home rule cities) may impose a retail sales and use tax not to exceed 2%, but a city or town may not impose such tax until the county or counties within which it is situated impose such tax.

County tax. (1) No county may impose such a tax unless the question of whether the county commissioners of such county shall be empowered to impose such tax, shall be first submitted by the county commissioners to the people at any general election. If the vote is in the affirmative, the board may impose the tax within 90 days from the date of the election. If in the negative, the question shall not again be resubmitted within one year from the election. (Note: General state elections held every two years.)

(2) The act provides for property to be taxed, and property which shall be exempt. Mainly the tax shall be paid on (a) the purchase price of all sales and purchases of tangible personal property at retail; (b) retail sales involving exchange of property (with exceptions); (c) telephone and telegraph services; (d) gas and electric services; (e) lodgings to temporary guests; (f) storage, use, and consumption of articles of tangible personal property.

Mainly the tax shall not apply to (a) sales to U.S., state, and political subdivisions of state; (b) sales to religious,

(6) Senate bills

No. Subject

34
cont.

charitable and eleemosynary corporations; (c) sales which the state is prohibited from taxing under the constitution or laws of the U.S. or state; (d) cigarettes; (e) 3.2% beer, and malt, vinous and spirituous liquors as long as other excise taxes thereon exceed certain specified limits; (f) "motor fuel" commodities as defined in 139-3-1, CRS 1953; (g) livestock and farm auction close out sales; (h) feed for poultry, purchase of seeds, orchard trees; (i) food, food products and beverages for human consumption off the premises; (j) drugs; (k) printers ink and newsprint; (l) products used in manufacturing, compounding, etc.; (m) fuel products used in processing, manufacturing, etc. (o) storage, use and consumption of certain enumerated articles.

(3) The county resolution shall provide "that the taxes imposed by it shall be subject to a credit equal to the amount of the retail sales or use tax imposed upon the same transaction with respect to sales, storage, use or consumption of the same property or service, by any other taxing authority, other than the state of Colorado."

City and town tax. From and after the date a county enacts such tax, any city or town within that county may enact a sales and use tax, of the same or lesser amount and containing provisions the same as those outlined in (2) above under county tax, except that appropriate terminology shall be used to identify the city or town. Also provides "That there shall be added to the end of the provisions required by section 6 (6) hereof the words 'and the county in which this (town) (city) is located'." (Note: Section 6 (6) is quoted verbatim under (3) above)

If any revenue accrues to a city or town imposing the tax in excess of \$100 per capita per fiscal year, based upon population estimates of the division of planning, such excess shall accrue to the county in which the city or town is situated.

Miscellaneous. The governing body of any county, city or town may enter into agreements with the state director of revenue to collect the tax.

Metropolitan area counties. Before the question of a sales tax shall be submitted to the electorate of any county having any boundary adjacent to any combined city and county, the county commissioners in each of such counties must first, before the 2nd Tuesday in September prior to the general

No. Subject

34
cont.

election at which the proposition is to be submitted, by majority vote elect to place such proposition before the electorate, and such tax shall not be imposed upon any of such counties (unless) a majority of the electors voting in each county by majority vote elect to accept such tax. (Note: Word "unless" omitted in House amendment made to bill during passage.)

VETOED MARCH 19, 1960

37

Fourth judicial district - increase in judges. Increases the number of judges in the fourth judicial district from three to four. Provides that the governor shall appoint the additional judge as soon as practicable after the effective date of the act, the successor to such appointed judge to be elected at the 1960 election. (Note: 4th district consists of counties of Douglas, Elbert, El Paso, Lincoln, Kit Carson and Teller)

March 2

March 2

38

Tax sales - publication of delinquent tax lists. Provides that any newspaper selected by the county commissioners of any county in which the county treasurer shall publish delinquent tax lists, shall remain the official newspaper for the publication of such lists until changed by action of the county commissioners. Provides that all former publications made by a county treasurer, with the approval of the county commissioners, as evidenced by the approval and payment of the bill therefor, are confirmed as done in compliance with this act.

VETOED MARCH 18, 1960

43

Boats. Amends the "boat act" of 1959 to provide that the word "motorboat" under said act shall not include a boat propelled by air motor while operated upon waters within this state which are not navigable waters of the United States. This in effect exempts such boats from licensing and regulation.

February 24

February 24

45

Colorado tax commission - may establish schools for county and deputy assessors and others. Provides that the Colorado tax commission, for the purpose of promoting equalization of assessed valuations, may each year provide for a school or schools for county assessors, deputy county assessors, and such employees of the commission as the commission may request to attend. Expenses for travel, lodging and subsistence of assessors and deputies shall be paid by the counties; the cost of operating the schools, including instruction, shall be paid by the commission.

March 18

March 18