

STATE OF COLORADO
Legislative Drafting Office
30 State Capitol
Denver, Colorado 80203

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DIGEST OF BILLS

Enacted by The

FORTY-SIXTH GENERAL ASSEMBLY

1968 Second Regular Session



COLORADO

LEGISLATIVE REFERENCE OFFICE

April 1968

DIGEST
OF
SENATE AND HOUSE BILLS ENACTED
BY THE
FORTY-SIXTH GENERAL ASSEMBLY
OF THE
STATE OF COLORADO
(1968 - 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.

SENATE BILLS ENACTED AND APPROVED

No.

Subject

- 1 "Administrative Organization Act of 1968". Sections 1 through 35 of the act, called the "Administrative Organization Act of 1968", implement section 22 of article IV of the state constitution which requires that all executive and administrative offices, agencies, and instrumentalities of the executive branch of the state government, except the offices of the governor and the lieutenant governor, be allocated within not more than twenty principal departments not later than June 30, 1968. The act creates the following seventeen principal departments to which all existing and newly created administrative offices, agencies, and instrumentalities, other than under the office of governor and lieutenant governor, are allocated by sections 13 through 27 of the act: (1) department of state, (2) department of the treasury, (3) department of law, (4) department of higher education, (5) department of education, (6) department of administration, (7) department of revenue, (8) department of institutions, (9) department of health, (10) department of social services, (11) department of labor and employment, (12) department of regulatory agencies, (13) department of agriculture, (14) department of natural resources, (15) department of local affairs, (16) state department of highways, and (17) department of military affairs.

Each department will be headed by an executive director, except the department of state which will be headed by the secretary of state, the department of the treasury which will be headed by the state treasurer, the department of law which will be headed by the attorney general, the department of education which will be headed by the commissioner of education, the department of higher education which will be headed by the executive director of the Colorado commission on higher education, the department of agriculture which will be headed by the commissioner of agriculture, and the department of military affairs which will be headed by the adjutant general. Other than the secretary of state, the state treasurer, and the attorney general, who are elected officers, the executive director of the Colorado commission on higher education (who shall be appointed by the Colorado commission on higher education), and the commissioner of education (who shall be appointed by the state board of education), the governor shall appoint all heads of principal departments either subject to civil service or exempt from civil service.

The appointments by the governor of heads of designated departments who are exempt from civil service will be subject to the consent of the senate. The department heads exempt from civil service appointed by the governor are the executive director of the department of administration (the deputy to the governor); the executive director of the department of revenue,

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1 the executive director of the department of institutions, and
cont. the executive director of the department of local affairs (as
confidential employees of the governor); the executive direc-
tor of the department of natural resources (the commissioner
of mines); and the adjutant general. The civil service heads
are the executive directors of the departments of health,
social services, labor and employment, regulatory agencies,
and highways, and the commissioner of agriculture.

The head of a department, with the approval of the gover-
nor, may establish, combine, or abolish nonstatutory divisions,
sections, and units (the structural level designations in de-
scending order of a department) within the department he heads,
and may allocate and reallocate powers, duties, and functions
within the department, but no substantive statutory or consti-
tutional functions may be affected. The head of a department,
subject to civil service laws, will appoint all officers and
employees of each division, section, and unit within the depart-
ment.

In conformity with the provisions of section 2 of article
IV of the state constitution, the governor shall be the chief
executive officer of the state, and shall be responsible for
formulating and administering the policies of the executive
branch. With respect to the formulation of policies relating
to the departments of health, social services, agriculture, and
highways, the governor will be assisted therein respectively by
the state board of health, the state board of social services,
the state agricultural commission, and the state highway commis-
sion. Effective July 1, 1968, the terms of office of the then
members of the state board of health, the state board of public
welfare (to be reconstituted as the state board of social serv-
ices), the state agricultural commission, and the state highway
commission will expire, and the structure and number of said
boards and commissions will be changed. Said boards and com-
missions will be reconstituted and new members appointed so
that each will consist of nine members appointed by the gover-
nor with the consent of the senate to serve for terms of four
years each (except four members of the initially appointed
boards and commissions who will be appointed for terms of two
years each).

Temporary commissions and interstate compacts will con-
tinue under the direction of, and be part of, the office of
the governor. The office of the coordinator of state planning,
the state planning office, and the newly created office of the
coordinator of highway safety will be part of the office of the
governor.

The department of state will retain its prior functions,
with the exception of (1) the division of registrations and
the twenty-six licensing and examining boards that it super-
vises which will be under the department of regulatory agencies,

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1 and (2) the liquor licensing authority, which will be the
cont. executive director of the department of revenue after June 30,
1968.

The department of the treasury remains as before.

The department of law will consist of the division of legal affairs, and the division of inheritance tax. The legislative reference office, formerly under the attorney general, will be transferred to the legislative branch and reconstituted as the legislative drafting office. The division of securities will be transferred to the department of regulatory agencies as a division thereof.

The department of higher education will consist of three divisions: The state council on the arts and humanities, the scientific development commission, and the state historical society, which will be administered under the general supervision of the executive director of the Colorado commission on higher education as provided in the act for the administration of divisions generally. The department will also include, for organizational purposes only, the regents of the university of Colorado, the state board of agriculture, the trustees of the state colleges of Colorado, the board of trustees of the Colorado school of mines, the state board of community colleges and occupational education, and all the universities, colleges, and schools governed by them, which institutions will continue to be administered by said boards as provided by law.

The department of education will function as before, except that the state board of teacher certification will be abolished and its functions assumed by the state board of education.

The newly created department of administration will include the following at the division level: The civil service commission which will perform its constitutional functions as before, the division of purchasing, the division of public works, the division of archives and public records, the division of accounts and control, and the division of automated data processing. Management analysis, a former function of the division of accounts and control, will be performed under the executive director of the department as part of his office; and the director of management analysis will be a staff assistant to the executive director. Those functions relative to automatic data processing systems, programming, and operations formerly performed by the division of accounts and control will be performed by the newly created division of automated data processing. The Colorado claims commission, the state employees' and officials' group health insurance board of administration, and the incentive award suggestion system board of control will

No.

Subject

1 function at a section level under the division of accounts cont. and control.

The department of revenue will function with the following at the division level: The division of enforcement, the motor vehicle division, the ports of entry division (formerly called the motor vehicle inspection division), and the liquor enforcement division (formerly under the department of state).

The department of institutions will continue to supervise the same institutions, as well as the Colorado school for deaf and blind. The executive director of the department will exercise the duties formerly performed by the board of trustees of the Colorado school for deaf and blind; and said board will become an advisory board to the executive director of the department with respect to the school.

The department of health will include at the division level the division of administration (the executive director of the department will also be ex officio the director of the division of administration), the air pollution variance board, and the alcoholism division. At a section level under the division of administration will be the office of the state chemist, the office of the registrar of vital statistics, the board of registration for professional sanitarians, and the examining board of plumbers. The executive director of the department of natural resources will be the permanent chairman of the state water pollution control commission under the department of health.

The newly created department of social services will include at the division level the division of public welfare (formerly the state department of public welfare), the division of rehabilitation (formerly the department of rehabilitation), and the newly created division of services for the aged. The division of services for the aged will supervise the Trinidad state nursing home, and the Colorado state veterans center. The Colorado commission on the aging, created by the act, will be a part of the division of services for the aged. The director of the Colorado commission on the aging will also be the director of the division of services for the aged. Both offices are newly established by law. The state board of control for the state homes for the aged will be abolished on the effective date of the act; its functions will be performed by the executive director of the department. The veterans affairs section (formerly called the Colorado department of veterans affairs) will function at a section level under the division of public welfare, as will the merit system council; the division will also be the state information agency under the "Uniform Reciprocal Enforcement of Support Act", previously filled by the attorney general. The office of the executive director of the department is newly created. The state board

No.

Subject

1 of public welfare will be reconstituted, with expanded powers,
cont. as the state board of social services. The department will be
the designated sole state agency to administer the state plans
for rehabilitation, public assistance, and aging in coopera-
tion with the federal government.

The newly created department of labor and employment will consist of two divisions: The division of employment, and the industrial commission. The apprenticeship council, the division of boiler inspection, the office of state inspector of oils, and the state compensation insurance fund will function at a section level under the industrial commission. The office of the executive director of the department is newly created.

The newly created department of regulatory agencies will consist at the division level of the public utilities commission, the division of insurance, the division of savings and loan, the division of securities, the division of banking, the division of racing events, the division of civil rights, and the division of registrations (formerly a division under the department of state; it will continue to supervise the same twenty-six licensing and examining boards). The office of the executive director of the department is newly created.

The department of agriculture retains its divisions of markets, plant industry, animal industry, administrative services, and inspection and consumer services. Also, within the department at a division level is the Colorado state fair and industrial exposition commission, and at a section level, the Colorado beef board, the state bureau of animal protection, the state board of stock inspection commissioners, the office of brand commissioner, and the frozen food provisioner board.

The department of natural resources consists at the division level of the division of water resources, the Colorado water conservation board, the state soil conservation board, the state board of land commissioners, the division of mines (created by the act), the mining industrial development board fund, the oil and gas conservation commission of the state of Colorado, the Colorado geological survey, and the division of game, fish, and parks. The division of water resources will be headed by the state engineer and will include the office of the state engineer, the irrigation division engineers, the ground water commission, the state board of examiners of water well and pump installation contractors, and the irrigation district commission at a section level. The commissioner of mines will be the head of the division of mines and also executive director of the department of natural resources (formerly called the natural resources coordinator). The division of mines will include the bureau of mines, the offices of the chief inspector of coal mines and the district inspectors of coal mines, and the board of examiners. The executive director

No.

Subject

1 of natural resources will also be ex officio a member of the
cont. game, fish, and parks commission. On July 1, 1968, the terms
of office of the then members of the game, fish, and parks
commission will expire, and the commission will be reconsti-
tuted and new members appointed so that it will consist of
eleven members to be appointed by the governor with the con-
sent of the senate for terms of four years each (except that
five members of the initial commission will be appointed for
terms of two years each).

The newly created department of local affairs consists
at the division level of the division of local government, the
division of property taxation (to be headed by the Colorado
tax commission), the division of commerce and development,
the Colorado bureau of investigation, and the Colorado law
enforcement training academy.

The state department of highways will be composed of two
divisions: The division of highways (successor to the depart-
ment of highways), and the Colorado state patrol. The Colorado
state patrol board will be abolished effective July 1, 1968,
and its functions assumed by the state highway commission.
The chief highway engineer will be the head of the division
of highways, and ex officio, the executive director of the
department. The highway safety council will also be abolished
on said date; its functions will be performed by the newly
created office of the coordinator of highway safety (assisted
by an advisory council) in the office of the governor.

The newly created department of military affairs will be
headed by the adjutant general and will include the Colorado
national guard, the Colorado civil air patrol, the division
of civil defense, and the Colorado state guard.

The commission for the promotion of uniform state laws
will be abolished effective July 1, 1968, and reconstituted
under the general assembly as the Colorado commission on
uniform state laws; it will consist of four members (two mem-
bers from the general assembly and two from the public at
large - all attorneys) to be appointed by joint resolution
of the general assembly to serve for terms of two years each.

There is created, in the legislative department of state
government, the legislative drafting office, under an eight-
member joint committee of the general assembly. The head of
the office will be a director, who, together with the staff of
the office, will draft bills, resolutions, and memorials for
introduction in the general assembly. The legislative reference
office, under the attorney general, will be abolished and its
functions and staff transferred to the drafting office. The
director of the drafting office will also serve as secretary
to the commissioners on uniform state laws.

No.

Subject

1 cont. The act provides that no civil action, administrative proceeding, or criminal prosecution shall abate as a result of the taking effect of the act, and also provides that actions, proceedings, and prosecutions may be commenced and prosecuted against the successor of any department, institution, agency, or officer thereof. The act also provides that all rules, regulations, and orders adopted prior to July 1, 1968, shall remain in force until either revised or abolished pursuant to law. All personnel (deemed necessary by the head of the successor department), records, property, and appropriations remaining to the credit of a department, agency, or institution and not revertible by law to the general fund, will be transferred to the principal department to which they are allocated by the act.

April 2

July 1

3 Inspection of public records. Provides that public records of the state and its political subdivisions shall be open to inspection by any person except as provided in the act or by other law. Access to public records may be denied on the grounds that it would be contrary to state law or to federal law or regulation. Also, access may be denied to the following types of records on the grounds that it would be contrary to the public interest: Investigations, intelligence information, or security procedures of law enforcement officers; certain data involved in licensing, employment, and academic examinations; contents of research projects; and certain real estate appraisals made in connection with eminent domain proceedings. Provides that, unless otherwise provided by law, the following records shall be open only to the person in interest: Medical, psychological, sociological, and scholastic achievement data; personnel files, except applications and performance ratings; letters of reference; trade secrets, privileged information, and certain other confidential information; and library and museum contributions upon which restrictions have been placed by the donor. A procedure is provided whereby a person who believes that he has been improperly denied access to public records may institute a court action to show cause why inspection should not be allowed. Also a procedure is provided under which a custodian of public records may institute a court action to deny access to public records which are open to inspection, if he believes that it would do substantial injury to the public interest to allow access to such public records. Penalties are provided for violations of the act. Establishes procedures for making copies of public records available for inspection.

April 23

July 1

Senate Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|--|-------------|-----------------|
| 4 | <u>Granting to Alexander Thiele the right to sue the state. This act grants to Alexander Thiele the right to bring an action for personal injuries and medical expenses alleged to have been caused by the negligent acts of a Colorado state patrolman.</u> | March 6 | March 6 |
| 7 | <u>Adoption of Western Interstate Nuclear Compact. Directs the governor to enter into the western interstate nuclear compact. Administrator of the compact is the western interstate nuclear board comprised of one member from each party state. Generally, the purpose of the compact is to encourage and promote all aspects of nuclear technology. Also provides procedures for the rendition of mutual aid among the party states during the occurrence of a nuclear incident. The governor shall appoint the member of the board from this state.</u> | March 28 | March 28 |
| 9 | <u>Supplemental appropriation - state department of agriculture. For personal services and operating expenses - \$48,000.</u> | February 23 | February 23 |
| 10 | <u>Supplemental appropriation - Colorado state fair and industrial exposition. For personal services and operating expenses - \$11,342.</u> | February 23 | February 23 |
| 12 | <u>Boating safety. Commencing January 1, 1969, all vessels (except kayaks), constructed, sold, or offered for sale in this state must have a permanently affixed plate or other permanent writing which shall set forth the maximum weight which the vessel can safely carry and the maximum horsepower of any motor attached thereto. Persons charged with enforcing the boating laws are given the authority to order persons on board any vessel to wear a life jacket or life belt, or to order any vessel removed from, or to prohibit boating on, any waters of this state, when in such person's opinion, the condition of the water, weather, or the vessel constitutes a hazard to human life and safety.</u> | April 2 | April 2 |
| 14 | <u>School districts - grants from the public school property tax relief fund. Increases from \$52 to \$65 the direct grant from the public school property tax relief fund for each pupil in average daily attendance during the last completed school year.</u> | March 28 | January 1, 1969 |

- | <u>No.</u> | <u>Subject</u> | | |
|------------|--|-------------|--------------|
| 15 | <u>Compensation of public trustees.</u> Restores to public trustees in counties of the third class the \$2,000 of annual compensation paid out of collected fees. Said compensation was taken away from such public trustees in 1967. | March 19 | March 19 |
| 16 | <u>Minimum safety standards for motorcycles.</u> Provides that any operator (and any passenger) on a motorcycle or motor-driven cycle shall wear a reflectorized protective helmet, and a protective face shield or eye goggles while operating a motorcycle or motor-driven cycle upon any public highway of the state. Act also provides that the state department of highways shall adopt minimum safety specifications for the protective helmets. | April 2 | July 1, 1969 |
| 20 | <u>Fermented malt beverages - consideration of licenses to sell at retail.</u> Provides that no licensing authority can consider any license to sell fermented malt beverages at retail at a particular premises, if any such license has been applied for but not issued for the same premises within one year prior to the date of making the application. Act does not apply to applications filed with a licensing authority prior to the effective date of the act. | February 23 | March 1 |
| 21 | <u>Supplemental appropriation - state board of stock inspection commissioners.</u> For travel expenses - \$8,000. | March 6 | March 6 |
| 24 | <u>Supplemental appropriation - state board of registration for professional engineers and land surveyors.</u> For general purposes and capital outlay - \$18,572; of said sum, \$11,317 is out of the professional engineers' fund, and \$7,255 is out of the land survey fund. | March 6 | March 6 |
| 25 | <u>Supplemental appropriation - department of rehabilitation.</u> For operating expenses and capital outlay - \$17,115. | March 6 | March 6 |
| 26 | <u>Supplemental appropriation - division of juvenile parole of the department of institutions.</u> For personal services and operating expenses - \$9,108. | March 6 | March 6 |

- | <u>No.</u> | <u>Subject</u> | | |
|------------|---|----------|----------|
| 28 | <u>Supplemental appropriation - Colorado school of mines. For modernization of internal accounting systems - \$27,500.</u> | March 6 | March 6 |
| 29 | <u>Supplemental appropriation - board of mortuary science. For operating expenses - \$1,619.</u> | March 6 | March 6 |
| 30 | <u>General Assembly - centralized legislative accounting service. Provides that the legislative council, under the supervision of the director of research of the council, shall establish a centralized legislative accounting service for the legislative department of state government. The act does not apply to procurement and budgetary functions of offices and agencies of the legislative department.</u> | March 19 | July 1 |
| 35 | <u>Search warrants for the protection of children. Amends the "Colorado Children's Code" by providing that a warrant may be issued to search any place where there is believed to be a delinquent child, a child in need of supervision, or a neglected or dependent child. Act sets forth the grounds upon which such a search warrant may be issued, the requirements of the application therefor, and the requirements of the warrant and its service.</u> | March 28 | March 28 |
| 37 | <u>Water rights - alternate or supplemental points of diversion - surface and ground water. Provides a temporary administrative procedure by way of application to the state engineer for a temporary permit (all permits expire on December 31, 1968) when any owner of a water right or a pro rata share of a water right decreed to a ditch taking water from a surface stream for irrigation purposes and who is also the owner of a registered well which can be used for irrigation, desires to divert his decreed volume of water at alternate or supplemental points of diversion. Repeals 1967 act requiring court decree to divert at alternate or supplemental points.</u> | April 18 | April 18 |
| 40 | <u>Water rights - alternate or supplemental points of diversion - surface water only. Adds to Senate Bill No. 37 above to provide an alternate administrative procedure by way of application to the state engineer for a permit when any owner of a decreed water right or any owner of a water right or a pro rata share of a water right decreed to a ditch taking water</u> | | |

No.

Subject

40 from a surface stream for irrigation purposes, desires to
cont. divert his decreed volume of water at alternate or supple-
mental points of diversion.

April 18

April 18

43 Supplemental appropriation - attorney general. For expenses
of litigation involved in defending the case of State of Texas
and State of New Mexico v. State of Colorado, No. 29, Original,
in the supreme court of the United States - \$100,000.

March 28

March 28

HOUSE BILLS ENACTED AND APPROVED
AND ANY VETOED BILLS

- No. Subject
- 1001 Specific ownership taxes on motor vehicles, wheeled vehicles, and mobile and self-propelled construction equipment - registration - certificates of title. Rewrites laws concerning specific ownership taxes on motor vehicles to implement amendment No. 2, adopted at the 1966 general election, and to extend specific ownership taxes to mounted equipment, camper trailers, mobile homes, trailer coaches, and mobile and self-propelled construction equipment in lieu of ad valorem taxes, effective January 1, 1969. Includes provisions for the titling and registration of the same, for identification purposes, and for the valuation thereof for specific ownership taxation purposes. The act does not materially change the taxation of motor vehicles, except that exemptions from taxation are more restricted. Provides for the apportionment of specific ownership taxes among the county and the political subdivisions in each county in the same percentages as the dollar amount of ad valorem taxes which were levied in the county during the prior year for the county and such political subdivisions.

Provides that all or part of the face of license plates, effective January 1, 1970, shall be coated with a reflective material. Authorizes distinctive license plates for members of the general assembly, as well as special plates previously authorized.

Rewrites laws relating to ton-mile and passenger-mile taxes but does not alter rates or application thereof.

Because of the length and details of the act, it is impracticable to digest the specific provisions of the act.

Provisions imposing new specific ownership taxes take effect January 1, 1969; those relating to registration fees apply to registrations made during the year 1969; those requiring the reflectorization of license plates take effect January 1, 1970; and all other provisions take effect upon approval by the governor.

VETOED - April 23

- 1002 Theft of livestock. Provides that it shall be a theft for any person to skin or remove any part of the carcass of any sheep or cattle without the permission of the owner. Also provides that it shall be a felony for any person to deprive

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|--|------------|------------|
| 1002
cont. | the owner of possession of any cattle, horse, mule, sheep, goat, swine, or ass, either alive or slaughtered, or to apply such to his own use when the owner is unknown, or to knowingly purchase such from anyone not having a lawful right to sell same. The theft provision does not apply so as to prevent railroads from skinning carcasses of sheep or cattle killed by the railroad. Similar criminal provisions were repealed in 1967 by the "theft" act. | March 12 | March 12 |
| 1003 | <u>Nonprofit corporations.</u> This act makes certain date changes in the "Colorado Nonprofit Corporation Act" and other laws relating to corporations not for profit, so that such dates will conform to the effective date of the 1967 act. Mainly a "housekeeping" act. | January 30 | January 30 |
| 1005 | <u>Right granted to bring civil action against the state.</u> Grants certain named individuals the right to bring a civil action against the state of Colorado to recover damages allegedly caused by the negligent design, installation, and maintenance of a culvert under Interstate Highway No. 70 in Jefferson County. | January 30 | January 30 |
| 1006 | <u>Hunters to wear fluorescent orange garment.</u> Provides any person who hunts with a rifle, or a shotgun firing a single slug, any small or big game for which a license is required must wear a head covering and an outer garment above the waist of daylight fluorescent orange color, totaling 300 square inches or more of clothing. A fine of ten dollars is provided for failure to wear such garment while hunting. | March 6 | March 6 |
| 1007 | <u>Safety and competency in hunting.</u> Provides that on and after January 1, 1970, it shall be unlawful for any person born on or after January 1, 1949, to procure a hunting license or to hunt in this state on land other than his own, unless he shall have first been issued and exhibits to the license issuer or, in the case of any such person not required to obtain a license, unless he shall possess on his person while hunting, a certificate of competency and safety in the handling of firearms. Provides that the game, fish, and parks commission shall prescribe a course of instruction in competency and safety in the handling of firearms and shall | | |

No.

Subject

1007 designate persons to issue certificates of competency and
cont. safety upon successful completion of the course of instruc-
tion. The commission is required to set up a state-wide
course of instruction, and in so doing, it may cooperate
with local subdivisions of government or with any organiza-
tion having as one of its objectives the promotion of com-
petency and safety in the handling of firearms. Similar
certificates issued outside the state shall be accepted as
complying with the provisions of the act. A penalty is pro-
vided for: Issuing a license to person who does not produce
evidence of having been issued a certificate; obtaining a
license without being issued a certificate; and for hunting
without a certificate in possession, when a license to hunt
is not required. The act does not apply to persons apply-
ing for licenses to hunt with a bow and arrow.

March 15

July 1

1008 Approval and adoption of 1967 report of the committee on
statute revision. This act approves and adopts the report
of the committee on statute revision correcting, collating,
editing, revising, and compiling the laws enacted by the
general assembly in 1966 and 1967, and enacts such laws as
the positive statutory law of a general and permanent
nature. Also provides that such laws shall be designated as
the "1967 Supplement to C.R.S. 1963", and provides for the
printing and publishing of such supplement.

February 15

February 15

1009 University of Colorado research building revolving fund -
interest rate on anticipation warrants and advances. In-
creases the maximum interest rate on anticipation warrants
issued against the university of Colorado research building
revolving fund from four per cent to six per cent per annum.
Also increases the maximum interest rate on certain advances
made from said fund from four per cent to six per cent per
annum.

February 15

February 15

1010 Auxiliary facilities at state educational institutions.
Provides that the governing body of any one or more state
educational institutions, in order to obtain dormitories,
dining halls, recreational facilities, and the like, may
issue income or revenue bonds to pay for such facilities at
any one or more of the institutions which it governs, rather
than being required to sell a separate bond issue for each
institution. Provides that the bonds may be paid from

- | <u>No.</u> | <u>Subject</u> | | |
|------------|--|-------------|-------------|
| 1010 | certain pledged revenues derived from sources at each institution for which the bonded indebtedness is incurred. | February 15 | February 15 |
| 1011 | <u>Income tax - exclusion of certain amount of military retirement pay.</u> Excludes from Colorado adjusted gross income those amounts received as military retirement pay, to the extent included in federal adjusted gross income, but not to exceed \$2,000 in any taxable year. Act applies to taxable years commencing after December 31, 1967. | April 9 | April 9 |
| 1012 | <u>Colorado state university research building revolving fund - interest rate on anticipation warrants and advances.</u> Increases the maximum interest rate on anticipation warrants issued against the Colorado state university revolving fund from four per cent to six per cent per annum. Also increases the maximum interest rate on certain advances made from said fund from four per cent to six per cent per annum. | February 15 | February 15 |
| 1017 | <u>Documentary fee on certain real estate conveyances.</u> Amends the 1967 law providing for the payment of a documentary fee on certain real estate conveyances, to provide that payment of the fee may be evidenced by an appropriate stamped, typed, or written notation, or by an impression, on the margin of such conveyance. Exempts transfers of rights of way and easements from payment of the fee. Provides that where real property located in two or more counties is conveyed in a single transaction, the county clerk and recorder in each county shall collect a portion of the documentary fee in the same ratio that the consideration fairly attributable to the part of the property conveyed located in his county bears to the total consideration. | March 6 | March 6 |
| 1018 | <u>Supplemental appropriation - banking department.</u> For travel and subsistence - \$5,000. | February 15 | February 15 |
| 1019 | <u>Supplemental appropriation - public utilities commission.</u> For operating expenses - \$7,906. Of said appropriation, one-half is from the public utilities revolving fund, and one-half is from the highway users tax fund. | February 23 | February 23 |

No.

Subject

1021 Dangerous drugs. Defines depressant, stimulant, and hallucinogenic drugs, and classifies them as "dangerous drugs". Act declares several acts to be unlawful, among which are the following: To dispense a dangerous drug unless it is dispensed by a pharmacist upon a prescription or by a practitioner in the course of his practice; to fill or refill any prescription for a dangerous drug more than six months after the date of issue of the prescription, or to refill a prescription more than five times; for any person to possess or use a dangerous drug, unless such person obtains the drug from a pharmacist on prescription of a practitioner or from a practitioner in the normal course of his practice; to knowingly manufacture dangerous drugs without obtaining a license therefor as required by the act; to fail to keep records or to make them available as required by the act; or, except when dispensed to hospital inpatients, for a pharmacist to fail to affix to the immediate container for a dangerous drug a label setting forth information required under the act.

Provides that certain persons, drugs, and activities are exempt from either the entire act or portions thereof.

Provides for licensing of clinical researchers, manufacturers, wholesalers, and warehousemen of dangerous drugs, by the board of pharmacy, which is charged with the administration of the act; and sets forth qualifications for licenses.

Violations of the act are generally punishable as follows:

a. Manufacturing without a license, attempting to manufacture without a license, unlawful dispensing or attempting to dispense, or possession with the intent to unlawfully dispense a dangerous drug are felonies.

b. What might be termed minor violations, such as failure to keep proper records, failure to make records available for inspection, refilling a dangerous drug prescription more than six months after its date of issue, or refilling such a prescription more than five times, are misdemeanors.

c. Possession or use of dangerous drugs is punishable as follows: For a first offense, such violation is a misdemeanor, with the court having the option of fining the defendant, imprisoning him, imposing both a fine and imprisonment, or placing the defendant on probation under the condition that he obtain treatment for any mental condition that

No.

Subject

1021 cont. might be reported to the court through an investigation required by the act. Also, when a first offense for use or possession is involved, a procedure is provided whereby prosecution may be deferred with the consent of the court, the prosecution, and the defendant, and if the conditions under which the prosecution is deferred are successfully carried out by the defendant, the charge is then dismissed with prejudice. A second offense for possession and use remains a misdemeanor with a longer jail sentence and period of probation possible. A third or subsequent offense for possession and use is a felony, punishable by a fine or imprisonment in the state penitentiary. Also the court retains the right to place the defendant on probation for a period not to exceed five years.

Exclusive jurisdiction over violations of the act is vested in the district and juvenile courts.

April 2

May 1

1023 Custody of minor children in divorce and separate maintenance actions. Provides that in divorce and separate maintenance actions, the court upon its motion or the motion of either party to the action, shall request the county or district welfare department or the court's probation department to investigate and file a report as to the ability of each party to serve the best interest of any minor children of the parties. Formerly, such investigation and report were mandatory in all such actions.

March 12

March 12

1024 Multistate tax compact - authorization - appropriation. Authorizes the governor to enter into the multistate tax compact. Purposes of the compact are to: Facilitate proper determination of state and local tax liability of multistate taxpayers; promote uniformity or compatibility in significant components of tax systems; facilitate taxpayer convenience; avoid duplicative taxation. The compact allows multistate taxpayers to calculate their tax liability according to state law or pursuant to article IV of the compact. Business income is apportioned to this state, by applying the property value factor, the sales factor, and the payroll factor, applicable to this state; whereas, under existing Colorado state law, only the first two of said factors are used. Provides for a credit for use and sales taxes paid to another state. Compact establishes the multistate tax commission composed of one member from each party state, who is the administrator of the compact from each such state. The director of revenue is designated as this state's representative on the commission. Home rule cities are not bound by the compact. Act requires the gov-

No.Subject

1024 error to appoint a consulting committee of three persons
cont. who are representative of subdivisions likely to be affected
by the compact. Act also establishes the multistate compact
advisory committee which has the duty to consider recommenda-
tions of the commission. Appropriates \$2,790 to the depart-
ment of revenue for the state's membership fee and related
expenses of the commission for the balance of the current
fiscal year and further appropriates \$7,470 to the department
for the fiscal year commencing July 1, 1968.

April 2

April 2

1025 Probation officers - appointment - compensation. Amends
1967 act to authorize the judge or judges of the district
courts for any two or more counties to appoint probation
officers, and repeals prior requirements of combined popula-
tion of 25,000 or more in such cases. Provides that salaries
of such probation officers shall be paid from general county
funds, except for state reimbursements for portions of sal-
aries of qualified probation officers. Repeals requirement
that director of institutions notify the state treasurer as
to whether the county or counties applying for state reim-
bursement meet the population requirements.

March 12

April 1

1026 Free transportation for members and employees of the public
utilities commission. This act, effective July 1, 1968,
repeals 115-2-8, C.R.S. 1963, providing for free transporta-
tion on common or contract carriers for members and employees
of the public utilities commission when performing their
official duties.

February 23

July 1

1028 Sentencing of sex offenders. This act repeals and re-enacts
article 19 of chapter 39, C.R.S. 1963, dealing with the
sentencing of sex offenders. The main changes in the law
deal with the more detailed hearing procedures that are re-
quired before a sex offender may be sentenced under an
indeterminate sentence of from one day to life. Formerly,
the law required only a psychiatric examination and a find-
ing by the court. This act requires: (1) That the defend-
ant be advised of a pending examination, of his right to
counsel, and his right to remain silent; (2) a psychiatric
examination and copies of the results of the examination are
to be made available to the defendant; (3) an evidentiary
hearing at which the defendant has the opportunity to call
and to cross-examine witnesses; (4) after the evidentiary
hearing, and before sentencing the defendant, the court must
find beyond a reasonable doubt that the defendant, if at

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|---|----------|----------|
| 1028
cont. | large, constitutes a threat of bodily harm to the public. Costs of proceedings under the act are to be borne by the state, rather than the counties. Act applies only to offenses alleged to have occurred on or after its effective date. | April 2 | July 1 |
| 1029 | <u>County employees' retirement systems and policemen's and firemen's pension plans.</u> Provides that the funds in county employees' retirement systems and plans and the funds in policemen's and firemen's pension plans may be invested also in a noninsured trust retirement or pension plan, with a bank or trust company authorized to exercise trust powers acting as trustee. Such bank or trust company must invest such funds pursuant to the provisions of article 3 of chapter 57, C.R.S. 1963, concerning fiduciary investments, and not more than fifty per cent of such funds may be invested in common and preferred stocks. Formerly, such funds could be invested only with certain insurance companies or by certain officers in specified types of securities. | March 12 | March 12 |
| 1030 | <u>Children's Code - taking children into temporary custody.</u> Provides that a child may be taken into temporary custody by a law enforcement officer when there are reasonable grounds to believe that the child has committed an act which would be a felony, misdemeanor, or municipal ordinance violation if committed by an adult. Repeals former limitation that misdemeanor and municipal ordinance violations had to be committed by a child in the presence of the officer in order to permit him to take the child into temporary custody. Act provides that game, fish, and parks and traffic violations are to be handled as otherwise provided by law. | March 28 | March 28 |
| 1031 | <u>Colorado Medical Assistance Act.</u> This act is designed to implement Title XIX of the federal "Social Security Act" in this state. The division of public welfare of the department of social services is required to establish a program of medical assistance to provide necessary medical care for the categorically needy. The categorically needy includes the following: (a) Recipients of federally-aided state assistance under programs for aid to dependent children, aid to the blind, aid to the needy disabled, and old age pensions; (b) persons eligible for assistance under (a) above, except for durational residence requirements or lack | | |

No.

Subject

1031 of school attendance, or other persons required by federal
cont. law or regulation to be included in the program for medical
care; (c) persons eligible for participation under (a) and
(b) above, but who have not applied for assistance under
the federally-aided state programs mentioned in (a) above;
(d) certain patients 65 years of age and over who are in
tuberculosis or mental institutions; (e) persons under 21
years of age who are under foster care in homes or institu-
tions, and for whom public agencies are assuming financial
responsibility; (f) commencing July 1, 1970, individuals
under 21 years of age who do not qualify as dependent children,
but who do qualify on the basis of financial eligibility
under the state plan for aid to dependent children, provided
federal moneys are then available for this group. The medi-
cal assistance program is limited to the following services:
Inpatient hospital services; outpatient hospital services;
other laboratory and x-ray services; physicians' services,
wherever furnished; skilled nursing home services; pre-
scribed drugs; home health care; transportation; and eye-
glasses when necessary after eye surgery. The division of
public welfare is required to prepare a comprehensive medi-
cal program for low income families who are required to be
brought under Title XIX by January 1, 1975. Procedures are
provided for applying for assistance under the act, and for
appealing decisions. The division is required to establish
rules and regulations regarding the confidentiality of records
and for vendor payments. The division is required to reim-
burse county departments of welfare for the costs of admin-
istration of the act. A state medical assistance and services
advisory council is established to advise the division on
the provision of services and care under the act. Repeals
article 7 of chapter 119, C.R.S. 1963, concerning medical
assistance to the aged.

April 9

January 1, 1969

1033 Additional function for division of local government. Pro-
vides that in addition to its other functions, the division
of local government shall, when requested by local government
officials, provide technical assistance in defining local
government problems and developing solutions therefor.

March 6

March 6

1035 District judges. Provides for an increase from two to
three in the number of district judges authorized for the
nineteenth judicial district, effective July 1, 1968.

March 12

March 12

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|--|-------------|-------------|
| 1036 | <u>Stepparent adoptions.</u> Provides that in stepparent adoptions, where one parent has abandoned his or her child for one year or more or where such parent has failed without cause to provide reasonable support for the child for one year or more, the spouse of the other parent may adopt the child upon consent of such other parent. The act provides a procedure for effecting such adoption, requiring the filing of a petition, the giving of notice by either personal service or by publication, and the holding of a hearing. | March 6 | March 6 |
| 1043 | <u>Children's Code - change in age.</u> Provides that the definition of a "juvenile delinquent" does not apply to crimes of violence punishable by death or life imprisonment where the accused is 14 years of age or older. Formerly the accused had to be 16 years of age or older for the definition not to apply. Provides that transfer proceedings from juvenile court to district court where acts committed would be felonies if committed by an adult, will apply to children 14 years of age and older, rather than only to children 16 years of age and older. A child 14 years of age or older may be charged with a felony in case of a crime of violence punishable by death or life imprisonment. | March 28 | April 1 |
| 1044 | <u>Increases in certain fees collected by the state board of pharmacy.</u> Provides for the following increases in fees collected by the state board of pharmacy for the following items: Initial registration as a Class V registered pharmacist, upon presentation of evidence of registration in another state, without examination - from \$50 to \$75; renewal of registration as a registered pharmacist or assistant pharmacist - from \$7.50 to \$10; reinstatement as a registered pharmacist or assistant pharmacist - from \$10 to \$20; initial registration or renewal of registration of a pharmacy - from \$20 to \$25; transfer of a pharmacy license to a new owner - from \$5 to \$10; transfer of a manager's name - from \$1 to \$5; issuance of duplicate certificate to a registered pharmacist or assistant pharmacist - from \$5 to \$10; initial registration or renewal of registration of a drug dealer - from \$5 to \$10. | March 12 | July 1 |
| 1045 | <u>Supplemental appropriation - state department of public welfare.</u> For the aid to dependent children program - \$500,000; and for the child welfare program - \$193,420. | February 23 | February 23 |

- | <u>No.</u> | <u>Subject</u> | | |
|------------|---|-------------|-------------|
| 1046 | <u>Supplemental appropriation - department of revenue. For operating expenses - \$38,876. Of said appropriation, one-half is from the general fund, and one-half is from the highway users tax fund.</u> | February 23 | February 23 |
| 1047 | <u>Supplemental appropriation - Lathrop Park youth camp. For operating expenses - \$3,360.</u> | February 23 | February 23 |
| 1048 | <u>Supplemental appropriation - secretary of state. For personal services, travel, and subsistence - \$5,303.</u> | February 23 | February 23 |
| 1049 | <u>Supplemental appropriation - department of institutions. For payment through the division of youth services of the state's share of the compensation of juvenile probation counselors - \$100,000.</u> | February 23 | February 23 |
| 1050 | <u>Supplemental appropriation - state department of education. For state institutions of higher learning emeritus benefits - \$3,500.</u> | February 23 | February 23 |
| 1051 | <u>Supplemental appropriation - department of institutions. For payment through the division of youth services, for personal services, operating expenses, and capital outlay - \$13,645.</u> | February 23 | February 23 |
| 1053 | <u>Appropriation to the pension fund of the South Conejos fire protection district. Appropriates out of the state firemen's pension fund the sum of \$874 as payment in full of the state's 1967 contribution to the firemen's pension fund of the South Conejos fire protection district.</u> | February 23 | February 23 |
| 1054 | <u>Appropriation to attorney general to pay claims against the state. Appropriates \$8,753.05 to the attorney general to pay the following claims against the state which were approved by the Colorado claims commission: Claim of Arapahoe Basin, Inc. - \$900; claim of Earl Sanders - \$750; claim of</u> | | |

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|--|---------|---------|
| 1054
cont. | Virgil Madsen, Jr., a minor by his parents - \$7,103.05. | March 6 | March 6 |
| 1056 | <u>Additional county judges for Jefferson and El Paso counties.</u>
Increases the number of county judges in Jefferson county from three to four, and in El Paso county from two to three. | March 6 | July 1 |
| 1057 | <p><u>"County Public Improvement District Act of 1968"</u>. Authorizes the "governing body" of any county of the state to establish, as a taxing unit, an "improvement district" within the unincorporated territory of said county for the purpose of constructing or installing, but not duplicating, any public improvement, such as grading, paving, curbing, or guttering of streets, installing parking facilities, sewer drainage collection systems, storm sewer drainage systems, surface drainage systems, but not electric or gas systems, or water and sewer treatment systems. The governing body of a county shall constitute ex officio the board of directors of the improvement district. The organization of an improvement district shall be initiated by filing a petition signed by not less than a majority of the taxpaying electors of the proposed district owning real or personal property in the district. Owners of real or personal property in the district who are not taxpaying electors may consent to the inclusion of their property within the district. Both the petitioners and those consenting must own property having a combined valuation for assessment not less than one-half of the total valuation for assessment of all taxable property in the district. The governing body shall grant the petition and declare the district organized if all requirements have been met. The general powers of the district are set forth, among them, the power to contract, incur indebtedness, construct and operate improvements set forth in the initiating petition, but not others unless first approved by petition of fifty per cent of the taxpaying electors owning property having not less than one-half of the valuation for assessment of all taxable property of the district, refund indebtedness, manage the district, power of eminent domain, construct and install improvements, regulate rates, and levy ad valorem taxes necessary to pay expenses and indebtedness of the district. The boundaries of any district may be changed upon petition of the owners of property proposing either the inclusion or exclusion of their property. At a hearing on the petition and any objections thereto, the board shall adopt a resolution either granting the petition or denying it. The board shall have the authority to issue bonds in the amount not to exceed twenty-five per cent of the assessed valuation of the district and at a rate not to</p> | | |

No.

Subject

1057 exceed six per cent per annum. Whenever any proposed improve-
cont. ment in the district requires the creation of an indebtedness
of \$5,000 or more, the board shall submit such proposition
to the taxpaying electors of the district. Any improvement
district organized under this act may be dissolved after
notice given and a hearing held in the same manner as pre-
scribed in the act for organization of the district.

April 2

April 2

1061 Appropriation to settle judgment against the state. Appro-
priates \$20,000 to the attorney general to settle a judgment
against the state obtained by Ralph E. Doney, resulting from
the loss of his airplane while it was under the control of
an agent of the state.

March 6

March 6

1062 Barbers - increase in fees. Increases the following fees
required of barbers: Examination fee - from \$20 to \$25;
annual license renewal fee - from \$5 to \$10; apprentice
examination fee - from \$5 to \$10; apprentice certificate
fee - from \$3 to \$5; annual apprentice certificate renewal
fee - from \$3 to \$5; established barber shop inspection fee -
from \$5 to \$10; newly established barber shop initial in-
spection fee - from \$25 to \$50; newly established barber
shop annual inspection fee (except for initial inspection) -
from \$5 to \$10; barber school and barber college annual in-
spection fee - from \$10 to \$20; transfer inspection fee -
from \$5 to \$10; relocation inspection fee - from \$5 to \$10.

March 28

July 1

1066 Roadside advertising - extension of moratorium. Changes the
expiration date of 1966 act enacting a ban on certain road-
side advertising from July 1, 1968, to July 1, 1969. Re-
peals part of 1967 act permitting a business or profession
which commenced operation subsequent to January 1, 1966, to
erect roadside advertising devices under certain conditions.
Provides that provisions of 1965 act designed to qualify
this state for federal "bonus" payments for billboard con-
trol are not suspended.

April 2

April 2

1072 Appropriation to attorney general to settle certain claims
against the state. Appropriates \$44,884.84 to the attorney
general for the settlement of certain claims against the
state of Colorado for damages to property allegedly caused
by the negligent design, installation, and maintenance of a

No. Subject

1072 culvert under Interstate Highway 70 in Jefferson county
cont. (see H.B. No. 1005).

March 6

March 6

1073 "Higher and Vocational Education Loan Guarantee Act of 1968" - appropriation. Gives the Colorado commission on higher education the power to arrange for the guarantee by nongovernmental organizations of loans of money by private lenders to residents of this state who have been accepted or are in good standing at colleges and vocational schools in order to assist such residents in meeting the expenses of education. The commission is designated as the administrator of certain federal funds available to guarantee student loans. Any such nongovernmental organization is required to hold such funds received from the commission in a reserve fund to be expended only upon default in payments on loans made by private lenders. Provides for certain conditions of the guarantee arrangement, and for termination of the agreement. Commission is given several powers with respect to the implementation and administration of the program. The commission cannot itself make or guarantee any loans, nor can it expend funds under the program greater than amounts appropriated or received as the result of contributions. Persons who qualify for loans under the program and who are under the age of 21 years, are deemed to have the rights, powers, privileges, and obligations of a person of legal age with respect to such loan. Repeals article 20 of chapter 124, C.R.S. 1963 (1965 Supp.), creating the Colorado higher education assistance authority. Appropriates \$100,000 to the commission on higher education to initiate and maintain the loan program.

April 2

April 2

1087 Appropriation - San Juan county. For costs incurred by San Juan county in prosecuting the criminal proceeding, The People of the State of Colorado vs. Thomas Julius Sergent - \$15,000. None of this appropriation may be used for payment of attorneys' fees incurred in the defense of said defendant.

March 28

March 28

1091 Appropriation - long appropriation act. For expenses of the legislative, executive, and judicial departments of the state government, 1968-1969 *..... \$340,072,643

For capital construction *..... 24,785,467

Total..... \$364,858,110

* Includes some supplemental appropriations available on passage of act.

No.

Subject

1091 The above total includes the following appropriations which cont. have heretofore been made by separate appropriation bills:

(a) To the division of public welfare of the department of social services, \$31,843,415 from the general fund for the following purposes:

Medical care administration.....	\$ 288,480
Aid to dependent children.....	7,869,390
Aid to needy disabled.....	1,701,000
Child welfare.....	3,093,600
Aid to the blind.....	87,500
Tuberculosis hospitalization.....	239,000
Medical assistance to the aged.....	5,015,250
County administration.....	4,404,156
Medical care Title XIX.....	8,945,039
State contingency.....	50,000
County contingency.....	150,000

(b) To the department of education:

To the state public school fund, \$46,147,431 for the following purposes:

State's share of the state minimum equalization program.....	\$44,271,831
For excess growth and small attendance centers.....	1,575,600
For contingency reserve.....	300,000

To the public school transportation fund, \$4,750,000.

From the public school property tax relief fund, \$31,159,375 for distribution during the calendar year 1969, by the department of education to the public school districts of the state.

To the state public school fund, \$3,098,000 for distribution to junior college districts at the rate of \$500 for the equivalent of each Colorado resident student carrying an average of 45 quarter hours or 30 semester hours during the current academic year; and for capital construction, \$188,863.

(c) To the division of game, fish, and parks of the department of natural resources for the fiscal year beginning July 1, 1968, \$6,396,845, from the game cash fund for operating cost of the game and fish functions of the division; \$769,292, from the general fund for operating costs of the parks function of the division; \$385,000 from the game cash fund for matching available federal funds apportioned

No.

Subject

1091 during 1967 and 1968. Capital construction appropriations:
cont. From the game cash fund, \$489,000; from the parks cash fund,
\$370,650; from the general fund for parks capital construc-
tion, \$216,850.

(d) Reduces the 1965 appropriation from the parks cash
fund for construction and development at state parks, state
recreation areas, and community cooperative areas from
\$622,250 to \$398,850.

Reduces the 1966 appropriation from the parks cash fund
for miscellaneous small projects from \$50,000 to \$10,000.

Reduces the 1966 appropriation from the game cash fund
for land acquisition from \$900,000 to \$650,000.

Repeals the 1967 appropriations from the parks cash
fund of \$21,250 for miscellaneous small projects, \$40,000
for the Boyd Lake complex state recreation area, \$20,000
for the Island Acre recreation area.

April 23 * April 23

* The Governor disapproved one item making an appropriation
of \$150,000 to the Division of Game, Fish, and Parks for a
2-way radio system.

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