

return

DIGEST OF BILLS

Enacted by The

FILE COPY

FORTY-FIFTH GENERAL ASSEMBLY

1966-Second Regular Session



COLORADO

LEGISLATIVE REFERENCE OFFICE

March 1966

DIGEST
OF
SENATE AND HOUSE BILLS ENACTED
BY THE
FORTY-FIFTH GENERAL ASSEMBLY
OF THE
STATE OF COLORADO

(1966 - Second Regular Session)

and

APPROVED OR VETOED BY THE GOVERNOR

(Together with a Subject Index)

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Compiled by the
Legislative Reference Office
323 State Capitol
Denver

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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.

HOUSE BILLS ENACTED AND APPROVED
(Also includes vetoed bills)

- | <u>No.</u> | <u>Subject</u> | | |
|------------|---|-------------|-------------|
| 1007 | <u>Flood prevention and control - planning and zoning.</u> Authorizes planning commissions of towns, cities, counties, and regions, in developing master plans, to include provisions for flood control and protection from flood waters. Authorizes the legislative body of each city and incorporated town, and any county planning commission, to establish, regulate, restrict, and limit the uses of land on or along any storm or floodwater runoff channel or basin, designated and approved by the Colorado water conservation board, to lessen or avoid hazards to persons and damage to property from storm or flood waters. Such authority shall not be exercised by any city or town to deprive the owner or any existing property of its use or maintenance as of the effective date of this act, but may be exercised to gradually eliminate uses, buildings, and structures when their existing uses are discontinued or when the existing buildings and structures are destroyed or damaged in major part. The legislative body of any such city, town, or county, or its board of adjustment, or a county planning commission may condition any zoning regulation, or any amendment thereto, or any variance therefrom, or the exemption of any building or structure therefrom, upon the preservation, improvement, or construction of any storm or floodwater runoff channel designated and approved by the Colorado water conservation board. Provides for the additional duty of the Colorado water conservation board to designate and approve storm or floodwater runoff channels or basins, and to make the same available to cities, towns, and counties of the state. | February 25 | February 25 |
| 1011 | <u>1965 Supplement to Colorado Revised Statutes 1963.</u> Re-enacts laws of a general and permanent nature enacted by the general assembly at its second regular session and first and second extraordinary sessions in 1964, and at its first regular and first extraordinary sessions in 1965, as the "1965 Supplement to Colorado Revised Statutes 1963" and provides for the publication thereof. | February 11 | February 11 |
| 1012 | <u>Supplemental appropriation - state electrical board.</u> For personal services, operating expenses, and travel - \$22,154. | February 21 | February 21 |
| 1013 | <u>Appropriation - legislative department.</u> For expenses of forty-fifth general assembly - \$251,000. | January 25 | January 25 |

- | <u>No.</u> | <u>Subject</u> | | |
|------------|--|------------|------------|
| 1014 | <u>Supplemental appropriation - passenger tramway safety board.</u>
For expenses of board - \$2,760. | January 25 | January 25 |
| 1015 | <u>Supplemental appropriation - professional engineers and land surveyors.</u> For operating expenses and travel - \$4,255. | January 25 | January 25 |
| 1017 | <u>Scenic enhancement of highways.</u> Authorizes the department of highways to acquire strips or parcels of land adjacent to federal-aid highways necessary for the restoration, preservation, and enhancement of scenic beauty and for the development of rest, recreation, and sanitary areas. Requires approval of U.S. secretary of commerce of such acquisitions to make the state eligible for reimbursement from federal funds before state funds may be expended for such acquisitions. | March 3 | March 3 |
| 1018 | <u>Proprietary schools.</u> Regulates any "proprietary school", defined as a business, whether or not conducted for profit, maintaining a place of business in or outside this state and which offers or maintains a course or courses of instruction or study, or at which place of business such a course or courses are available either through classroom instruction or by correspondence, or both, to any person for training or preparation for a field of endeavor in a business, trade, or a technical or industrial occupation, excepting therefrom public and parochial schools, colleges, and universities, instruction in any avocation, recreation, health, or entertainment field, instruction by an employer for his employees, apprenticeship training recognized by and registered with the industrial commission, and private schools comparable to or whose credits are accepted by public schools, colleges, or universities, schools for children not over six years of age, and schools licensed under occupational licensing laws. | | |

Requires a permit issued by the state board for vocational education for any agent of a proprietary school who solicits the enrollment of a resident of this state in any course offered by such school, in or outside this state, and requires a permit fee of five dollars, and a bond for five thousand dollars to indemnify any person enrolled in such course who shall suffer loss or damage as a result of fraud or misrepresentation in procuring such enrollment. Such permit shall be valid from July 1 through June 30 next following.

Requires a certificate of approval issued by said vocational board for any proprietary school in this state, upon the payment of a fee of twenty-five dollars and bond in the

No.

Subject

1018 amount of twenty thousand dollars to indemnify any enrollee
cont. for loss or damage from said school's failure or neglect to
perform its agreements or from its having failed or neglected
to maintain and operate any course of instruction or study in
compliance with the standards required by this act. Said
certificate shall be valid from July 1 through June 30 next
following, and shall be suspended by law if said school is no
longer covered by the required bond, or if said school shall
deny enrollment to any person based on race, color, or creed.

Any person who shall act as an agent of a proprietary
school or who shall operate such a school in this state with-
out a permit or a certificate of approval, respectively,
shall be guilty of a misdemeanor, and upon conviction, shall
be punished by a fine not to exceed one hundred dollars or by
imprisonment in the county jail for not more than six months,
or both. Each day's failure to comply shall be a separate
offense. No note, negotiable instrument, or contract for the
payment for any course from any proprietary school shall be
enforceable by such school unless said school and its agents
shall comply with the provisions of this act.

Establishes minimum standards on which approval of any
such school by the vocational board shall be based, including
standards concerning: Instructional quality and content;
educational and experience qualifications of administrative
and instructional personnel; adequacy of space, equipment,
instructional materials, and instructor personnel; compliance
with local ordinances and state laws relative to safety and
health; financial soundness; advertising, none of which is
untrue, deceptive, or misleading; adherence to published tui-
tion refund schedules; and adherence to other requirements of
vocational board necessary to improve such courses or programs
of instruction or study, and to prevent misrepresentation,
fraud, and collusion in the offering thereof.

If the vocational board shall find that any such school
meets, or that a new school can meet, such minimum standards,
a certificate of approval shall be issued, but if not, then
after notice and hearing, the board may deny the issuance of
such certificate or may impose conditions to be met before
such issuance.

Provides for the issuance by the vocational board, after
investigation and evaluation, of a certificate of accredita-
tion of any proprietary school, or the board may recognize
the accreditation of any such school by a nationally recognized
agency designated by the U.S. commissioner of education, when
the same is operated and maintained in conformity with this
act; and provides for the suspension or revocation thereof
when the school violates any of the rules, regulations, and

No.

Subject

1018 standards adopted by the state board. Suspension or revoca-
cont. tion of such accreditation shall not affect the certificate
of approval issued to or applied for by any such school.

Provides for the revocation of an agent's permit or the certificate of approval of a proprietary school for fraud or misrepresentation, or in the case of such a school, for failure to maintain and operate any course in compliance with minimum standards of the board. An agent's permit may be suspended by operation of law if the certificate of the school employing him has been suspended or revoked, or if the agent leaves the employ of such school; but such agent shall be given ten days notice thereof, and his permit shall be reissued upon employment with another approved proprietary school.

Provides for an advisory committee of nine members, three from proprietary schools, three from industry, two from labor, and one from the public, all of whom shall be appointed by the state board for vocational education for three-year terms, the initial appointments being for staggered terms of one, two, and three years. Such committee shall make recommendations to the vocational board concerning the maintenance and operation of any proprietary school in compliance with the provisions of this act.

Any proprietary school or any agent operating as such prior to July 1, 1966, shall have until October 1, 1966, to apply for a certificate of approval or an agent's permit, respectively. The vocational board shall issue or deny a certificate of approval prior to April 1, 1967, and shall issue or deny a permit within ninety days after application.

March 3

March 3

1019 University of Colorado research building revolving fund.
Authorizes state treasurer, or any department, institution, or agency of the state, or any political subdivision of the state, to purchase anticipation warrants issued against the revenues of said fund. Authorizes the use of such warrants as security for any depository bond or obligation, and provides for tax exemption of such warrants. Authorizes regents of university of Colorado to contract with any person or corporation, or state or federal government, for advancement of moneys for the purposes of said fund and to provide for the repayment thereof with interest not to exceed four per cent per annum from said fund.

February 11

February 11

1020 Colorado state university research building revolving fund.
Authorizes purchase of anticipation warrants, issued against

No.

Subject

1020 cont. said fund, by same entities authorized by H.B. No. 1019; authorizes the use of such warrants as security for depository bond or obligation; and provides for tax exemption of such warrants. Authorizes state board of agriculture to contract for advancement of moneys for purposes of said fund and to provide for the repayment thereof with interest not to exceed four per cent per annum from said fund.

February 11

February 11

1021 Local improvement and service districts - election procedures. Authorizes the establishment of one or more district election precincts not later than twenty days before an election in a local improvement and service district, and for the appointment of three judges of election in each such precinct. At least one such precinct shall be established for each three thousand persons qualified to vote in such election, as the same shall be determined by the authority calling the election. Such determination shall not be the subject of contest except after proof of fraud. Contest proceedings shall be filed within thirty days after the votes cast at any such contest are canvassed, but not thereafter.

February 11

February 11

1022 Capital construction appropriation - game, fish, and parks department. Reduces appropriation for Little Molas project from \$22,042 to \$590.56; reduces appropriation for Rito Hondo Reservoir Dam Spillway from \$22,000 to \$20,525; and repeals Texas Creek access road appropriation for \$23,000.

February 11

February 11

1023 Municipal incorporation. Adds new requirements for incorporation of municipal corporations. Prohibits the filing of a petition for incorporation of a city or town within one mile of an existing city or town unless the proposed incorporation includes at least three hundred twenty acres which are within one mile of the boundaries of the existing city or town. Prohibits an incorporation election unless the court shall find that the proposed area of incorporation is urban in character and has an average population of at least one hundred registered voters per square mile of area.

March 1

March 1

1024 "Air Pollution Control Act". Repeals prior laws on air pollution and enacts entirely new act to prevent, abate, and control air pollution, in the exercise of the police powers of the state. Declares it to be the policy of this state to maintain a reasonable degree of purity of the air resources

No.

Subject

1024 of the state, consistent with the public health, welfare,
cont. and enjoyment, the industrial development of the state, the
propagation and protection of human, plant, and animal life,
and the protection of the physical property and other re-
sources.

Prescribes minimum limits of ambient air quality - the same as in prior law - and enacts emission standards for sources of air pollution and contamination, applicable in any area of the state designated by the division of administration of the state department of public health where ambient air standards are not met.

Authorizes any home rule city, city, town, county, or city and county to enact local air pollution laws not inconsistent or less restrictive than the standards of this act, and validates any such local laws enacted prior to effective date of this act and which meet requirements of this act. Any such local authority shall have until July 1, 1966, to conform its laws to requirements of this act, or such local laws shall be superseded by the provisions of this act. If any county shall adopt any air pollution resolution more restrictive than that adopted by any city or town within such county, the more restrictive provisions shall apply county-wide.

Provides that the application, operation, and enforcement of such local air pollution laws shall be completely independent of but may be concurrent with the application, operation, and enforcement of this act.

Creates, as a division of the state department of public health, the air pollution variance board, composed of nine members, one designated by the state board of health, and the remainder appointed by the governor as follows: One who is a registered professional engineer with five years or more experience, and not from industry; a physician licensed to practice in this state or a toxicologist, not from industry; three from industry; and three from the public at large, not from industry. Appointments by governor shall be for terms of four years, except four of the first appointed shall be for two-year terms. Requires the concurrence of at least a majority of all members of the variance board for any determination pursuant to this act. Permits a per diem of twenty dollars, not to exceed twelve hundred dollars per year, and provides reimbursement for necessary expenses. Provides duties of variance board, including granting of variances, reporting to the general assembly annually on effectiveness of this act and on recommendations for changes in the law; and holding of hearings in each designated area of the state

No.

Subject

1024 as to air pollution problems and suggested remedies therefor.
cont. Authorizes the variance board to designate a hearing officer for hearings only on violations of this act, in conformity with the administrative code.

Requires the division of administration of the department to make field studies and take air samples to determine if ambient air standards are violated; to designate such areas of the state where such ambient air standards are violated and to enforce emission standards of this act within such areas; and to make reports to the general assembly similar to those required of the variance board. Authorizes the division to do research concerning air pollution; designate air pollution control authorities, as agents of the division, in designated areas of the state; investigate sources of air pollution; cooperate with local units of government in the field of air pollution; and furnish staff personnel for the variance board.

Authorizes the division to seek restraining orders or injunctions against violators of air pollution standards causing danger to the public health, when such violations occur after issuance of written orders by the division to cease and desist from such violations. Any person receiving such order, may appeal to the variance board for a hearing on a violation, for a variance, or both. If a violation is found, the order shall be stayed thirty days during which the violator may apply for a variance.

Authorizes the variance board to grant variances when the board shall find that the same would be consistent with the legislative policy. Requires such a variance be granted where strict compliance would result in an arbitrary taking of private property or in the practical closing of any lawful business or activity without corresponding public benefit. Terms and conditions for any variance may be specified by the variance board, and the failure to meet such terms and conditions, without consent of the said board, shall invalidate such variance. Provides for annual review of variances issued to determine if terms and conditions have been met and if continuance of variance is justified.

Provides procedures for hearings, and provides for judicial review of any final action of the variance board. Authorizes actions to enjoin violations of cease and desist orders issued by the division of administration.

Provides that any violation of any emission standard in any designated area of the state, or of any local air pollution law within the local jurisdiction, where no variance has been issued, and after a cease and desist order has become final, shall be a misdemeanor, punishable by a fine of not more than one hundred dollars for each day of violation. No

No. Subject

1024 person shall be prosecuted for any violation of both the state
cont. law and a local law arising from the same activity.

Provides that this act and any cause of action hereunder shall be solely for the benefit of the people of the state, and not for the benefit of any person other than the state. The provisions of act shall not apply to conditions existing within the confines of any single commercial or industrial plant, works, or shop, nor affect employer-employee relations concerning air pollution. No provision of act shall affect any right to suppress nuisances.

Empowers county and district health departments to administer and enforce air pollution laws, and the orders of the division with respect to air pollution, and to cooperate with the variance board and the division in all matters pertaining to air pollution.

Repeals 1963 and 1964 air pollution acts. Appropriates to the state department of public health an additional \$50,000 to administer and enforce this act.

March 11

March 11

1025 Temporary gasoline tax - surplus funds - flood relief extended.

Provides for the allocation of unexpended funds derived from the temporary additional one cent gasoline tax imposed for flood disaster relief and not expended for the repair and reconstruction of county highways and city street systems, to counties, cities, cities and counties, and towns of the state for reimbursement of costs of repair and reconstruction of highways and streets thereof, damaged or destroyed by flood disasters from July 14 through August 31, 1965. Provides for pro rata distribution in case such funds are less than aggregate amount of costs for such repairs and reconstruction.

February 21

February 21

1026 Supplemental appropriation - state department of agriculture.
For operating expenses, travel, and capital outlay - \$63,089.

February 21

February 21

1027 Supplemental appropriation - division of water resources. For
personal services, operating expenses, travel, capital outlay,
and ground water recharge study - \$35,892.

February 25

February 25

1030 Supplemental appropriation - Colorado state hospital. For
payment of personal services - \$165,130.

February 21

February 21

<u>No.</u>	<u>Subject</u>		
1031	<u>Supplemental appropriation - Colorado school for the deaf and blind.</u> For out-of-state tuition for Colorado residents - \$10,000.	February 21	February 21
1033	<u>Inheritance tax - refunds - exemptions.</u> Provides for refunds of inheritance taxes "incorrectly assessed and paid" in place of those "erroneously paid" pursuant to the prior law. Provides for the payment of interest on such refunds and on excess payments of such taxes determined after reassessment, at the rate of four per cent per annum from the date of payment. Exempts proceeds of pension benefits under the public employees' retirement system, the school district retirement systems, firemen's pensions, and policemen's pensions from the provisions of the inheritance tax laws.	March 8	March 8
1035	<u>Taxation - gasoline gallonage reports.</u> Amends law permitting publication of statistics from various tax returns, to permit the release of information by the department of revenue for the periodic publication of gasoline gallonage reports based on motor fuel tax returns and reports, and containing summaries of quantities of motor fuel marketed in this state, specifying the suppliers, distributors, and consumers of such fuel, and other information concerning the motor fuel tax.	March 8	March 8
1036	<u>Appropriation - legislative audit committee.</u> For payment of committee expenses during current fiscal year - \$18,405.	February 21	February 21
1037	<u>Supplemental appropriation - state controller.</u> Appropriates \$66,789 for state's matching share of state employees retirement contributions, plus interest; \$151,737 for salary survey adjustments, position reclassifications, and resulting retirement contributions; and \$99,615 for state contributions to state employees health insurance plan. Total appropriations: \$318,141.	February 25	February 25
1038	<u>Supplemental appropriation - auditor of state.</u> For payment of contract auditors - \$44,421.	February 21	February 21

- | <u>No.</u> | <u>Subject</u> | | |
|------------|---|-------------|-------------|
| 1039 | <u>Supplemental appropriation - metropolitan state college.</u>
For educational and general purposes - \$40,000. | February 21 | February 21 |
| 1040 | <u>Supplemental appropriation - southern Colorado state college.</u>
For student transportation - \$26,250. | March 1 | March 1 |
| 1041 | <u>Fire protection districts - civil service for firemen.</u> Authorizes any fire protection district to establish a civil service system for its firemen. If eight or more full-time firemen are employed by such district, the board shall appoint three qualified taxpaying electors of the district as a civil service committee to administer the system - if less than eight, such appointment is permissive. Authorizes said committee to adopt rules for the recruiting, examing, and certifying to the board of directors applicants for employment; for conducting promotional exams; and for disciplinary actions. | | |

Provides that members of any such fire department, upon the establishment of such system, shall continue in rank and employment until promotion or discharge pursuant to civil service rules and regulations, but the fire chief may be excluded from such rules and regulations other than as to tenure.

Authorizes board of directors to contract with any municipality or state agency to conduct civil service examinations for the district. Provides for the organization and procedures of the committee. Requires establishment of minimum conditions of employment for applicants for appointment and promotion.

Vetoed - March 8

- | | | | |
|------|--|---------|---------|
| 1044 | <u>Supplemental appropriation - university of Colorado for the Colorado general hospital.</u> For operating expenses - \$201,324, of which \$100,662 shall be from general fund and \$100,662 shall be from cash earnings. | March 2 | March 2 |
| 1048 | <u>Appropriation - state public school fund, public school transportation fund, and public school property tax relief fund.</u> \$47,097,622 to the state public school fund for the following purposes: | | |

State's share of the state minimum equalization program.....	\$44,967,222
For excess growth.....	624,000
For small attendance centers.....	1,206,400
For contingency reserve.....	300,000
	<u>\$47,097,622</u>

No.

Subject

1053 Appropriation - long appropriation act. For expenses of legislative, executive, and judicial departments:

	\$162,532,657
For capital construction	21,736,594
Total:	<u>\$184,269,251</u>

March 2

March 2

1054 Appropriation - department of game, fish, and parks. Appropriates \$450,000 out of the game cash fund, for land acquisition and construction of the Willow Creek Reservoir in Routt County, Colorado, contingent upon the gift to the department of an equal amount by the Colorado-Ute Electrical Association, Inc., and the Salt River Generating Company, both Colorado corporations.

March 8

March 8

SENATE BILLS ENACTED AND APPROVED

No.

Subject

- 1 1968 Olympic training commission. Creates the new commission, composed of seven members appointed by the governor, who shall serve without compensation for the life of this act, or until their duties are completed or until removed by the governor. Said members shall be reimbursed for their actual and necessary expenses. The commission shall be a body corporate and shall seek to obtain the establishment of an Olympic training center within this state in the proximate area of Alamosa, Colorado, prior to the Olympic games to be held in Mexico, D.F., Mexico, in 1968. Said training center may be used by any Olympic team for the training of athletes entered in said games. Empowers the commission to contract with either the United States Olympic Committee or the International Olympic Committee for such purpose, and authorizes the commission to receive and apply gifts of money for such project. Appropriates \$16,658.25 to the commission to be used in the furtherance of the project, such moneys to become available on the effective date of this act and remain available until July 1, 1968, or until the termination of the commission, whichever is sooner. This act shall be repealed January 1, 1969.

February 25

February 25

- 2 "Colorado Water Pollution Control Act of 1966". Declares that the prevention, abatement, and control of pollution of the waters of this state are affected with a public interest, and that this act is enacted under the police powers of this state.

Creates, as a division of the state department of public health, a state water pollution control commission, composed of eleven members, including one each from the state board of health or its administrative staff, the game, fish, and parks commission or its administrative staff, and the water conservation board or its staff; the natural resources coordinator or his designee; and seven citizens of the state, appointed by the governor, as follows: One from industry, one from municipal or county government, one from agriculture, and four from the public at large, for terms of six years each, except that the first appointments shall be for staggered terms. Provides for a per diem of twenty dollars, not to exceed twelve hundred dollars per year, and provides for reimbursement of necessary expenses. Designates the commission as the state agency for purposes of the Federal Water Pollution Act, as amended, including the Water Quality Act of 1965.

Senate Bills

No.

Subject

2 The act shall be administered by the division of adminis-
cont. tration and the director thereof, of the state department of
public health, under the supervision and direction of the com-
mission.

Provides for powers and duties of the commission, includ-
ing supervision of the administration and enforcement of this
act and of its rules, orders, and standards, and the adoption
of a comprehensive program, developed by the division, for the
prevention, control, and abatement of water pollution. Re-
quires the periodic sampling of waters of the state and the
determination of any and all sources of pollution thereof.

Powers and duties of the division include approval or
disapproval of plans and specifications for construction and
operation by any political subdivision of any new sewerage,
disposal, and treatment systems or works, and of any extension
or modification of new or existing systems or works; inspec-
tion, investigation, and determination of causes of water pol-
lution; and classification of waters of the state.

Requires the commission to promulgate reasonable stand-
ards of quality for the various streams of the state, includ-
ing standards for different segments of the same stream, con-
sidering enumerated factors, it being the intent that minimum
standards adopted shall conform to requirements of the said
Federal Water Pollution Control Act, as amended, including the
Water Quality Act of 1965.

Such standards or the administration of this act shall
not affect the diversion, exchange, storage, or release of
waters by any appropriator thereof.

Requires any person proposing to discharge, or any person
presently discharging (upon request by the commission), to
file a report thereof with the commission. The commission
shall prescribe requirements to be met by any such person to
meet water quality standards.

Requires any person planning to construct, install, oper-
ate, or modify any disposal system, or any industrial or com-
mercial establishment which would cause an increase in the
discharge of wastes into, or would alter the properties of,
the waters of this state, or planning to construct or use any
new outlet for the discharge of wastes into the waters of the
state, to notify the commission of such plans. Requires
prior approval by the commission of the location of any new
domestic sewage treatment works.

Declares it to be unlawful for any person to pollute the
waters of this state in violation of or by failure to comply

No. Subject

2 with any order of the commission, including the standards
cont. adopted under this act, and provides that any person violat-
ing or failing to comply with the same may be enjoined from
further such conduct in an action brought by the commission
through the attorney general, and such person shall be liable
in damages for any loss of fish or fish propagation resulting
from such conduct.

Nothing in this act shall affect any other right of
action, civil or criminal, nor any right to suppress nuisances
or to abate pollution.

Amends powers and duties of county and district health
departments to provide for the administration and enforcement
of water pollution laws, and the orders, rules, and standards
of the commission, and to cooperate with the commission in
all matters pertaining to water pollution.

Provides that water quality standards adopted pursuant
to this act shall become effective March 1, 1967, and that
all rules, regulations, and standards of state board of health
pertaining to water pollution shall remain in effect until
March 1, 1967.

March 9

March 1

4 Counties - prohibition of discharge of firearms. Empowers
boards of county commissioners to designate areas of unincor-
porated territory, with average population of not less than
one hundred persons per square mile, wherein it shall be
unlawful to discharge any firearm, other than by a law en-
forcement officer in the line of duty, except in shooting
galleries or on private property where persons or property
is not endangered and where no projectile can traverse any
area outside such shooting gallery or private property. Prior
to such designation, said board shall hold a public hearing
thereon. "Firearm" is defined as any pistol, revolver, rifle,
or other weapon from which any shot, projectile, or bullet may
be discharged. Violations shall be punished by a fine of not
over one hundred dollars. Prosecutions shall be in county
courts of the respective counties. Nothing contained in act
shall be construed to impair any person's constitutional right
to bear arms or to defend his person, his family, or his prop-
erty. The state shall not be liable for any damages to prop-
erty by wild animals in any such area designated.

February 8

February 8

6 Highways - advertising devices. Prohibits the erection of
advertising devices within six hundred sixty feet of the

No.

Subject

6 right-of-way of any Colorado interstate or primary highway, except those giving directional and other official notices, advertising the sale or lease of the property on which located, advertising activities conducted on the property on which located, and those located in areas zoned industrial or commercial under authority of state law. Any person who violates this act shall be fined not less than one hundred nor more than one thousand dollars for each violation. Provides for the administration of the act by the department of highways, and provides that any person, after notice of violation or attempted violation, may apply to a court of competent jurisdiction within thirty days after such notice for appropriate relief under the Colorado rules of civil procedure. This act shall be repealed after July 1, 1967, and any provision of chapter 249, Session Laws of Colorado 1965, inconsistent with this act, shall be suspended until after such date.

February 21

February 21

7 Motor vehicles - additional registration fee. Extends the additional \$1.50 registration fee for vehicles through 1967.

February 8

February 8

8 Retirement of county officers and employees. Authorizes any county or any two or more counties jointly to establish and maintain a retirement plan or system for the elected and appointed officers and the employees of any such county. Any such plan or system shall be based on an insured group plan of retirement annuities, or on a noninsured trust retirement plan, or on participation in the public employees' retirement system. Permits prior service benefits not to exceed five years to be funded entirely by the county, but the employee may entirely fund prior service benefits in excess of such five years. Contributions to such plan or system, other than under the public employees' retirement system, shall be not more than six per cent of the employee's basic wage or salary and not less than that by the county. Any group annuity contract shall be purchased only from a life insurance company authorized to do business in this state and found to be responsible and financially sound. Any consideration paid by any county shall be a proper charge against the county.

Effective January 1, 1967, the provisions of law applicable to public employees of political subdivisions of the state shall extend to county officers and employees, and any county, by resolution of the commissioners thereof, may apply for affiliation with the public employees' retirement association.

Requires any county or counties adopting a plan or system under this act to form and maintain an association to purchase,

No.

Subject

8
cont. establish, or procure a group annuity or noninsured trust plan, which association shall be an instrumentality of each such county. Management of any retirement system shall be vested in a county board of retirement, consisting of five members, one the treasurer of the largest county in the system, two nonelected county employees who have been selected by the county employees, and two qualified electors of the county, not connected with county government, and who have been chosen by the board of county commissioners. Such members shall serve for staggered four-year terms of office. (It is not clear whether such a board shall be established if the county plan or system participates in the public employees' retirement system - the latter is managed by the public employees' retirement board.)

Provides administrative organization, powers, and procedures of the governing body of such association. Limits retirement benefits for any month, other than under P.E.R.A., to an amount, which when added to primary social security benefits, shall not exceed seventy per cent of the retired employee's highest average monthly salary or wage during the five consecutive years during the ten years immediately preceding retirement.

Authorizes any county to establish a "county official's and employee's retirement fund" and authorizes the board of county commissioners to levy a retirement fund tax, the revenues from which shall be credited to said fund and shall be expended to pay the costs, expenses, and contributions under said retirement plan.

March 8

March 8

9 Junkyards. Enacted to conform to requirements of the federal "Highway Beautification Act of 1965" concerning removal or screening of junkyards adjacent to federal interstate and primary highway systems.

Requires any person establishing, operating, and maintaining a junkyard within one thousand feet of the right-of-way of such highway, on and after February 11, 1966, to obtain a permit therefor from the department of highways, except that no such permit shall be required for a junkyard in any such area zoned industrial under authority of state law or any political subdivision. No permit shall be issued unless the junkyard can be screened so as not to be visible from the highway. Requires payment of a permit fee of twenty-five dollars. Each permit shall expire one year after date of issuance. Provides for judicial review of denial or revocation of permits.

Any person violating this act shall be subject to a fine of not less than twenty-five dollars nor more than one hundred dollars for each day of violation. In addition, the department

No.

Subject

9 of highways may, by appropriate action or proceedings, prevent or remove any junkyard in violation of this act.

Junkyards in existence on the effective date of this act and located within one thousand feet of the right-of-way of any such highway, in an area not zoned industrial, shall be screened at the expense of the department, or shall be removed from sight. The department of highways is authorized to acquire, move, or relocate any such junkyard and its real and personal property, by purchase, condemnation, or otherwise, and to dispose of the same, in order to accomplish the purposes of this act.

February 11

February 11

10 Vital statistics - burial and removal permits. Provides that a funeral director may remove a dead human body from the registration district where death occurred or the body was found to another registration district in this state without first obtaining a removal permit if the body is transported in the funeral director's conveyance, but requires the funeral director to obtain and file the certificate of death with the registrar of the former registration district, to obtain a burial, removal, or transit permit prior to final disposition of the body, and not to release the body for transportation by any common carrier or for final disposition outside the state without first obtaining a removal permit from the registrar of such former district. Provides that in such cases, a removal permit obtained from the registrar of the registration district where death occurred may be accepted as authority for burial or other final disposition.

February 8

February 8

19 Eminent domain. Amends law to apply to condemnation of personal property when such is specifically authorized by law. (Implements S.B. No. 9, concerning junkyards along interstate and primary highway systems.) Adds provision that the report of the commissioners or the verdict of the jury may also contain findings or answers to interrogatories as may be required by the court to establish value of property condemned on an undivided basis. Provides that interest on any award shall be computed from the date the award of the commission or the verdict of the jury is filed with the clerk of the court. Repeals provision for petitions filed in vacation of court, for jury venire during such vacation, and for the challenge and replacement of jurors.

February 21

February 21

Senate Bills

No.

Subject

- 23 Division of local government. Creates, in the executive department of state government, the division of local government, composed of a director, appointed by the governor, and any necessary assistants and employees, all of whom shall be subject to civil service.

Functions of said division shall include: Assisting the governor in coordinating state agencies in rendering services to local government; rendering advice to the governor and the general assembly on problems of local government; performing research and rendering other services and assistance to local government; encouraging cooperation between units of local government; and publication of statistical and research data. Said division shall have no power of control or supervision over any unit of local government.

The director shall have designated administrative powers, and shall have power to contract for services and supplies; receive and expend grants, subject to appropriations by the general assembly; and to contract with the federal government or any agency thereof for purposes consistent with this act.

Effective July 1, 1966, transfers all records and property of the governor's local affairs study commission to the division. Appropriates \$50,000 to the division for the fiscal year beginning July 1, 1966.

March 3

July 1

- 25 "Metropolitan Stadium Act". Creates a metropolitan stadium district composed of the city and county of Denver, and the counties of Adams, Arapahoe, and Jefferson, except those parts of Adams and Arapahoe counties east of the east line of Range 66 West of the 6th P.M., and except that part of Jefferson county west of the west line of Range 70 West of the 6th P.M.

Provides for filing with the secretary of state of petitions for the dissolution and of petitions against dissolution of the district, either of which type of petitions shall be signed by owners of not less than fifteen per cent of the value of all taxable property in the district. If dissolution petitions are sufficient, the district shall be so notified by the secretary of state, unless protesting petitions are filed and found to be sufficient. Otherwise, upon such notification, the board of directors shall cause the district to be dissolved.

Provides for a board of directors with seven members selected for six-year terms of office, three appointed by the mayor of the city and county of Denver, one each appointed by the board of county commissioners of the counties of Adams, Arapahoe, and Jefferson, and one, the at-large director,

Senate Bills

No.

Subject

25 appointed by the first six directors. Provides for initial
cont. staggered terms of office, for filling of vacancies, for subsequent appointments, and for the organization and selection of the officers of the board.

Provides for the administrative powers of the board, and authorizes the district to acquire, improve, equip, relocate, maintain, and operate a stadium for sports events, spectator gatherings, and other meetings, along with appurtenant facilities, and suitable concessions, after development of a comprehensive program therefor, holding a public hearing thereon, and submission of the question of issuing bonds of the district to, and the approval thereof, by the taxpaying electors of the district. Such question shall be submitted within one year after the effective date of this act, excluding from such time any period during which any action is pending wherein the validity of this act or the power of the district to proceed hereunder is questioned. If a majority of the votes cast thereon are opposed to such bonded indebtedness, the district shall be dissolved.

Prevents the authorization of any improvement, other than for reconstruction or replacement, unless there is no existing indebtedness of the district, or if there is outstanding indebtedness, unless there is sufficient money on hand to retire it, or the general or special obligations of the district or revenues used to finance the improvement have been approved by the taxpaying electors, or the same shall be financed by donations or grants.

Prior to the submission of the question of issuing bonds, the board must enter into a lease or leases with any tenant or tenants operating a professional football or baseball team, or both, for the use of the project for not less than ten years, and containing a provision that the franchise or franchises therefor shall not be moved from the district during such term, and that such lease shall be contingent upon the approval by the taxpaying electors of the issuance of bonds to finance the project.

Requires the operation of the project to collect maximum net revenues for the retirement of bonds, and after the retirement thereof, all revenues not required for operation, maintenance, and improvement shall be allocated to the counties and city and county included in the district, based upon relative valuations for assessment thereof.

Contains provisions governing dissolution proceedings and provides for distribution of surplus funds on the same basis of allocation of surplus net revenues provided above.

No.

Subject

25 Provides for general operating and financial powers of
cont. the district, including power to levy taxes on taxable prop-
erty in the district for the payment of indebtedness of the
district which has been authorized by the taxpaying electors
of the district, and to acquire property by condemnation, in-
cluding public lands and streets where approved by the court.

Provides procedures for conducting elections which are
required by this act, generally following procedures in the
"Colorado Election Code of 1963", as amended.

Contains detailed provisions concerning issuance, pay-
ment, and retirement of bonded indebtedness, including revenue
bonds, refunding bonds, and interim financing. Provides for
rights of security holders.

Declares it to be a misdemeanor to damage or destroy any
of the property of the district or to wrongfully interfere
with any officer, agent, or employee in the discharge of
official duties, and, upon conviction, provides for a fine of
not more than three hundred dollars, or imprisonment in the
county jail for not more than ninety days, or both.

March 3

March 10

27 City of Black Hawk - charter amendment - issuance of bonds
for water and sewer systems. Amends the territorial charter
of Black Hawk to provide for the contracting of bonded indebt-
edness for construction, extension, or improvement of a munic-
ipal sewer system or for a city water supply. Except as to
the municipal water supply, the total indebtedness for all
purposes shall be limited to three per cent of the valuation
for assessment of the city, the maximum mill limit shall be
twelve mills, and the issuance of bonds shall be approved by
the qualified taxpaying electors of the city. Bonds issued
pursuant to such provisions shall bear interest not to exceed
six per cent, and shall not be sold at less than par plus
accrued interest. Provides for redemption of bonds prior to
maturity and for a redemption premium of not more than three
per cent. Provides that the full faith and credit of the city
shall be pledged to the payment of such bonds, and requires
the levying of sufficient ad valorem taxes to pay the principal
and interest on such bonds.

March 3

March 3

SUBJECT INDEX

All appropriation acts listed under APPROPRIATION ACTS on next two pages following GENERAL INDEX.

S indicates SENATE BILLS
H indicates HOUSE BILLS
V after bill no. indicates VETOED by Governor

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Note: The following bills, though not strictly appropriation bills, contain appropriations:

- S.B. No.1 -Olympic Training Commission - \$16,658.25
- S.B. No.6 -Air Pollution - \$50,000
- S.B. No.23-Division of Local Government - \$50,000

