

**DIGEST OF BILLS**

**FILE COPY**

Enacted by The

**FORTY-SEVENTH GENERAL ASSEMBLY**

**1969 First Regular Session**



**COLORADO**  
**LEGISLATIVE DRAFTING OFFICE**

30 State Capitol Bldg.  
Denver, Colorado 80203

**July 1969**



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

(1969 - First Regular Session)

and

APPROVED OR VETOED BY THE GOVERNOR

(Together with a Subject Index)

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Compiled by the  
Legislative Drafting Office  
30 State Capitol  
Denver

\* \* \* \* \*

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

Bills Passed:

House Bills	190
Senate Bills	<u>201</u>
Bills enacted	391
Vetoed	<u>7</u>
Approved	384

Bills Vetoed:

S.B. 245	- Fees of debt adjusters
304	- Liquor wholesale licenses
342	- Insurance - property and liability
H.B. 1087	- Crimes and punishments - bad checks - trespass - mob action - resistance
1296	- Municipalities - planning and zoning jurisdiction
1518	- Fish - stocking
1542	- Acquisition of land



HOUSE BILLS ENACTED AND APPROVED  
AND ANY VETOED BILLS

- | <u>No.</u> | <u>Subject</u>   |             |         |
|------------|--|-------------|---------|
| 1003       | <u>Inspections of institutions under department of institutions.</u> Specifies that inspections required to be made by department of health and the industrial commission are to include, annually at least, all institutions under the department of institutions, and that reports be made thereon to the executive director thereof.  | June 24     | July 1  |
| 1005       | <u>Labor - back pay awards.</u> Provides for notice to the commissioner of employment within 5 days of any award granted an employee for back pay, and provides that in such case the employer shall withhold from the employee and pay to the division of employment so much of the amount of the award as has been previously paid to the employee in the form of unemployment benefits by the division of employment. The employer is to make such remittance to the division within 10 days after the award is final, and the act applies only to awards made on or after July 1, 1969.  | March 11    | July 1  |
| 1008       | <u>Securities - exemption from registration.</u> Makes certain securities subject to the registration requirements of sections 125-1-6 and 125-1-14, C.R.S. 1963, by removing the exemption of any security issued or guaranteed by any railroad, other common carrier, public utility, or holding company, which is regulated in respect of its rates and charges by a governmental authority of the United States or any state.  | March 18    | May 1   |
| 1016       | <u>Crimes and punishments - unlawful activities on campus.</u> Prohibits, on campuses of institutions of higher education, any person from willfully denying to students, school officials, employees, and invitees, lawful freedom of movement on the campus, lawful use of the facilities of the institution or the right of ingress and egress therefrom, and further prohibits any person from willfully impeding the staff, faculty, or students of the institution from their duties and pursuits. The act makes unlawful the refusal to leave the premises of the institution by one who is committing or threatening to commit an act which would disrupt, impair, interfere with, or obstruct, the lawful functions of the institution, when requested to leave by certain specified officials of the institution. Violation is a misdemeanor. The right to lawful assembly and peaceful petition, including labor disputes, is declared to be preserved. | February 25 | March 1 |

- | <u>No.</u> | <u>Subject</u>   |          |                 |
|------------|--|----------|-----------------|
| 1022       | <u>Sanitation of swimming areas.</u> Provides as an alternate minimum standard for the purity of swimming pool water, the standards for drinking water specified by the United States department of health, education, and welfare.  | March 11 | July 1          |
| 1024       | <u>Incorporation of cities and towns.</u> Provides that the description in the petition for incorporation determines the boundaries; that the map attached to the petition be of a minimum scale of 1 inch to 1000 feet; that the proof of the number of inhabitants be taken from the last federal census as adjusted by county records; and that the election commissioners notify the court of their acceptance within 10 days after appointment, and meet within 10 days after notification of acceptance to set date of incorporation election.   | March 26 | July 1          |
| 1028       | <u>Courts - court of appeals created.</u> Creates the court of appeals, which is a court of record. Court is comprised of 6 judges, sitting in 2 divisions of 3 judges each. Court has initial jurisdiction in appeals from final judgments of district and superior courts, and the juvenile and probate courts of Denver, <u>except</u> in the following cases: Most criminal cases; cases in which the constitutionality of a statute, charter, or ordinance is in question; cases concerning decisions or actions of the public utilities commission; water cases involving priorities or adjudications; writs of habeas corpus; cases appealed from the county courts to district or superior courts; summary proceedings involving elections. Initial judicial review of workmen's compensation and unemployment cases shall by-pass district courts and be filed in the court of appeals. The court is to be located in Denver, but any division may sit at a county seat for the purposes of hearing oral argument. Judges' annual compensation is that of a district judge plus one-half the difference between the annual compensation of district judges and justices of the supreme court. A procedure is provided for review of the court's decision, upon obtaining a writ of certiorari from the supreme court. The court may certify a case directly to the supreme court, without acting upon it, if certain criteria are met. No penalty is imposed for filing a case in the wrong appellate court. The supreme court is to provide, by rule, which of the court of appeals decisions are to be published in the Colorado Reports. Other miscellaneous provisions are provided concerning such things as fees, court employees, procedure, and retirement. | May 31   | January 1, 1970 |
| 1030       | <u>"Colorado Consumer Protection Act"</u> . Prohibits certain business practices as "deceptive trade practices", and charges the attorney general with enforcement of the act. In enforcing the act, the attorney general may conduct investigations, and in aid of investigation, may require that certain statements or reports be filed,  |          |                 |

No.                      Subject

1030 may examine witnesses under oath, and may examine books, records,  
cont. and documents. The attorney general may compel compliance with  
investigation by subpoenas or court orders. The attorney general  
may seek and obtain temporary restraining orders or injunctions  
to enjoin any deceptive trade practice. In lieu of such civil  
action, the attorney general may accept an "assurance of discon-  
tinuance". Information obtained by the attorney general in  
investigation may not be released as evidence for criminal  
prosecution and is not admissible as evidence in a criminal pros-  
ecution. Except where a temporary restraining order, injunction,  
or assurance of discontinuance is violated, or deceptive practice  
is resumed, any assurance of discontinuance or stipulation is  
confidential information. The provisions of the act are available  
to any individual in a civil action for damages.

April 30                      July 1

1038 Outdoor recreation - recodification of game, fish, and parks laws.  
Repeals and re-enacts chapter 62, C.R.S. 1963, as amended, con-  
cerning game, fish, and parks. The law in the following areas  
remains substantially unchanged: Federal cooperation; landowner's  
liability with respect to privately owned recreation areas; boats;  
licensing of outfitters, guides, and assistant guides. The main  
changes in the other areas of the broad category of outdoor  
recreation are as follows:

General provisions and administration. The game, fish, and  
parks commission is reduced in size from 11 to 10 members, with  
the executive director of the department of natural resources no  
longer being an ex officio member of the commission. Two members  
of the commission are still appointed by the governor from the  
state at large, but the number of commissioner districts is  
reduced from 8 to 4, with 2 members being appointed from each  
district. Qualifications of commissioners, such as being engaged  
in the raising of livestock or informed on the subjects of parks  
and outdoor recreation, are eliminated. Commission is required  
to hold regular meetings on the 4th Thursday in March and September.  
The director of the division is required to set up a cost account-  
ing system so as to proportionately distribute between the game  
cash fund and the parks cash fund the cost of operating the com-  
mission and division. Many obsolete provisions of the law are  
eliminated.

Game damage. Generally the state is liable only for:  
Damage to real or personal property, when such damage is caused  
by wildlife that is being moved or otherwise under the direct  
control of division personnel; damage to real or personal prop-  
erty caused by the use of damage prevention materials, if the use  
of such materials is under the control of any personnel who are  
under the control of division personnel; damage caused by wildlife  
to orchards established prior to January 1, 1970, crops under  
cultivation, and harvested crops. The claims procedure is sub-  
stantially changed, and it is suggested that the act be consulted  
for details.

1038 cont. Birds and hunting dogs. The division is given more extensive regulatory powers concerning the conduct of field trials and the possession of certain wild birds. A representative of the division is required to attend and observe all field trials, and is authorized to enforce the rules and regulations and the laws concerning field trials. With respect to the possession of raptores (hawks, falcons, and other like birds of prey), the division is required to inspect the facilities for keeping such birds and to make reports. Also a report is required concerning the acquisition or loss of a raptore.

Fishing. The types of fish that may be taken by traps and seines are enumerated. Provides that the commission may adopt rules and regulations for the taking of bullfrogs. Provides which fish may be used as bait. Eliminates several obsolete provisions concerning the providing of fishways when dams or other artificial obstructions are placed in public waters and the giving of notice to the division when it is proposed to construct a dam or other artificial obstruction. Many other obsolete provisions are eliminated.

Furbearers. The licensing of fur dealers and the requirements with respect to shipping pelts out of the state are substantially simplified. Provides that seasons for the taking of nongame mammals may be established by the commission; formerly, the commission did not have this power. Provides that, in most cases, dogs cannot be used to hunt or trap furbearers. It is made unlawful to interfere with traps set by a licensed trapper. Several obsolete provisions of the law are eliminated.

Licensing of parks, hunting and fishing areas. Eliminates the several classes of lakes, and lakes are now classified as either commercial or private. Commercial lakes are those used for commercial fish propagation, sale, and commercial fishing. A fishing license is not required to fish in a commercial lake. Private lakes are those used for fish propagation and noncommercial fishing. No charge can be made for fishing on a private lake, and a fishing license is not required. Commercial wildlife parks are those used for the raising and possession of wildlife, and hunting is not allowed in such parks. Commercial big game hunting areas are similar to commercial wildlife parks, except that hunting is allowed in such areas. The law with respect to controlled shooting areas (areas where game birds and small game may be hunted for a charge) remains the same, with the exception that the minimum acreage requirements for such areas is changed from 240 to 150 acres. The state is no longer entitled to 10 per cent of the natural increase in fish in licensed lakes.

Licenses. Largely, the major types and classes of licenses, and the fees therefor, remain the same, with some minor new types of licenses and permits, and fees therefor, being added. One major new license is the lifetime resident fishing license, costing \$20, which is available to residents of this state who are 64 or over, and which allows each such person, if a resident, to fish in this state for the remainder of his life. Resident patients of state mental institutions or other mental health institutions in this



No.Subject

1038 state, while under supervision, and residents who are permanently  
cont. and totally disabled, are eligible to obtain free fishing licenses  
during the period of residency. For residency purposes, students  
who are attending and have been enrolled at least 6 months in any  
school, college, or university in this state, are deemed residents.

Law enforcement and penalties. All the provisions concerning  
law enforcement and penalties are collected in one article. With  
respect to the minimum value of wildlife illegally taken, a more  
comprehensive valuation table is set forth, with values ranging  
from \$1000 (for mountain sheep and mountain goats) to \$5 (for  
each fish). A new felony violation is provided, which is designed  
to reduce or eliminate trophy hunting. Another important new  
violation is the possession in a motor vehicle of a firearm,  
except a pistol or revolver, which is loaded in the chamber. The  
schedule of penalty assessments is made more comprehensive. A  
point system for suspending hunting or fishing licenses is estab-  
lished. Generally, an accumulation of 18 or more points within a  
consecutive 5-year period constitutes grounds for suspension of a  
license. The number of points attaching to any one violation  
depends on its seriousness, with 18 (for causing a forest fire,  
fraudulent purchase of a license, hunting under the influence of  
liquor or drugs) being the maximum, and 3 points (for fishing  
with more than 1 rod or an unattended rod, failure to tag big  
game) being the minimum. Maximum period of suspension is 3 years.

July 1

January 1, 1970

1039 Public printing for legislative department. Makes certain changes  
relating to public printing for the legislative department, and  
transfers the duty of preparation of the "Session Laws of Colorado"  
from the secretary of the senate and chief clerk of the house of  
representatives to the revisor of statutes.

March 11

March 11

1041 Criminal procedure - pleas of guilty. Provides that when an  
accused pleads guilty to an offense, the powers and duties of a  
jury, if any, shall devolve upon the court. Act does not change  
the procedure to be followed with respect to pleas of guilty to  
murder. Provides that, by agreement of the district attorney and  
the defendant, a probation report may be substituted for taking  
evidence as to aggravation and mitigation after having pleaded  
guilty.

June 1

June 1

1042 Parole board - disposition of detainers. Amends law concerning  
division of parole to reflect changes under the "Administrative  
Organization Act of 1968". Creates a full-time state board of  
parole, consisting of three members appointed by the executive  
director of the department of institutions and subject to civil  
service. Prescribes the duties of the parole board, including  
the following: To promulgate rules and regulations, subject to

House Bills

No.                      Subject

1042 cont. the approval of said executive director; to meet as often as necessary at the penitentiary, the reformatory, and any other penal institution, as often as necessary to consider paroles and applications therefor; to grant or refuse to grant parole; to revoke or suspend parole; to subpoena witnesses and documents; and to constitute a clemency advisory board to advise the governor as to pardons, reprieves, or commutations of sentences. Enacts the "Uniform Mandatory Disposition of Detainers Act" which permits any person in custody of the department of institutions to request final disposition of any untried criminal charge pending against him, and if trial thereon is not held within 90 days after receipt by the court of such request, or a continuance thereof not granted, such charge shall be dismissed with prejudice. Also enacts an interstate agreement on detainers which is similar to the uniform act, except that it applies when a person is in the custody of one state party to the agreement and an untried charge is pending in another party state, and except that trial shall be had within 180 days unless the same is continued. Any such request shall constitute a waiver of extradition.

July 1                      October 1

1044 Limitation of actions. Enacts a two-year statute of limitations with respect to any action for damages for injury to person or property caused by the act or omission of any architect, contractor, engineer, or inspector. The statute begins to run when the claim for relief arises, and, except where the claim arises in the tenth year, no action may be brought more than ten years after substantial completion of the improvement.

May 8                      June 1

1046 Flags - crimes and punishments. Amends law relating to wrongful display and misuse or abuse of flags, to broaden its application and to authorize the display of flags of other states and foreign nations on public buildings on special occasions. Repeals prohibition of display in this state of the red flag or of any anarchistic society. Clarifies and shortens the language, although the basic substance of the law is not changed, except that the display of a replica of a flag is not prohibited.

April 16                      April 16

1047 Authorization for transfer of land in Prowers county. Authorizes the transfer to Prowers county of certain described lands located in said county, which lands are owned by the Colorado national guard.

April 28                      April 28

<u>No.</u>	<u>Subject</u>		
1048	<u>The Unfair Practices Act - attorney general to enforce.</u> Transfers administration and enforcement of "The Unfair Practices Act" from the executive director of the department of revenue to the attorney general.	March 11	July 1
1051	<u>State auditor - performance post audits.</u> Provides that the state auditor conduct performance post audits for all departments, institutions, and agencies of the state government.	March 11	July 1
1055	<u>Damages recoverable for death.</u> Removes limitation on damages recoverable for death caused by negligence, including employer's liability, in all cases except that if the decedent leaves no widow, widower, minor children, or dependent parent, the damages recoverable are limited to \$45,000. Applies only to cases arising on or after July 1, 1969.	June 24	July 1
1056	<u>Community colleges - state board may purchase services.</u> Authorizes the state board for community colleges and occupational education to purchase services from, and to contract with, approved proprietary schools.	March 28	March 28
1057	<u>Tax levy on civil actions - exempting federal agencies.</u> Adds as another exception to actions subject to the \$1.00 tax levy on civil actions, those filed by the United States or any federal agency under chapter 153, C.R.S. 1963, as amended, concerning wills and estates.	April 10	July 1
1059	<u>Marriage - proof of age required.</u> Proof of age must be shown by each applicant for a marriage license, by means of birth certificate, driver's license, or comparable evidence.	April 10	July 1
1066	<u>Crimes and punishments - false report of explosives.</u> Provides that it is a crime to make a false report concerning explosives to the following persons: Elected or appointed officers of the state or any political subdivision thereof, or an officer or employee of any public or private school, public utility, theatre, or other similar place of public assembly. The foregoing is an addition to an enumeration of persons already in the law. Makes a false report of explosives on an airplane a felony, whereas, in other cases, it is a misdemeanor for a first offense.	March 11	April 1

- | <u>No.</u> | <u>Subject</u>   |          |          |
|------------|--|----------|----------|
| 1069       | <u>Public airport authority - county-city-town combinations.</u> Authorizes counties, formerly required to act independently, to join with municipalities in creating airport authorities under the "Public Airport Authority Act", and provides that city and county entities may be treated as counties for this purpose.  | March 18 | July 1   |
| 1072       | <u>Water conservancy districts - bonds and notes.</u> Provides that interest on water conservancy district bonds may be made payable annually, as well as semiannually, and the minimum bond term of 10 years is removed. Interim notes are authorized when bonds have been authorized and a contract for their sale made with a federal agency. Such notes are limited to 6 per cent interest and are payable within the term of the federal agency contract, or otherwise within 3 years from issue date. No note may be extended or funded except by issuance of the bonds, and the bonds may be issued to pay for the notes. The notes are subject to the same technical provisions concerning issuance as are bonds, and are likewise tax exempt. Both bonds and notes may now be sold at less than par, but the net interest excluding discount payable for costs cannot exceed 6 per cent. Either bonds or notes can be used as security, and when the resolution authorizing issuance provides that the bonds and notes shall recite that they were issued under this law, such recital is conclusive and incontestable. | April 10 | May 1    |
| 1079       | <u>Local improvement and service districts - recall of officers.</u> Provides a method for recalling persons who have held elective office for at least 6 months on the governing board of most local improvement and service districts formed under chapter 89, C.R.S. 1963. Recall petition is required, which has to be signed by 10 per cent of the qualified taxpaying electors of the district. The recall petition is filed with county clerk of the county in which the district, or the greatest part thereof, is located. The county clerk passes on the sufficiency of the petition, then submits it to the board of the district, which is required to order and conduct an election. The recall election is to be conducted, returned, and the results thereof declared as in the case of general elections.  | April 23 | July 1   |
| 1081       | <u>Intoxicating liquors - exemption from excise tax.</u> Provides an exemption from the state excise tax on intoxicating liquor for up to one quart of intoxicating liquor in the possession of an adult passenger who is subject to customs clearance upon arrival at an international airport on a flight originating in a foreign country.  | March 11 | March 11 |

No.                      Subject

1086 Tax levies. Provides that all counties in the state shall levy the requisite property taxes by December 1 rather than by November 1. Formerly, only Denver levied on December 1.

May 7                      May 7

1087 Crimes and punishments - bad checks - trespass - mob action - resistance.

Bad checks - The law is rewritten to cover both no account and insufficient fund checks in one section. Postdated checks become checks as of their date. Issuing bad checks involves both uttering, and passing, as defined.

Trespass - Involves knowingly and willfully entering, using, occupying, or crossing another's property without authority, or refusing to leave knowing permission has been revoked. Damaging such property increases the applicable penalties, and substantial damage makes the crime a felony.

Mob action - Involves the assembly of 2 or more to do violence to person or property, or 2 or more acting together disturbing the peace by the use of force or violence. Doing any damage to person or property in the course of mob action is made a felony, as is the doing of any act provoking mob action.

Resisting officer - Willfully resisting or obstructing one knowing him to be a law officer, when such officer is engaged in performing any duty, is a misdemeanor. Use of a dangerous or deadly weapon in doing so makes it a felony. The act carries a saving and a severability clause.

VETOED JULY 14

1094 Engineering - practice. Amends article concerning registration of engineers. Authorizes state board of registration to employ an executive secretary. New provisions authorize registration, after interview, of nationally eminent engineers meeting specified requirements, authorizes new roster listing of retired engineers, specifies activities constituting experience for license qualification purposes, and provides for applications and fees.

July 1                      July 1

1095 Children's code - procedures. Reduces the amount of proof required in adjudicatory hearings on petitions involving neglected or dependent children, from that degree beyond a reasonable doubt, to that of a preponderance of the evidence, and provides that a prima facie case of neglect and dependence arises upon evidence of child abuse, and is sufficient to support an adjudication.

July 1                      July 1

House Bills

- | <u>No.</u> | <u>Subject</u>  |          |          |
|------------|---|----------|----------|
| 1099       | <u>Inventories of state property - limitations.</u> Provides that inventories and inventory accounts of state property are required to be kept only with respect to items of property having an original cost of \$100 or more, and such items, of property having a value of less than \$100 required to be inventoried by directive of the state controller. Formerly inventories and inventory accounts were required to be maintained with respect to all items of state property.  | April 28 | April 28 |
| 1100       | <u>County costs in criminal cases.</u> Provides that if the costs of any criminal case would cause extreme financial hardship for a county, the general assembly may make an appropriation to pay such costs.   | May 7    | May 7    |
| 1101       | <u>Appropriation - San Juan county.</u> For costs incurred by San Juan county in prosecution of the criminal proceeding, <u>The People of the State of Colorado vs. Thomas Julius Sergent, - \$15,000.</u> None of the appropriation may be used for payment of the defendant's attorney fees.  | May 7    | May 7    |
| 1102       | <u>Income tax - exemption for mentally retarded dependent.</u> Allows to a resident individual an additional exemption of \$750 for any dependent who is mentally retarded. Any person who has an I.Q. of less than 75 is deemed to be mentally retarded, and in initially claiming the exemption, the taxpayer must submit a certificate of a physician or psychologist as evidence of the mental retardation. Act applies to taxable years commencing after December 31, 1969.  | May 7    | May 7    |
| 1106       | <u>Taxation - liens for income and sales and use taxes - exemptions.</u> Provides for the exemption from the lien on real or personal property for the payment of income or sales and use taxes in cases where the owner thereof makes a bona fide lease of such property to an employer or a retailer if the owner records the lease in the office of the county clerk and recorder of the county where the property is located, if the lessee has no right under the lease to become the owner of the property, if the property can be identified from the lease, and if the lease is not between relatives or joint owners. Provides that the employer or retailer in possession of any such exempt property may be required by the department of revenue to remit tax funds more frequently or to post security for the payment of taxes due the state. | April 23 | July 1   |

No.

Subject

1108 Mortuary science - licensing. Permits the board of mortuary science to specify the college courses of study required of applicants for licenses, and allows the board to set license renewal fees, not to exceed \$15. Failure to furnish an itemized list of agreed services and prices thereon is no longer an unlawful act for a licensee, but failure to inform the person ordering the services that he can have such itemization, with accompanying prices insofar as the same can then be specified, is an unlawful act.

July 9

July 9

1109 Public records - transfer of school records. Permits the transfer of certain school records between custodians of school records, without the written permission of the interested student or his parent, when the student moves, transfers, or makes application for transfer from one school to another.

March 26

March 26

1111 Estates less than five thousand dollars - testate decedent. Provides that a court shall not require a motion and order, with respect to estates of under \$5,000, to dispense with probate, when a decedent dies testate, but that an executor's duties with respect to probate of a will, when necessary, remain unchanged. (NOTE: See H.B. 1284 which increases such estates to under \$10,000.)

April 10

April 10

1112 Intestate estates - contents of affidavit concerning decedent. Removes the requirement that the race of the decedent be shown in any affidavit accompanying petition for letters of administration with respect to intestate estates.

March 11

June 1

1118 Cities and towns - power to contract indebtedness. Adds, as a purpose for which a city or town may contract indebtedness, the improving of streets and alleys.

March 18

July 1

1122 Traffic control signal legend - right turn on red light. Amends the requirement that traffic facing a steady red signal alone shall stop and remain stopped until a green indication is shown, to allow a driver facing such signal, after coming to a stop, to make a right turn, yielding to pedestrians and other traffic proceeding as directed, unless local authorities prohibit such right turns on red signals by ordinance and by erecting signs at every intersection giving notice where such right turn is prohibited.

April 10

July 1

House Bills

- | <u>No.</u> | <u>Subject</u>  |          |                 |
|------------|---|----------|-----------------|
| 1123       | <u>Motor vehicles - financial responsibility.</u> Increases the minimum amounts for automobile liability policy coverage or bond, as required by the motor vehicle financial responsibility act, from \$10,000 and \$20,000 to \$15,000 and \$30,000.   | July 1   | January 1, 1970 |
| 1124       | <u>Water - ground water commission.</u> Changes the quorum requirement of the ground water commission from 8 to 7, and allows the chairman to call special meetings. Changes the per diem allowance of members while on duty to \$25, with maximum of \$1,200 per year.   | July 1   | July 1          |
| 1126       | <u>Public projects - interest on anticipation warrants.</u> Increases from 5 to 6 per cent per annum the maximum interest rate on anticipation warrants issued by counties or cities in connection with public projects authorized by article 19 of chapter 36, C.R.S. 1963.  | March 20 | March 20        |
| 1127       | <u>Securities - stop orders - grounds.</u> Imposes additional limitations on the right of the securities commissioner to issue a stop order with respect to registration statements, in the case of a registration statement filed by coordination.   | April 24 | April 24        |
| 1129       | <u>Schools - commissioner's duties - subjects of study.</u> Requires the commissioner of education to submit to the governor and general assembly by February 15 annually a report on each school district showing, for the previous school year, figures on receipts and expenditures, drop-out rates, teacher-pupil ratios, number of courses, teacher turnover rates, reading and achievement levels, and any other statistics required by the state board of education. Also requires the teaching, in all public schools, of the history and civil government of the United States, which is to include the culture and contributions of all minorities. | June 1   | June 1          |
| 1130       | <u>Education of handicapped children - use of home-to-school equipment.</u> Authorizes the use of home-to-school equipment in the education of handicapped children, and provides that the state shall reimburse school districts for up to 80 per cent of the cost of such equipment. Requires the state board of education to approve any home-to-school equipment prior to its installation and use.   | April 10 | July 1          |



No.

Subject

1132 Basic sciences - waiver of examination. Provides that the board of examiners may waive the examination in the basic sciences as to an applicant to practice the healing arts if he has successfully passed the examination therein given by the national board of medical examiners, the national board of examiners for osteopathic physicians and surgeons, or the national board of podiatry examiners, whichever is applicable.

July 9

July 9

1133 Sale of state land. Authorizes the state to sell or exchange certain real property owned by the state in Mesa county, and to deposit any funds from the sale in the state highway supplementary fund.

April 10

April 10

1134 Roadside advertising. Extends to February 28, 1970, the moratorium concerning the roadside advertising law enacted in 1965.

June 24

June 24

1139 General property tax - form of tax deed. Amends the form of the statutory deed to be executed by the county treasurer on real property sold for ad valorem taxes and not redeemed, to make certain recitals in the deed agree with the provisions of section 137-11-15 which specify to whom the land is to be stricken off at such tax sale.

May 31

May 31

1145 Towns and cities - acquisition of water or sewerage facilities. Provides that the law requiring a city or town to hold an election to obtain approval for acquisition of a public utility does not apply to the acquisition of water or sewerage facilities.

April 28

April 28

1148 Legal investments - special funds of cities over twenty-five thousand population. Authorizes cities having a population of 25,000 or more to invest special funds in stocks or bonds of United States corporations listed on a national stock exchange, and creates limitations on acquisitions of the various classes of permitted investments for firemen's pension funds which limitations differ from the limitations on other special funds.

April 24

July 1

1156 Towns and cities - city classes eliminated. Removes city classifications as 1st or 2nd class, and retains the provisions relating to 2nd class cities, while repealing those concerning organization and powers of 1st class cities. Additional changes include:

House Bills

No.                      Subject

1156 Removal of former limit on maximum number of wards in a city; sets  
cont. municipal elections on first Tuesday in November of odd-numbered  
years; authorizes giving fire departments more authority in  
controlling persons and property when fires occur; removes limit  
on charges for copies of ordinance codes; removes control of animal  
estrays as specific power; makes special assessments for sidewalks  
and similar improvements a lien against the property charged;  
bond of city marshal eliminated, although a city may have either  
a marshal or chief of police; removes the authorization to use  
a suitable person as substitute for a police magistrate.

April 28                      July 1

1158 Abandonment of incorporated towns - procedure. Requires that,  
in court proceedings to have a town declared abandoned, the peti-  
tion for abandonment shall include information concerning all  
real property owned by the town, and whether or not such real  
property is located within the corporate limits of the town. The  
decree of abandonment is required to provide that the right, title,  
and interest to all real property owned by the town, except as to  
streets, avenues, alleys, or reversionary interests, is to be  
vested in the county in which such real property is situate, sub-  
ject to any easements or rights-of-way then in use.

April 23                      April 23

1159 Children's code - procedures - training school. Amends the  
"Colorado Children's Code", primarily as to procedures and by  
the establishment of a training school at the state reformatory.  
Judicial procedures involving children are changed with respect  
to jurisdiction, venue, and hearings. Detention hearings are  
ordinarily required to be held within 48 hours. Changes are  
made concerning commitments of children, and as to institutional  
facilities and transfers. The powers and duties of the juvenile  
parole board are expanded. The act is too detailed to digest,  
and should be consulted for its exact provisions.

July 1                      July 1

1162 Mentally ill - liability for cost of care. Changes the liability  
for costs of care of persons in public institutions supervised by  
the department of institutions. The statutory reference to rela-  
tives generally is replaced by specific reference to the spouse  
and parents of the patient. Children of a patient are no longer  
made liable for such care. Liability ceases on the patient's  
reaching age 21 or the parent's completing payments for 180 months  
subsequent to May 1964. Tests for determining ability to pay may  
now consider provisions made for retirement years, and medical  
and hospitalization insurance shall be available for payment for  
care. Determination of costs of care by the department may now  
consider capital outlays.

July 1                      July 1

No.

Subject

1163 Boards of county commissioners. Removes the requirement that clerks of boards of county commissioners keep a separate book for recording receipts and expenses of the county.

April 10

April 10

1164 General accounting records of counties. Provides that the board of county commissioners shall be responsible for the maintenance of the general accounting records of the county, and may appoint a person to keep such records.

April 10

July 1

1166 Collection agencies. Substitutes the executive director of regulatory agencies for the secretary of state, as required by the "Administrative Organization Act of 1968". Removes the \$200 annual limitation on per diem compensation for members of the collection agency board. Annual organization meeting is no longer required to be held on the 4th Monday in June. Initial application fee is changed from \$30 to \$75. Procedure on renewal of licenses remains largely the same, except that the collection agency board is required to review all applications for renewal, and the executive director of the department of regulatory agencies, rather than the board, holds any hearings required on renewals. Initial license fees are changed from \$20 to \$40 for each office, including each branch office; renewal fees are changed from \$15 to \$25; and renewal fees for solicitor's certificates are changed from \$1 to \$3. Each branch office must post a bond.

May 31

May 31

1168 State civil service employees - moving expense. Provides for reimbursement of the moving and relocation costs, as defined and limited, of state civil service employees, incurred in changes of residence required by reason of changes in assignment, promotion, or other reason related to duties, as defined. Maximum allowable is \$450.

June 24

July 1

1169 Child health associate law. Authorizes the state board of medical examiners to certify qualified persons as child health associates which certificate authorizes the practice of the branch of medicine defined as pediatrics, within specified limits and only as an employee of and under the supervision of a physician whose practice is largely pediatrics. Limitations on the associate include requirement of the board's approval as to drugs within specified categories which an associate can prescribe, not to include narcotic drugs, and the associate cannot perform operative procedures nor fracture treatment. A physician can employ only one associate, and is responsible for the patient's care and treatment. Qualifications for such certificate include minimum age 21, U.S. citizen

No.Subject

1169 of good moral character, bachelor's degree with specified subjects  
cont. completed, one year board-approved internship, and passage of ex-  
amination on specified areas of knowledge. Reciprocity may be  
permitted without examination. Annual certificate renewal is re-  
quired and the request therefor must include evidence of comple-  
tion within preceding 12 months of at least 14 hours of post-  
graduate pediatrics study. Grounds are specified for denial and  
revocation of certificates, and disciplinary proceedings by the  
board are as specified under the medical practice act. Fees con-  
cerning certificates are to be set by the board within specified  
limits. Criminal misdemeanor penalties are provided for prac-  
ticing without a certificate, and injunction proceedings are  
authorized to halt violations. A feasibility study concerning  
the effects of the act, to be reported to the general assembly  
and the governor, is to be made by the board in the eighth year  
after passage of the act, in which study the board is to seek  
the cooperation and advice of various experts.

July 14

September 1

1170 Horse racing - Sunday racing authorized - changes in fees and percentages. Permits horse racing on Sundays between the hours of 1:00 p.m. and 6:30 p.m. Increases by 1 per cent, at each level of the schedule, the state tax on daily wagering receipts, and increases from 15 to 16 per cent the maximum percentage of gross receipts withheld by the licensee from the pari mutual pool.

May 7

May 7

1171 Income taxation - information from assessors. Requires county assessors to provide the executive director of the department of revenue with the names and addresses of nonresidents of the state who own real or personal property in the county, and requires the executive director to notify such nonresidents they are required to make tax returns on Colorado income.

May 10

July 1

1173 Swimming areas - regulation by cities and towns. Provides that ordinances adopted by cities, towns, or cities and counties regulating swimming areas must contain standards the same as or more restrictive than those adopted by the department of health pursuant to law. Formerly such municipal entities could adopt ordinances regarding such matter, and the state law would not be applicable.

May 31

May 31

1174 Public employees' retirement association. Authorizes the inclu-  
sion of members of the city council or other governing body of  
a municipality in the public employees' retirement association,  
where the employees of such municipality are already included  
in the association. Credit for services prior to July 1, 1969,

No.                      Subject

1174 is authorized upon payment by the municipality of all back  
cont. charges on behalf of the member. Inclusion of members is  
automatic, unless a member gives written notice requesting  
exemption.

May 7

May 7

1175 Public employees' retirement association - regional library  
district employees included. Authorizes the affiliation of  
regional library district employees with the public employees'  
retirement association, upon adoption of a resolution to that  
effect by the governing board of any such district.

May 7

January 1, 1970

1176 Public employees' retirement association - regional planning  
commission employees included. Authorizes the affiliation  
of regional planning commission employees with the public  
employees' retirement association, upon the adoption of a  
resolution to that effect by the governing board of any  
such commission.

April 16

January 1, 1970

1177 "The Daylight Saving Time Act". Act submitted by revisor  
of statutes, repealing the obsolete provision referring  
"The Daylight Saving Time Act" to the people in 1966.

April 10

April 10

1178 Contracts and agreements - statute of frauds. Act submitted  
by the revisor of statutes, amending 59-1-12 (2)(a), C.R.S.  
1963, to conform the statute of frauds dollar amount provi-  
sion of said paragraph with the statute of frauds dollar  
amount provision of the "Uniform Commercial Code". The  
amount is changed from \$50 to \$500.

April 10

April 10

1179 Certificates of incorporation for railroads. Act submitted  
by revisor of statutes deleting obsolete reference to 31-1-6,  
C.R.S. 1963.

April 10

April 10

1182 Postwar improvements. Act submitted by revisor of statutes  
which repeals obsolete article 9 of chapter 36, C.R.S. 1963,  
relating to post world war II public improvements by towns,  
cities, cities and counties, and counties.

April 10

April 10

House Bills

- | <u>No.</u> | <u>Subject</u>  |          |          |
|------------|---|----------|----------|
| 1183       | <u>Chiropractic examiners fund.</u> Act submitted by revisor of statutes repealing obsolete Section 23-1-23, C.R.S. 1963, relating to the transfer of funds from the former chiropractic examiners fund to the present state board of chiropractic examiners fund.          | April 10 | April 10 |
| 1185       | <u>Proprietary schools.</u> Act submitted by revisor of statutes, amending references in "The Proprietary School Act" to correspond to new boards and officers in accordance with "The Administrative Organization Act of 1968".  | April 10 | April 10 |
| 1186       | <u>Court jurisdiction.</u> Act submitted by revisor of statutes, deleting reference to justice of the peace court, now abolished, and providing that the county court has jurisdiction in cases involving penalties for misdemeanors relating to the state and other fairs. | April 10 | April 10 |
| 1187       | <u>Coal mines - inspection fund.</u> Act submitted by revisor of statutes, to change references to coal mine inspection fund in sections 92-2-5 and 92-11-2 to references to general fund, the former fund having been abolished.   | April 16 | April 16 |
| 1188       | <u>Employment security.</u> Act submitted by revisor of statutes, to correct obsolete references to amended and repealed laws concerning employment security benefits under interstate agreements.  | April 10 | April 10 |
| 1189       | <u>Motor vehicles - definition of terms.</u> Act submitted by the revisor of statutes, to repeal obsolete definitions, of dust-proof highways and urban districts, relating to the operation of motor vehicles.   | April 16 | April 16 |
| 1190       | <u>Corporations - flume and pipeline companies.</u> Act submitted by revisor of statutes, to delete, from statutes concerning organization of flume and pipeline companies, a meaningless reference to another statute.   | April 10 | April 10 |
| 1191       | <u>Crimes and punishments - death penalty.</u> Act submitted by revisor of statutes, repealing the law referring to the people the question of the abolition of the death penalty.  | April 16 | April 16 |

No.                      Subject

1193 County budget - ambulance service authorized. Authorizes the board of county commissioners to provide in the county budget for ambulance services.

May 7                      May 7

1194 Teachers and persons teaching in institutions of higher learning - required oath. Oath required of persons teaching in the public schools and the state institutions of higher learning now reads as follows: "I solemnly (swear) (affirm) that I will uphold the constitution of the United States and the constitution of the state of Colorado, and I will faithfully perform the duties of the position upon which I am about to enter". Main changes in the oath are that a teacher no longer has to swear or affirm to uphold the laws of the United States or Colorado, or to teach respect for the United States or Colorado flags, or respect for law and order and undivided allegiance to the government of one country.

May 15                      July 1

1195 Supplemental appropriation - state home and training school at Grand Junction. Appropriates for 1968-69 fiscal year \$47,000; \$37,000 for personal services, and \$10,000 for operating expenses.

April 28                      April 28

1196 Supplemental appropriation - department of institutions. For payment through the division of corrections of the state's share of the compensation of adult probation counselors - \$13,600.

April 16                      April 16

1197 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 - \$10,000.

April 23                      April 23

1198 Supplemental appropriation - extension service of Colorado state university. For general purposes and capital outlay - \$133,338.

April 23                      April 23

1199 Supplemental appropriation - division of public works. To cover the cost of remodeling and moving of state agencies within the capitol complex - \$54,807.

April 23                      April 23

House Bills

- | <u>No.</u> | <u>Subject</u>  |          |                 |
|------------|---|----------|-----------------|
| 1201       | <u>Marriage - license-application-certificate.</u> Raises marriage license fee from \$3.00 to \$5.00, and application license, and certificate forms are re-designed, without significant change.   | May 10   | July 1          |
| 1205       | <u>Supplemental appropriation - community college of Denver.</u> For education and general and capital outlay at campus number 1 - \$190,748; and for planning purposes for campus number 2 - \$18,828.   | April 15 | April 15        |
| 1207       | <u>Driver training schools - licensing and regulation.</u> Provides that after January 1, 1970 it shall be unlawful to operate a <u>commercial driver training school</u> without first having obtained a license from the department of revenue. Application procedures and applicants' qualifications are provided, among which are that an applicant has to have liability insurance meeting stated requirements, an established place of business in this state, and employ at least one licensed instructor. The initial application fee for a school is \$100, the license renewal fee is \$50, and licenses expire on December 31 of the year for which issued. Requires the licensing of commercial driving instructors, and numerous qualifications are set forth, among which are a good driving record and successful completion of a department approved driving instructor course. The driving instructor's examination includes a vision test and a test of driving ability. The initial application fee for an instructor is \$25, the renewal fee is \$10, and licenses expire on December 31 of the year for which issued. Certain equipment, such as dual controls and 4-way emergency flashers, is required on automobiles used in driver training instruction. Grounds and procedures are provided for refusing to issue or renew, suspending or revoking, a license. | June 1   | January 1, 1970 |
| 1210       | <u>Property taxation - oil and gas leaseholds or lands - valuation and collection.</u> The operator of oil and gas leaseholds or lands, or the owner, if none, must include in the information statement filed with the county assessor figures concerning production and value of the entire unit, and the operator is given the duty, rather than the permission as formerly, to collect and remit the tax due on the unit. For such purposes, the operator can estimate taxes and withhold as necessary from fractional owners, and his failure to collect or remit, requires the county treasurer to impose a 100 per cent penalty on the tax bill. The owners of fractional interests remain liable for their proportionate shares of the tax bill but are not subject to penalties until notified of delinquencies.   | April 28 | September 1     |



No.                      Subject

1213 State authorized to acquire property. Authorizes the executive director of the department of administration on behalf of the state and with the approval of the governor, to acquire real property for its use, by purchase, donation, or eminent domain, with funds appropriated by the general assembly.

April 28                      April 28

1214 Elections - residency requirements of new residents in order to vote for presidential and vice-presidential electors. New residents of the state are permitted to vote for presidential and vice-presidential electors if they have resided in the state and in the county or city and county for not less than 2 months. Formerly, such persons were required to be residents of the state for at least 6 months and of the county or city and county for at least 90 days. Requires new residents' registration sheets to be transferred from the special new residents' registration book to the regular registration book at such time as the general residency requirements are met, rather than not later than 6 months after a presidential and vice-presidential election.

April 24                      April 24

1215 County powers - tax levy. Allows the county commissioners to request the Colorado tax commission to grant increased tax levy for county general fund above the levy limitations set by statutory tables, which tables are not amended, and allows the commission to authorize a levy in excess of such limits if in its opinion the county needs additional funds. If the commission refuses the request or fails to approve it within 10 days, the county commissioners may submit it to a vote of the electors who have paid taxes on real estate in the county, at a general or special election.

July 9                              July 9

1218 Motor vehicle titles - repossessions. Requires any mortgagee repossessing a motor vehicle to give notice thereof, including identification of the parties involved, to the local law enforcement authority within 12 hours after the repossession, and makes failure to do so a misdemeanor subject to fine of \$50 to \$100.

June 24                              July 1

1221 Taxation - motor and special fuels. Increases the excise tax on motor fuel and special fuel from 6 cents to 7 cents per gallon.

May 31                              June 1

No.                      Subject

1226 Crimes and punishments - trespass. Makes it unlawful to intentionally trespass on another's premises and use, occupy or cross such without consent, or to deprive an owner or occupant of the use of property. Exceptions are made for cases involving adverse possession, uninhabited buildings unless locked, posted, or fenced, and unimproved property unless within a fence or cattle guards or posted at least every 440 yards. Penalties remain the same.

June 7                      July 1

1228 Supplemental appropriation - Colorado general hospital. For general purposes - \$304,157. Of said appropriation, \$117,334 is from cash funds, and \$186,823 is from unappropriated moneys in the state treasury.

April 23                      April 23

1229 Supplemental appropriation - Trinidad State Junior College. For general purposes - \$75,000.

April 23                      April 23

1230 PERA - Increased benefits - appropriation. Increases all monthly benefits payable to state employees or survivors presently receiving benefits on the basis of the following schedule (or proportionately if the funds are insufficient), and appropriates \$513,218 to the state controller to pay the increases:

Retirement date:                      per cent increase:

On or before December 31, 1961.....	14.0
In the calendar year: 1962.....	11.5
1963.....	10.0
1964.....	8.5
1965.....	7.0
1966.....	5.5
1967.....	3.0
1968.....	1.5

June 1                      July 1

1231 Crimes and punishments involving public funds - insurance. Prohibits any officer or employee of the state or any political subdivision from requiring of a bidder on any public building or construction contract, that any surety bond or contract of insurance be obtained from a particular insurer, agent, or broker. Violation is a misdemeanor, with penalties specified, and any provision in any contract contrary to this act is void as against public policy. Applies only to contracts made after July 1, 1969.

May 7                      July 1

- | <u>No.</u> | <u>Subject</u>  |          |        |
|------------|---|----------|--------|
| 1232       | <u>Insurance - company financial statements.</u> Authorizes the commissioner of insurance to require any insurance company authorized to do business in the state to submit interim financial statements, monthly or quarterly, if he deems it in the public interest, rather than the annual statements normally required. Requires property and casualty companies, rather than fire companies only, to include in their statements the amount of premiums returned to policyholders.   | May 7    | May 7  |
| 1233       | <u>Abolition of the pre-need funeral contract fund.</u> Act abolishes the pre-need funeral contract fund. Also, it abolishes the bank commissioner's duties with respect to such fund.  | April 23 | July 1 |
| 1234       | <u>Insurance - duties of resident agents - commissions.</u> Provides that health and accident insurance written by foreign insurers is exempt from the requirement of having the insured risk approved by a resident insurance agent and having such policies of insurance countersigned by a resident agent. Removes the present provisions regarding the payment of agent's fees and commissions with respect to approval of risk and countersignatures, and substitutes a provision that provides when by the laws of any other state, any agent's commission or fee is imposed upon insurers organized under the laws of this state and transacting business in such other state, or upon the agents of such insurer, the same commission or fee shall be paid by all insurers doing business in this state that are organized under the laws of such other state, and upon their agents. | May 7    | July 1 |
| 1235       | <u>Mileage allowance to state and county officers and employees.</u> Increases from 8 cents to 10 cents the mileage allowance for state officers and employees, effective July 1, 1969, and for county officers, effective January 1, 1970.   | May 7    | May 7  |
| 1239       | <u>Occupational disease - increased benefits.</u> Makes the following increases in occupational disease benefits:<br><br><u>Temporary disability of more than 7 days duration</u> - Maximum weekly benefit is increased from \$54.25 to \$59.50; maximum aggregate benefit raised from \$16,980.25 to \$18,623.50, as long as disability is total; if disability is partial, the aggregate benefit is increased from \$3,525.25 to \$3,867.50; aggregate benefit for 2 or more injuries, from \$11,284 to \$12,376.<br><br><u>Aggregate maximum permanent and totally disabled</u> - From \$16,980.25 to \$18,623.50.   |          |        |

No.

Subject

1239 Aggregate maximum for permanent partial disability. From  
cont. \$11,284 to \$12,376.

Dependents' death benefits. Aggregate maximum increased from \$16,980.25 to \$18,623.50, but if the deceased leaves wholly dependent children, the additional weekly benefits per child, not to exceed 3 children, is raised from \$3.75 to \$4.20, and the aggregate maximum in such case is raised from \$20,501.50 to \$22,567.30, and the maximum weekly benefit is increased from \$65.50 to \$72.10.

May 31

July 1

1240 Mentally incompetent - estates - gifts. Permits the conservator of an estate of a mentally incompetent to petition the court for permission to make a gift from the mental incompetent's estate. Before authorizing the gift, the court must find that: The mental incompetent will never be restored to reason; the gift will not impair the estate's ability to provide for the mental incompetent; the donees of any gift would be the natural objects of the mental incompetent's bounty; the mental incompetent has no last will and testament; and the persons who would be the heirs at law of the mental incompetent at the time of filing the petition, have consented to the gift.

May 7

July 1

1246 Workmen's compensation - increased benefits. The increases are as follows:

Dependents' death benefits. Maximum weekly benefit is raised from \$54.25 to \$59.50, and the aggregate maximum is raised from \$16,980.25 to \$18,623.50, but if any of the dependents are wholly dependent children the foregoing weekly benefit is increased by \$4.20 (former increase was \$3.75), not to exceed 3 children, and in such case the aggregate maximum is raised from \$20,501.50 to \$22,567.30.

Benefits for temporary partial disability. Weekly benefit is raised from \$54.25 to \$59.50, and the aggregate maximum is raised from \$7,052.50 to \$7,735.

Benefits for permanent partial disability. Maximum aggregate benefit is raised from \$14,170 to \$15,470.

Benefits for permanently and totally disabled - lump sum benefit. Maximum sum is increased from \$16,926 to \$18,623.50.

May 31

July 1

1247 Public employees' retirement association - increased benefits - appropriation. Increases all monthly benefits payable to public employees or survivors presently receiving benefits on the basis of the following schedule (or proportionately if the funds are

No.                      Subject

1247 insufficient), and appropriates \$310,555 to the state controller to pay the increases:

<u>Retirement date:</u>	<u>per cent increase:</u>
On or before December 31, 1961.....	14.0
In the calendar year: 1962.....	11.5
1963.....	10.0
1964.....	8.5
1965.....	7.0
1966.....	5.5
1967.....	3.0
1968.....	1.5

June 1                      July 1

1252 Agriculture - brand inspection - beef board. Creates a division of brand inspection within the department of agriculture, and transfers to this division the Colorado beef board and the state board of stock inspection commissioners, including its brand commissioner.

June 24                      July 1

1253 Motor vehicles - school bus operation. Restricts definition of school buses to exclude therefrom private car pool arrangements, and clarifies the law that persons operating, responsible for, or in control of operation of school buses are subject to regulations of the department of revenue concerning operation of school buses.

July 1                      July 1

1254 Schools - transportation of pupils. Makes technical changes with respect to the furnishing of, or payment for, transportation of pupils residing in adjoining school districts, upon the consent of the school board or other governing body (such as a board for cooperative services).

July 1                      July 1

1255 Saving and loan associations. In conformity with federal legislation applicable to federal saving and loan associations, broadens investment and borrowing powers of state associations, but still retains some limitations thereon which relate to an association's reserves and surplus. Authorizes loans for mobile homes, for home improvements, and for post-secondary school education expenses, with limits or pursuant to commissioner's rules. Further broadens authority for loans and investments to relate to federal association powers, subject to rules by the commissioner. Some changes are made with respect to procedures in cases of merger between associations. Associations are authorized to organize, or to convert to,

No.                      Subject

1255 deposit associations, as contrasted with the present share  
cont. associations. Holders of either savings deposit accounts (on  
which interest payments are specifically authorized) and share  
accounts are given reciprocal rights, including status of both  
ordinary creditors of the association and owners of existing  
equity in the net assets of the association, thus giving asso-  
ciations organized under Colorado law and their depositors and  
shareholders the same relative rights, present and prospective,  
as are available in the case of associations organized under  
federal law, while at the same time subjecting any changes to  
the power of the commissioner to make appropriate rules and  
regulations.

May 7

May 7

1257 General assembly - compensation of members. Increases from  
\$4,800 to \$5,400, the additional compensation for each legisla-  
tive biennial period. Provides for an additional \$600 for each  
legislative biennial period, payable at the rate of \$30 per day,  
during special sessions of the general assembly only. The  
limitation on mileage placed on the trip to the state capitol  
for regular and special sessions is changed from 15 cents per  
mile (one way) to not more than the rate authorized for the  
executive department. For attendance at legislative council  
meetings, or meetings of committees established by the legisla-  
tive council, or interim committees authorized by law or by  
joint resolution of the two houses, the following changes are  
made in compensation: The per diem is changed from \$20 to \$30,  
and the maximum payable in any calendar year is changed from  
\$600 to \$900 (the foregoing limitation does not apply to members  
of the joint budget committee or to the speaker of the house or  
the senate and house majority and minority leaders while attending  
meetings of the joint budget committee or to matters of the  
general assembly when it is not in session). For attendance  
at meetings of the joint budget committee, the members thereof  
are to be compensated as follows: The daily rate is changed  
from \$20 to \$30, and the maximum payable in any calendar year  
is changed from \$2,000 to \$3,000. For attending to matters of  
the general assembly when it is not in session, the compensation  
of the speaker of the house and the senate and house majority  
and minority leaders is changed as follows: The per diem is  
changed from \$25 to \$30, and the maximum payable in any calendar  
year is changed from \$600 to \$720 (formerly, only the speaker  
of the house was allowed this additional compensation).

Act applies to all members of the senate and all members of  
the house elected at the 1970 general election and thereafter,  
to members appointed to fill vacancies for unexpired terms of  
such members, and to members appointed on or after January 6, 1971,  
to fill vacancies of senators elected at the 1968 general election.  
Members of the senate elected at the 1968 general election shall  
be compensated as provided by laws in effect at the time of  
their election.

No.

Subject

1257 cont. In lieu of the \$10 per night allowed for lodging in Denver to members living more than 25 miles from the capitol, such members may be allowed \$10 for traveling expenses to and from his home for each night that he does not spend in Denver.

Senate membership on the legislative council is increased from 5 to 6 senators, and the senate majority leader replaces the president of the senate as an ex officio member of the council.

Act applies to the 48th and subsequent general assemblies.

July 1

January 6, 1971

1265 Public officials - use of facsimile signatures. Provides that authorized officers may execute or cause to be executed public securities by means of a facsimile signature after filing with the secretary of state his manual signature, certified under oath. Formerly the public official had to receive the permission of the board, commission, or other body authorized to issue such securities.

June 24

July 1

1273 Colorado general hospital - dental services rendered to students and other patients. Provides for the rendition of dental services by the dental school staff to Colorado university students and certain other patients at Colorado general hospital. Provides that the charges for the services are to be made by the dentist rendering them, and that when the charges are collected through the medium of the hospital, they are to be placed in a fund maintained solely for the payment of compensation of faculty members of the school of dentistry and the school of medicine.

May 31

May 31

1279 Reorganization of industrial commission. This act reorganizes the industrial commission of Colorado. Effective July 1, 1969, the department of labor and employment will consist of the office of the executive director of the department of labor and employment, the reorganized industrial commission of Colorado, and the following three divisions: The division of employment, the newly created division of labor, and the newly created division of the state compensation insurance fund. The three sections under the division of labor are: The apprenticeship council, the division of boiler inspection, and the office of state inspector of oils. Transfers to the division of labor and the office of the director of the division of labor the administrative functions formerly vested in the industrial commission relating to the administration of the provisions of chapters 80 and 81, C.R.S. 1963, as amended, with the exception of the provisions of article 15 of chapter 81, relating to the state compensation insurance fund. The

No.

Subject

1279 state compensation insurance fund will be administered by the  
cont. division of the state compensation insurance fund under the  
direction of the manager of the fund. The industrial commission  
will make and promulgate all rules and regulations relating to  
the administration of the division of labor and the division of  
the state compensation insurance fund. The industrial commission  
will sit as an administrative appellate body to review orders  
and awards of the director of the division of labor, subject to  
judicial review. The commission will also retain rate-making  
authority with respect to the state compensation insurance fund,  
and will also retain authority concerning the investment of  
surplus moneys in the state compensation insurance fund, the  
subsequent injury fund, and the Colorado medical disaster  
insurance fund.

May 31

July 1

1280 Metropolitan districts - additional powers. Metropolitan dis-  
tricts are now authorized to supply water and necessary equip-  
ment and appurtances for public and private purposes, instead  
of merely domestic purposes. Sanitation districts now include  
storm drainage and also disposal facilities; street improvement  
districts may include drainage facilities and bridges; and  
public park districts can be organized under metropolitan  
districts. Taxpaying electors of the district now need not  
be residents of the district. Conversion of "article 5"  
water and sanitation districts to "article 3" metropolitan  
districts, and their bonds, are validated.

July 9

July 9

1284 Wills and estates - allowances - small estates. Increases,  
from \$5,000 to \$7,500, the amount specially allowable to the  
surviving spouse and/or minor children from the estate of a  
decedent or a mental incompetent, and also under intestate  
estates, increases, from \$5,000 to \$10,000, the size of "small  
estates" (the personal estate of a decedent or ward for which  
no personal representative need be appointed by the court).

July 1

July 1

1286 Local governments - continuing inventory. Requires local govern-  
ments to take an inventory, within 60 days after January 1 of  
each year, of all its property, real and personal, originally  
costing \$100 or more. Repeals 36-8-1, C.R.S. 1963. Requires  
the state auditor to formulate classifications of inventory  
accounts for local governments.

May 7

July 1

1288 Unfair trade practices. Makes it an unfair trade practice for  
any person, firm, or corporation engaged in the production,  
manufacture, or distribution of printed material or motion pictures,  
to require a buyer or lessee, as a condition of purchase or lease,



No.Subject

1288 cont. to accept other printed material or motion pictures which the buyer or lessee finds objectionable. Buyer or lessee must give notice of his objection within 30 days after delivery.

May 7

May 7

1292 Commercial feeding stuffs - miscellaneous amendments. Provides that commencing January 1, 1970, commercial feeding stuff registrations shall be valid for a period of 5 years, and shall be renewed every 5 years thereafter, unless revoked by the commissioner of agriculture or cancelled by the registrant. Formerly registrations had to be renewed annually. Registration and reregistration fees are changed from \$1.00 to \$2.00. A distributor is required to pay a registration fee of \$10 for each product distributed only in individual packages of 10 pounds or less, and the distributor shall not be required to pay the inspection fee on the registered product. Provides a schedule of monetary penalties for products placed under a "withdrawal of sale" order for nonregistration. A person located outside Colorado, but distributing in Colorado, may furnish the commissioner with an audit, rather than paying the costs of an audit at a location outside the state of Colorado. Requires reports to be made on January 1 and July 1 of each year concerning the amounts of commercial feeds purchased for sale or use in this state, and penalties are provided for failure to file the reports. Repeals the laws dealing with the appointment of a registered agent for service of process by a person whose home office or principal place of business is without the state.

May 31

July 1

1294 "Public Airport Authority Act". Amends the "Public Airport Authority Act" to provide that the state may join with cities, towns, or counties in the creation of an airport authority, or join an existing airport authority created under the act.

May 7

July 1

1296 Municipalities - planning and zoning jurisdiction. Municipalities are given the right to extend the effect of their planning and zoning ordinances to make them applicable to unincorporated areas up to 3 miles beyond the municipality's boundaries, if they so specify by ordinance and give equal membership on their boards and commissions to persons residing in such unincorporated areas, which persons are to have equal voice with all other members of such boards as to matters affecting the unincorporated area.

VETOED JULY 14

House Bills

No.

Subject

- 1297 Elections - branch registration offices. Amends the election laws concerning the conduct of branch offices for the registration of electors by specifying that, (regardless of county size) such offices may remain open up to the thirty-second day before a primary or general election; that in counties over 300,000 in population, where such offices are required, the number of offices must equal the number of the county's state representatives, they shall not be open earlier than the forty-third day or after the thirty-second day before such election, each branch office must remain at a location for at least 3 days, and shall not be open on precinct registration days or Sundays. Personnel of the offices are to equally represent 2 political parties who are to submit names at least 10 days in advance, and county clerk or election commissioner shall train them.
- June 1                      July 1
- 1298 Workmen's compensation - defining employee. Expands the term "employee", with respect to workmen's compensation, to provide that any person training in a program sponsored by any agency of the state or any governmental unit, or school, and who is placed with an employer as a part of such training, shall be deemed an employee of the sponsoring agency or school, and any compensation payable will be computed based on wages normally paid for the work being done at the time of the injury, except that if the trainee is a minor, the compensation for permanent disability or death will be at the maximum rate payable under the workmen's compensation law at the time of the award.
- May 7                      July 1
- 1299 Colorado state patrol - duties. Removes a prohibition against the state patrol serving on riot duty or performing any function commonly performed by the national guard. Creates new duty of enforcing all laws relating to state property and institutions, supplementing local authority, and gives the patrol the powers of other peace officers, to be used only on specific authorization by the governor. Provides that the highway users tax fund be reimbursed for expenses of the patrol incurred in emergencies or enforcing laws as to state property.
- May 10                      May 10
- 1300 Motor vehicles - classification - specific ownership taxes. Creates new definitions and classifications of vehicles and equipment, including equipment weighing over 500 pounds rigidly mounted, including camper coaches temporarily or permanently mounted on motor vehicles. Mounted equipment must be reported within 20 days of attachment to the vehicle, by application for registration or reregistration, and thereupon takes the classification of the vehicle to which attached. Requires the registration of and payment of specific ownership tax on mobile machinery and self-propelled construction equipment.

House Bills

No.                      Subject

1300                      Rates of tax start at 2.10% of factory list or comparable  
cont. price and decrease gradually over 10 years to minimum dollar  
amounts varying from \$3 to \$10, except for mobile homes and  
trailer coaches which start at 2.30% reducing to a \$25 minimum.  
Allocation and distribution of taxes collected on the various  
vehicle classes is specified. The act should be consulted for  
details of classifications and rates of tax.

Special license plates are authorized for city and county  
vehicles and for general assembly members, and a reflective  
material must be used on all plates commencing January 1, 1971.

July 1                      January 1, 1970

1306                      Courts - abolition of assistant county judgeship in Eagle  
county. Repeals the law providing for an assistant county  
judge near the town of Minturn in Eagle county.

July 1                      July 1

1308                      Pharmacy. Provides that the state board of pharmacy may obtain  
restraining orders and injunctions to enjoin violations of the  
laws which the board is empowered to enforce. Hearings, denials,  
suspensions, and revocations of licenses are to be held pursuant  
to article 3 of chapter 16, C.R.S. 1963, as amended; formerly  
no specific procedure was set forth. Provision is made for the  
use of hearing officers, to be appointed by the governor, on  
hearings concerning the denial, suspension, or revocation of  
licenses. Grounds are provided for the suspension and revoca-  
tion of the licenses of pharmacy businesses. The per diem  
of board members is increased from \$15 to \$25. Except for  
pharmacy interns, the expiration date of licenses is changed  
from July 2 to June 30. New registration procedures are pro-  
vided for pharmacies, and the responsibilities of the pharmacist  
in charge are spelled out (as to the specifics of these provisions,  
it is suggested that the bill be consulted). The manner in  
which drugs may be sold, compounded, dispensed, or held in  
possession is specifically set forth (for an understanding of  
these provisions, it is again suggested that the act be con-  
sulted, as they are very detailed). Abolishes the pharmacy  
extern license, and classifies all students who have completed  
their 1st year in pharmacy school as an intern for licensing  
purposes. Sets forth numerous standards for the approval of  
pharmacy schools by the board. The board is given the power  
to adopt, by rule and regulation, rules of professional conduct.  
Prescribes the contents of any prescription label. Pharmacists  
are exempted from jury service. License fees for the sale or  
manufacture of prophylactics are credited to the state board  
of pharmacy fund, rather than the general fund.

July 9                      July 9

No.

Subject

1309 Retirement benefits - special district employees. Authorizes special districts organized under chapter 89 to establish employees' retirement plans, alone or in conjunction with other districts or with a county. Follows closely the authorization for county retirement plans, including a choice of either participation in PERA, or a non-insured trust plan. Provision is made for prior service, and details as to control and management are specified. A tax levy for the district employees' retirement fund is authorized, within the statutory limitation on the total levy a district can make.

June 24

July 1

1310 Uniform registration of federal tax liens. Enacts the "Uniform Federal Tax Lien Registration Act". The provision of prior law is retained which specifies that no federal tax lien is valid against a mortgagee, purchaser, or judgment creditor until notice thereof is filed as specified. Notices of such liens are to be filed, on real property with the county clerk where the property is located, and on personal property, with the county clerk where the individual taxpayer resides, or when a partnership or corporation is involved, with the secretary of state, who is to file and index such notice as if it were a financing statement under the Uniform Commercial Code. The filing officers are directed as to the form of records and indexing necessary, and fees for filing notices and various certificates relating thereto are specified.

May 31

July 1

1311 "Uniform Recognition of Acknowledgments Act". Provides a simplified procedure for the recognition in this state of notarial acts performed in other states or in foreign countries. With respect to notarial acts performed in other states of the United States, the signature, rank or title, and serial number, if any, of the notary are sufficient proof of his authority to perform the notarial act. With respect to notarial acts performed in foreign countries, there is sufficient proof of authority to perform the act if the seal of the notary is attached, the title and indication of authority appear in a digest of the foreign law or similar publication, and a foreign service, diplomatic, or consular officer certifies that a person holding that office is authorized to perform notarial acts. Prescribes certain "short forms" of acknowledgments acceptable under the act.

May 7

July 1

1313 Married women - domicile - abrogation of common law rule. Provides that the right of any U.S. citizen to become a resident domiciled in this state shall not be denied or abridged because of sex or marital status, and the act abrogates the common law rule that the domicile of a married woman is that of her husband.

June 7

June 7

- | <u>No.</u> | <u>Subject</u>  |         |        |
|------------|---|---------|--------|
| 1314       | <u>Wages - women and children - periodic survey and review by the industrial commission.</u> Requires the industrial commission to survey and review for adequacy the established minimum wage orders made by the commission for women and children at least every 4 years, whether or not the commission is petitioned to do so either by employers or employees.  | June 1  | June 1 |
| 1315       | <u>Employment - discrimination.</u> Declares that discrimination because of sex, by an employer against any person otherwise qualified, is an unfair employment practice.   | July 1  | July 1 |
| 1321       | <u>Railroads - Colorado railroad authority created - appropriation.</u> Creates the Colorado railroad authority which is comprised of the governor, the executive director of the department of revenue, the state controller, the director of the division of game, fish, and parks, the president of the state historical society, and 3 public members appointed by the governor. Main purpose of the authority is to develop and operate a state-owned railroad system. For this purpose, the authority is given the following powers: Eminent domain; to issue revenue bonds; to enter into agreements or contracts with other persons, including other states, for the joint operation of a railroad; and to promulgate rules and regulations for the operation of a railroad. Revenue bonds can only be issued after the authority determines that the operation or acquisition of a railroad is economically feasible and will serve the best interests of the state. Terms of revenue bonds and certain requirements concerning the leasing or granting of any franchise or concession for the operation of a state-owned railroad system are specified. \$1,000 is appropriated to implement the act. | May 31  | July 1 |
| 1323       | <u>Employment - discrimination - employer defined.</u> Provides that the refusal by private employer to hire a qualified person on the grounds that such person did not apply through a private employment agency is a discriminatory or unfair employment practice, unless such agency is the employer's exclusive source of employees and there is no charge to the employee for such service. Employer is redefined, with respect to antidiscrimination in employment, to mean one hiring any person, rather than the former definition of one hiring 6 or more persons.   | June 24 | July 1 |
| 1346       | <u>Interpreters - deaf or mute persons.</u> Requires appointment of a qualified interpreter, who is to take an oath to truly interpret, in proceedings before a state agency or political subdivision agency in which the principal party in interest is  |         |        |

No.                      Subject

1346 deaf or mute, or where such person is a witness before a grand  
cont. jury, or in court proceedings where a person may be subject to  
confinement or penal sanction, or where a person is arrested for  
violation of criminal law.

June 24

July 1

1347 Agriculture - "Agricultural Marketing Act of 1939". Marketing  
act no longer applies to only those agricultural commodities  
produced in Colorado, but is expanded in scope to cover all  
agricultural products marketed in Colorado. Purpose of the act  
is expanded to eliminate or reduce unfair competition in the  
marketing of agricultural commodities. Provides that malting  
barley, hops, rice, milo, and other feed grains are not considered  
to be "agricultural commodities". Changes are made in the defini-  
tions contained in the act, and new definitions are added, one of  
which is "unfair competition". Handlers are included in the list  
of persons with whom marketing agreements may be executed.  
Provides that when a marketing order contains any terms or condi-  
tions regulating the handling, processing, or distribution of  
any agricultural commodity that may be marketed in the area  
covered by the order, the importation into the area of any such  
commodity shall be prohibited, unless such commodity and handler,  
processor, or distributor thereof complies with the terms and  
conditions of the order. Livestock, grains, and legumes, formerly  
exempt from the marketing act, are made subject to its provisions.

June 7

July 1

1348 Agriculture - commission merchants, dealers, and brokers. Milk  
is included in the definition of "agricultural products", and  
nursery stock is specifically excluded. The definition of "dealer"  
is expanded to include persons engaged in buying farm produce  
for processing and persons engaged in the business of storing  
farm produce. Persons engaged in both interstate and intrastate  
transportation, and not otherwise engaged as a commission merchant,  
dealer, broker or agent, are exempt from the law. Formerly, only  
interstate carriers were exempt. Provides for the discretionary  
issuance of temporary licenses following an adjudication of bank-  
ruptcy. Technical amendments are made concerning the bonds  
required of commission merchants, dealers, and brokers. Repeals  
the exemption of certain buyers of farm produce, processors, and  
certain persons dealing in livestock and operating at a public  
livestock market.

June 7

July 1

1353 Eminent domain - proceedings by cities and towns. Provides that  
in any eminent domain proceeding where special benefits are not  
to be assessed by the commissioners in condemnation against the  
real estate specially benefited, the city or town may use either  
the general eminent domain procedures or those specifically for  
towns and cities.

June 7

July 1

No.

Subject

1363 Fire extinguishers - types prohibited - penalties. Makes it unlawful to use or install, in listed places of public assembly, any fire extinguishing device containing carbon tetrachloride or an active agent having an equal or greater vapor toxicity. Extinguishers to be acceptable must be as specified in certain publications of the National Fire Protective Association. Sale, gift, or offer to sell of any device, prohibited by virtue of its active agent, as well as of any grenade type or fusible link release device, for use in any of the specified places, is forbidden. Sheriffs and others are to investigate for violations, and the district attorney is to prosecute. Violation is a misdemeanor punishable by a fine of up to \$100, or by imprisonment up to 30 days in the county jail, or both.

July 9

January 1, 1970

1365 Banking - one detached banking facility authorized. An exception is made to the prohibition against branch banking. Provides that any bank, upon application to and approval by the state banking board, may operate one detached facility, agency, or paying or receiving station at which deposits shall be received, checks or drafts cashed, note payments received, and deliveries of cash and instruments or securities, only if the detached facility, agency, or paying or receiving station is located within 2000 feet of the nearest point on the boundary of the premises of the bank's place of business, and is not located within 300 feet of the boundary of the premises of another bank or another bank's detached facility, agency, or paying or receiving station, unless the other bank consents to a closer location. Provision is made concerning notice to other banks within 3 miles, and for a hearing on any application for a detached facility. An application for a detached facility shall be approved by the board only upon a showing of need.

June 24

June 24

1366 Appropriation - Las Animas county. For costs incurred in the prosecution of the criminal proceeding, The People of the State of Colorado vs. Edward R. Cosgrove - \$11,000; none of the appropriation may be used for payment of attorneys' fees incurred in the defense of said defendant.

May 31

May 31

1367 Water compacts - Animas-La Plata Project. Ratifies the Animas-La Plata Project compact as consented to by the U.S. Congress, between Colorado and New Mexico, and recites the terms of the compact, which is made with respect to the Animas-La Plata federal reclamation project.

June 7

June 7

House Bills

No.                      Subject

1369 Mining - mining industrial development board - gradual abolition. Recreates the mining industrial development board. The size of the board is increased from 12 to 13 members, with the executive director of the department of natural resources being made an ex officio member of the board. The board's function, which is to encourage the development of the mining industry in this state, remains the same, and it is given some additional powers. The one-tenth of 1 per cent tax on metalliferous mining property is abolished, and it is provided that amounts collected by county treasurers prior to January 1, 1970, pursuant to said tax are to be credited to the mining industrial development board fund. Any amounts received after said date from the collection of delinquent taxes, interest, and penalties are to be credited to the general fund of the county in which the taxable property is located. Provision is made that when the unexpended balance in the mining industrial development board fund is less than \$1,000, or in any event no later than July 1, 1974, said balance is to be transferred to the state general fund, and thereupon the board shall be abolished.

July 1                      July 1

1370 Motor vehicles - length limitations. Provides that vehicle length limitations apply to vehicles transporting poles, pipe, machinery, or other objects of a structural nature which cannot be readily disassembled. Formerly vehicles carrying such objects were exempt from the length limitations. Excludes from length limitations any vehicle of a public utility required for emergency repairs of public service facilities or property.

May 31                      May 31

1372 Professional service corporations - medicine - dentistry - veterinary medicine. Authorizes persons licensed to practice medicine, dentistry, or veterinary medicine to form professional service corporations for the purpose of such practice. It follows closely the specifications for such corporations formed by lawyers, set forth as Rule 265, chapter 22, Rules of Civil Procedure, C.R.S. 1963 (1965 Supp.). The articles of incorporation must contain the words "professional company" or "professional corporation" or abbreviations thereof, and the corporation must have no other purpose. Shareholders must all be licensed to practice in Colorado, and be in active practice within the corporation. Lay person serving as directors or officers must not exercise authority in professional matters. Joint and several liability for acts, errors, and omissions must be agreed upon, and such liability may be insured against as specified in the act. The corporation may adopt pension, profit sharing, or similar benefit plans. Practitioners remain individually responsible for their professional conduct.

June 7                      July 1



No.

Subject

- 1375 Insurance - voluntary fair access to insurance required, property insurance program. Provides that in order for the state to participate in a federal program of reinsurance against abnormally high property insurance losses resulting from riots and other civic commotions, the commissioner of insurance is authorized to adopt necessary regulations to qualify this state with the federal law establishing such program of reinsurance.
- May 31                      May 31
- 1380 Insurance - quarterly payment of premium tax by some companies. Provides that any insurance company doing business in this state which was liable for payment of more than \$5,000 in premium taxes during the preceding calendar year shall, after January 1, 1971, pay quarterly estimates of such taxes. Quarterly payments are due and payable on the last day of the month following the close of any calendar quarter of the year, and the 4th quarter payment which is due March 1 must include adjustments for the preceding calendar year. If payment is delinquent for more than 30 days, a company is liable for a fine of \$100 for each day the delinquency continues, and the commissioner of insurance must revoke the certificate of a delinquent company until the taxes and penalty or interest are paid. Estimated taxes are to be based on the estimated amount of taxable premiums during the preceding calendar quarter.
- June 24                      January 1, 1971
- 1381 Insurance - tax reduction for companies maintaining a home or regional home office in this state - additional exemptions. The premium tax is reduced from 2 1/4% to 1% for insurance companies maintaining a home office or regional home office in this state. Provides that an office shall be deemed a home office or regional home office if such office performs substantially the following functions for the company in each state in which the company is licensed or in 3 or more of such states: Actuarial, medical, legal, approval or rejection of applications, issuance of policies, information and service, advertising and publications, public relations, hiring, testing, and training of sales and service forces.

Provides that there shall be no premium tax in the case of policies issued prior to 1959 by a domestic insurance company organized under the laws of this state, and maintaining its principal place of business in this state, and having more than 30% of its assets invested in bonds and warrants of the state or of any of its cities, counties, towns, or districts, and other property within this state in which the company is permitted to invest.

No.

Subject

1381 cont. Provides that the premium tax shall not apply to premiums collected or contracted for after December 1, 1968, on policies or contracts issued in connection with certain pension, profit sharing, or annuity plans established by an employer or on certain policies purchased for an employee by an employer. It is suggested that the act be consulted to determine precisely which contracts or policies are exempt under this provision.

June 24

July 1

1383 Mining - open cut method of mining - reclamation of land. Enacts "The Colorado Open Cut Land Reclamation Act of 1969", which applies only to the open cut method of mining ("strip mining"). After July 1, 1969, it is made unlawful to engage in new strip mining operations without first having obtained a permit from the department of natural resources. The procedure for applying for a permit and the information required in an application are specified. On or before July 1 of each year, a strip mining operator is required to submit a reclamation plan concerning the area affected by the strip mining operations. Required details of the plan are set forth, and the act specifies certain reclamation work which the operator is required to perform. The operator is given the choice of determining whether the affected land shall be reclaimed for forest, range, crop, horticultural, homesite, recreational, industrial, or other use, including food, shelter, and ground cover for wildlife, and depending on his choice, the operator is required to perform certain work. In most cases, reclamation work is required to be completed within 3 years after the commencement thereof. The executive director can require a performance bond of a strip mining operator to insure that the operator performs his duties as required by the act. Administrative procedures are provided to handle alleged violations of the act.

July 1

July 1

1386 Department of institutions - purchase of services for mentally retarded and the seriously handicapped. Provides that when the department of institutions purchases services for the mentally retarded and the seriously handicapped from community center incorporated boards and certain other types of facilities, having an approved program, the payment by the department for such services shall be in an amount not to exceed 75% of the annual cost of the approved community center program. Formerly, the maximum amount payable by the department was 60% of the annual cost of such programs.

June 7

July 1

1388 Municipal courts. Provides for appointment of municipal judges by the municipal governing authority, and specifies grounds for removal of appointees. Qualification for judges are the same as for class D counties, requiring high school graduation. Compensation based on the number of cases handled is prohibited.

No.                      Subject

1388 Fines and incarceration are limited to 90 days and \$300, and  
cont. suspension of sentence, or probation, is authorized. The method  
of selecting jurors, and their compensation, is established.

Appellate procedure follows closely the provisions of the former law, all appeals being to the county court, unless a superior court has been established, for trial de novo, but the act creates an important change in requiring appeals to be taken under the statutes governing appeals from county courts when the municipal court comes within the definition of a qualified municipal court of record, which is one in which a verbatim record of trial proceedings is kept and in which the judge is qualified as an attorney. Home rule cities can vary from most of these provisions by specific ordinance.

July 1                      January 1, 1970

1389 Mental illness - protection of respondent's property. Authorizes court to assign guardian ad litem, or other reputable person, the duty of making an inventory of, and seeing to the protection of, the property of a respondent while being held in custody under the statutes authorizing involuntary hospitalization or confinement, in cases involving questions of mental condition.

July 1                      July 1

1390 General property tax - exemption of wall-to-wall carpeting. Wall-to-wall carpeting that is not used for the production of income at any time is exempted from the general property tax.

May 31                      January 1, 1970

1396 Classification of students for tuition purposes. Concerns in-state status of members of the armed forces, and provides that any such member may gain in-state tuition classification at state institutions of higher learning for his spouse and any dependent minor child, when such member obtains in-state status for himself.

May 7                      July 1

1398 Motor vehicles and other vehicles - submitting lighting equipment to department of revenue for approval. Provides that while certain lighting equipment on motor vehicles and certain other vehicles must be approved by the department of revenue, such equipment no longer has to be submitted to the department. Abolishes the \$25 fee which was required to be submitted to the department for a certificate of approval of a device or an accessory for which a certificate of approval was required for sale or use.

May 31                      July 1

<u>No.</u>	<u>Subject</u>		
1400	<u>State lands - authorization of conveyance of lands in Gunnison county.</u> Authorizes the transfer of certain lands in Gunnison county, owned by the state for the benefit of Western state college, to the city of Gunnison, to be used for street purposes. If the lands conveyed ever cease to be used for street purposes, they are to revert to the state.	May 31	May 31
1409	<u>State lands - division of game, fish, and parks authorized to convey right-of-way.</u> With the approval of the governor, the division of game, fish, and parks is authorized to convey a right-of-way to the division of highways across or upon certain described lands in Chaffee county, for the purpose of constructing a public highway. When the lands cease to be used for highway purposes, the lands, or interest therein granted, shall revert to the use and benefit of the game, fish, and parks commission.	May 31	May 31
1432	<u>Counties - "County Public Improvement District Act of 1968".</u> Amends 1968 act to provide that public improvements may be acquired by an improvement district in any manner. Formerly, the only manner of acquisition was through construction or installation.	May 31	July 1
1436	<u>Real property - condominium ownership.</u> Eliminates reference to fee simple ownership and allows condominium ownership to exist with respect to land held under an estate for years. Requires, instead of merely authorizing, the declaration concerning the details of condominium ownership to include filing of a map locating the condominium units.	May 31	July 1
1440	<u>Securities - agent for service of process.</u> Amends securities law to provide that only issuers who propose to offer any security subject to application for registration in this state must consent to the securities commissioner being his attorney to receive service of process.	May 31	July 1
1441	<u>Securities - licensing.</u> Amends the licensing sections of the "Securities Act" by removing provisions of the law which automatically made all partners and principal officers of broker-dealers or issuer-dealers registered or licensed salesmen or agents by virtue of the registration or licensing of the broker-dealer or issuer-dealer.	May 31	July 1

No.

Subject

- 1442 Securities - exemption from requirements. Exempts from the requirements of registration and filing with the securities commissioner two additional types of security sales or transactions, including non-issuer distribution of an outstanding security if any class of securities of the issuer is registered under section 12 of the federal "Securities Exchange Act of 1934", and any transaction in this state not involving a public offering.
- June 24                      July 1
- 1446 Livestock - estrays - abandoned livestock. Estrays are now defined as any of the listed animals running at large outside their usual range and whether or not the owner is known. A person may take up an estray on any land he controls, but must notify the state board or a brand inspector, who can order the animal held or can move it to a practical place nearby for keeping while necessary notice or advertising is completed. The provision as to advertising only once is not changed, and is made applicable in the case of abandoned animals as well as estrays. Abandoned no longer means that the animals must be suffering from want of proper food and water. The period of time after notice to the owner, before sale of abandoned animals is authorized, is reduced from 30 days to 10 days, which is consistent with the time interval required after posting and advertising in the case of estrays.
- May 31                      June 1
- 1456 Schools - incentive programs - appropriation. Enacts the "Public Education Incentive Program Act", authorizing the state board of education to encourage experimentation to increase efficiency and economy in the school districts of the state by approving incentive programs the state board feels are worthy and which are within the available appropriations. Such approval entitles the school district or cooperative services district making such proposal to reimbursement of 50% of the extra costs incurred by the district by reason of the incentive program. Incentive program is defined as one not in common use which would, if generally adopted, result in an increase of efficiency and economy in public education. The act sets forth several criteria for such plans, and examples thereof, and for the purpose of the act authorizes school boards to adopt programs not specifically within other statutory powers granted to such boards. \$50,000 is appropriated to the state board of education to implement the act.
- June 24                      July 1
- 1459 Banking board - per diem allowance. Allowance of \$30 per diem is authorized for members of the banking board not including the commissioner, while in the performance of duties, with a \$1,200 annual limit.

June 24

July 1

House Bills

No.

Subject

- 1460 Water and sanitation districts - powers of board. Authorizes the board of directors of water and sanitation districts to collect a charge for availability of service, in districts where the valuation for assessment is less than 3 times the bonded debt of the district, the mill levy is 10 mills or more, and public notice is given to all taxpaying owners of the district that the charge is being made for making water or sewer service or facilities, or both, available to property (meaning that a line or lines are installed, ready for connection, within 100 feet of the lot). The amount of the charge is limited by a formula involving the district's indebtedness, its tax collections, and the taxable property involved, and all proceeds of the new charge must go toward payment of principal and interest on the district's outstanding indebtedness.
- July 9                      July 9
- 1463 Superior courts - procedure. Provides that when a complaint or counterclaim in any action brought in superior court involves an amount in excess of such court's jurisdiction the clerk shall transfer the action and all documents to the district court and so notify the parties.
- May 31                      May 31
- 1467 Motion pictures and television - creation of advisory commission - appropriation. Creates the motion picture and television advisory commission, which is comprised of the director of the division of commerce and development, who is an ex officio member and chairman of the commission, and 4 other members appointed by the governor, 1 from each congressional district. Function of the commission is to promote the use of locations in Colorado for the filming of motion pictures or television films and to develop graphic presentations to the motion picture and television industries concerning suitable filming sites in Colorado. \$5,000 is appropriated to implement the act. The act, by its terms, is to expire June 30, 1971.
- May 31                      July 1
- 1468 State lands - authorization of exchange of state lands with the city and county of Denver. Authorizes the conveyance of certain described state lands in return for certain described lands owned by the city and county of Denver. All of said lands are either in or adjacent to the property comprising the grounds of the executive mansion.
- May 7                      May 7
- 1469 Vehicle registration fees and taxes. Increases registration fees on most motor vehicles. Reference to the act itself is necessary for the specific classifications and tax schedules. Ton-mile and passenger-mile tax rates remain the same. The additional registration fee of \$1.50 is extended through 1971.
- July 1                      January 1, 1970

No.

Subject

1481 Water, sanitation, and water and sanitation districts - bonds - maximum rate of interest. Increases from 6% to 8% the maximum rate of interest of bonds (including refunding bonds) issued by water, sanitation, and water and sanitation districts.

May 31

May 31

1495 Public trustees. The main changes with respect to public trustees and deeds of trust are as follows:

a. Fees and costs. The fee charged by a public trustee for executing a release of a deed of trust is raised from \$2 to \$3; the fees for making sales, including the execution of certificates of sale, trustees' deeds, and certificates of redemption are changed as follows: Where the amount does not exceed \$5,000 (formerly \$1,000), the fee is increased from \$5 to \$10; where the amount involved is over \$5,000 (formerly \$1,000) and not over \$10,000, the fee is changed from 1 1/4% of the amount involved to a flat fee of \$25; where the amount involved is over \$10,000 but not over \$50,000, the fee is changed from one-sixteenth of the amount involved to a flat fee of \$35; and when the amount involved exceeds \$50,000, the minimum fee chargeable is changed from \$35.50 to \$50. The cost of mailing the notice of election and demand for sale is made a cost of foreclosure, whereas the notice was formerly mailed without charge.

b. Release of deeds of trust. If the note secured by a deed of trust cannot be produced, the public trustee may accept one of the following, and proceed to release the deed of trust: A certified copy of a resolution passed by the board of directors of a banking institution licensed to do business in Colorado, indemnifying the public trustee from damage resulting from the issuance of the release; a corporate surety bond, with the public trustee as principal, conditioned against the delivery of any promissory note to the damage of the public trustee, and in a sum equal to the original principal amount recited in the trust deed.

May 31

July 1

1501 Gift taxes - returns and payment. Adds to the requirements of a donor's gift tax return a provision requiring that the amount of tax due be shown, and payment of that amount is due with the return instead of, as formerly, becoming due 60 days after the notice of the amount due was given by the inheritance tax commissioner. The commissioner may now grant a reasonable extension of time for payment. The limit on the extension was formerly 6 months.

July 1

January 1, 1970

No.

Subject

1502 Income tax - withholding requirements. Requires employers withholding \$100 or more in any month, under the state income tax law requiring deduction and withholding from employees' wages, to file a monthly return and make payment thereon, starting with August, 1969, reporting withholding during July, 1969. All such employers are also to continue to file quarterly returns covering any withholding not reported in monthly returns. Employers withholding less than \$100 monthly continue to file quarterly returns.

June 24

July 1

1505 Eminent domain - urban renewal. New article authorizes special procedure in eminent domain proceedings brought by an urban renewal authority. Allows either petitioner or respondent in any such case to make a motion for vesting, in a case then pending, before judgment, asking that fee simple or lesser estate, and possession, be granted immediately or at specified date before final judgment in the case, as to all or a definite portion of the property involved. Procedure for notice, pleadings, and hearing on such motion is specified. Court's order on the motion is subject to writ of error. Commissioners are required, if motion is granted, to make a preliminary establishment of value, which amount must then be deposited by petitioner, after which the court can enter order vesting title and granting possession, which can be recorded, and respondent can withdraw up to three-fourths of amount deposited, subject to refund if final judgment necessitates it. The case then continues to final judgment under the other provisions of the eminent domain statutes. Applies to proceedings commenced on or after effective date of act.

July 1

July 1

1507 Sales tax - cities and counties. Concerning the requirements of a town, city, or county sales tax ordinance, this act specifically authorizes such ordinance to tax services to the extent the state sales tax applies to services.

May 31

May 31

1513 Intoxicating liquors - regulation of licensing. Makes it unlawful for a manufacturer, or importer of vinous or spirituous liquors, to have a financial interest in the business of any wholesale licensee of such liquors, or vice versa, but does not apply to existing relationships. Under classes of licenses, a new class of "importer" is grouped with manufacturer, and an importer's license with a fee of \$250 authorizes an importer of vinous or spirituous liquors to sell to wholesale liquor dealers and to solicit orders from retail dealers, but does not permit licensee to maintain stock in this state.

July 1

July 1



- | <u>No.</u> | <u>Subject</u>  |               |        |
|------------|---|---------------|--------|
| 1516       | <u>Insurance commissioner - investigation of agents.</u> Authorizes the insurance commissioner to investigate any breach of insurance laws or regulations by a licensed agent or broker or applicant for such license, and to require any such person to show cause why such license should not be refused or revoked. Failure to comply will justify suspension, revocation, or comparable penalty.  | May 31        | May 31 |
| 1518       | <u>Sales and use taxes - exemptions.</u> Provides that sales and purchase of bailing wire or bailing twine, or other packaging material for agricultural products, and live fish for stocking purposes, are exempt from the sales and use tax.  | VETOED JUNE 7 |        |
| 1519       | <u>State funds - security for deposits.</u> Provides that where state fund deposits are to be secured by bonds or other obligations guaranteed by the federal government, such shall be construed to include bonds or other obligations of this state or any political subdivision, which in turn are secured by the deposit in escrow of bonds or obligations guaranteed by the U.S. or any of its agencies.   | July 9        | July 9 |
| 1520       | <u>Legal investments - governmental units.</u> Provides that, concerning security for deposits the statute authorizing as deposit security bonds or other obligations payment of which is guaranteed by the federal government, such shall be construed to include bonds or other obligations of this state or any political subdivision which are secured by the deposit in escrow of bonds or other obligations issued by or guaranteed by the federal government or any agency thereof.          | July 9        | July 9 |
| 1529       | <u>Taxation - reciprocity for collection of taxes.</u> Grants other states and their political subdivisions the right to sue in Colorado courts for unpaid taxes, penalty and interest, when like right is accorded Colorado and its political subdivisions by the other state. Certificate of secretary of the other state is sufficient proof of authority to sue, and the Colorado attorney general or other proper official is authorized to sue in other states to collect taxes due Colorado. | May 31        | July 1 |
| 1530       | <u>Income tax - alternative authorized.</u> Allows any person or corporation, not owning or renting real estate in this state, and whose only Colorado income is from gross annual sales of less than \$100,000, to pay an alternative tax of one-half per cent of gross sales, in lieu of paying an income tax.  | May 31        | July 1 |

No.

Subject

1533 Towns and cities - services after incorporation. Allows newly incorporated cities and towns to request services of the county be continued in the incorporated area for up to one year after incorporation, or until the town or city commences to receive ad valorem tax revenues covering such services.

July 1

July 1

1536 Counties - classification for fee purposes. Concerning classes of counties established for the purpose of fixing county fees, Adams and Boulder counties, and Arapahoe and Jefferson counties are changed from the third and fourth classes, respectively, to counties of the second class.

July 1

January 1, 1970

1542 Ceded property - state consent. Gives the state's consent to acquisition by the federal government, through exchange, of approximately 23,000 acres known as the Weeks land, for various conservation purposes, but does not release state's civil or criminal jurisdiction.

VETOED JULY 14

SENATE BILLS ENACTED AND APPROVED  
AND ANY VETOED BILLS

- | <u>No.</u> | <u>Subject</u>   |          |                 |
|------------|--|----------|-----------------|
| 4          | <u>Changes in legal holidays.</u> Changes following legal holidays to conform to federal law: Washington's birthday, from February 22 to the third Monday in February; Memorial day from May 30 to the last Monday in May; Columbus day from October 12 to the second Monday in October; and Veteran's day from November 11 to the fourth Monday in October.   | March 11 | January 1, 1971 |
| 8          | <u>Blind pedestrians.</u> Requires pedestrians and drivers of vehicles to stop for and to avoid injury to persons carrying metallic colored canes or walking sticks or accompanied by guide dogs.  | April 23 | July 1          |
| 9          | <u>Jury service - terms - county population requirements.</u> Changes the population limits applicable to four-week terms of jury service from counties having a population of over 100,000 but less than 200,000 to counties having a population of over 100,000 but less than 400,000.   | March 12 | March 12        |
| 10         | <u>Term of office of jury commissioner in counties having a population of over 100,000.</u> Provides that in counties having a population over 100,000, the jury commissioner shall serve at the pleasure of the board comprised of the judges of courts of record in the county. Formerly, the term of office of any such jury commissioner expired December 31 of each year.   | March 12 | March 12        |
| 14         | <u>Public utilities - regulation by public utilities commission.</u> Enacts numerous amendments to chapter 115, C.R.S. 1963, concerning public utilities, but does not substantially alter the regulatory jurisdiction of the public utilities commission. Removes obsolete material and updates procedures and statutory language. Major changes in the law include the following:<br><br><u>Public utilities commission</u> - Requires that not over two of the three commissioners be affiliated with the same political party; removes congressional district residency limitations on commissioners; allows commission to designate employees who are attorneys as examiners; requires written findings of fact and decisions by the commission, with copies furnished to parties in interest; authorizes commission to make rules and regulations to implement statutory authority; clarifies the commission's fund structure and provides for a "motor carrier's fund", and a "fixed utility fund", into which fees, assessments, and |          |                 |

No.

Subject

14  
cont. appropriations shall be credited; authorizes the commission to enter into cooperative agreements with other states and the United States to facilitate regulation of utilities and carriers; specifically authorizes commission to establish motor carrier safety regulations.

Rates and charges - Removes provision for free transportation on public utilities for members of commission, the tax commissioners, and numerous others, unless tariff so providing is filed and approved; deletes provision permitting some utilities to relate rate schedule charges to dividends to be paid to the utility's stockholders.

Service, equipment, new construction - Gives commission broader authority to require interconnection between telephone or telegraph utilities, and to allow joint use of poles and conduits by various types of utilities; deletes obsolete requirement that utility must keep depreciation moneys in separate fund; repeals commission fees for issuing certificates for new construction; deletes obsolete provision setting up procedures for municipalities to purchase utilities.

Hearings and investigation - Changes the procedures concerning hearings and investigations, to authorize commission to delegate to examiners and individual commissioners the authority to conduct hearings and prepare recommended decisions; provides for notice to be given of rule-making proceedings; written recommended decision of examiner or individual commissioner becomes the commission decision if no timely exception is filed by a party after notice; but the whole commission may, and must on exceptions being filed, reconsider the matter, on the record or by further hearing; the commission may, in lieu of holding a hearing, take written evidence only in non-contested or unopposed cases; may make its own decision on cases heard by an examiner or individual commissioner, and may replace his decision and issue its own, in case of necessity; detailed provisions are made for the preparation and use of transcripts of proceedings, and for payment of the costs thereof, and provisions for reconsideration, re-argument, or rehearing are more extensive. A new section provides for temporary authority up to one hundred eighty days for common or private carriers in cases of need, and permits emergency authority up to fifteen days. Clarifies rules for computations of time for filing documents, effective dates of commission orders, and other actions.

Common carriers by motor vehicle - Clarifies definitions and other language. Increases fees for transfer or lease of certificate of public convenience and necessity in intrastate commerce from \$15 to \$35, and provides that fees for all certificates shall be credited to the motor carrier fund. Removes obsolete references to attorney for the commission in provisions concerning actions in court, since the attorney general is the legal representative of the commission.

Commercial carriers by motor vehicle - Clarifies definitions

No.                      Subject

14      and other language. Increases fees for all permits from \$3  
cont. to \$10, and provides that such fees shall be credited to the  
motor carrier fund.

Contract carriers - Changes statutory terminology from "private carrier by motor vehicle" to "contract carrier", clarifies definitions, and other language. Increases fees for intrastate commerce permits from \$25 to \$35, for interstate commerce permits from \$5 to \$15, and for transfers or leases of permits in intrastate commerce from \$15 to \$35, to conform to similar fees concerning common carriers. Removes obsolete references to attorney for commission with references to court actions.

Repeals obsolete and superseded provisions in chapter 115.

June 7

July 1

15      Law enforcement authorities. Permits the creation of law enforcement authorities in counties having a population over 100,000, if at least 20 per cent of the residents of the county live in unincorporated areas. Provides procedures for the organization of such an authority, including the adoption of a resolution by the county commissioners and a vote by the tax-paying electors of the area of the proposed authority. Once organized, an authority is authorized to contract with the sheriff to provide law enforcement services for the authority, and to levy taxes not exceeding three mills. Provides for detaching territory from an authority and for the dissolution of an authority.

March 11

March 11

17      Unlawful to influence public officials. If any person attempts to influence any legislator, judge, or other public official of the state or any of its political subdivisions by means of deceit or threats of physical violence or economic reprisal, whether concerning his person, his family or means of livelihood, he shall be guilty of a felony, punishable by a fine of \$100-\$1000, or imprisonment in the penitentiary for 1-5 years, or both.

March 26

March 26

18      Transition of state government to a new administration. Provides for the orderly transition of state government to a new administration. A new governor-elect shall be provided with office space and equipment in the capitol building and access to records and reports and other information in the executive department. Governor-elect is permitted to contract for the services of people of his own choosing, for office help and assistance, during the period between his election and his inauguration. General assembly is required to appropriate not less than \$10,000

Senate Bills

- | <u>No.</u> | <u>Subject</u>   |          |          |
|------------|--|----------|----------|
| 18         | in even-numbered years in which a governor is elected, to cover such cont. expenses.   | March 11 | March 11 |
| 20         | <u>Adoption of interstate library compact.</u> Directs the governor to enter into the interstate library compact. Provides that party public library agencies in party states may establish interstate library districts, enter into library agreements regarding the administration and operation of any such district, and provides that any such district shall be governed by a board established pursuant to a library agreement. Provides for the undertaking or conduct of joint or cooperative library programs by state library agencies of party states. Provides for joint or cooperative undertakings pursuant to agreement by public and private library agencies, and the requisites of such agreements are specified. The attorneys general of a state party to an agreement, must approve the agreement. No interstate agreement may be entered into by a public library agency without prior approval of the county or regional library district included in whole or in part in the proposed interstate district. Commissioner of education is appointed the administrator of the compact. | March 11 | March 11 |
| 23         | <u>Grants of rights-of-way by state board of land commissioners.</u> Makes technical changes in the law regarding powers of state board of land commissioners to grant rights-of-way across or upon certain state lands for public purposes. Any such grant shall not be construed as conveying title to the land subject of the grant, and the board is no longer required to give notice to the grantee of the reversion of the granted right-of-way to the state, after the right-of-way ceases to be used for the purposes for which granted.  | March 11 | July 1   |
| 27         | <u>Joint budget committee - membership.</u> Provides that the chairman of the senate appropriations committee, rather than the chairman of the senate finance committee, shall be a member of the joint budget committee, to correspond with creation of the senate appropriations committee. Provides that joint budget committee recommendations shall be made to the senate appropriations committee, rather than to the senate finance committee. Provides that the staff director of the committee, as well as the committee chairman, may sign vouchers.   | March 12 | March 12 |
| 28         | <u>Civil service systems for fire protection districts.</u> Provides for the establishment of civil service systems for <u>full-time</u> employees of fire protection districts. Establishment of a system in a district is discretionary and requires an affirmative vote of the taxpaying electors in the district. If a system is adopted, the board of directors of the district is required to appoint a three-   |          |          |

No.

Subject

28 member committee to administer the system. The committee is  
cont. required to establish standards for employment and termination  
thereof, recruit applicants for employment, conduct examina-  
tions, and certify eligibility for promotion. Provides disci-  
plinary procedures and for complaints involving alleged injustice,  
wrongful discharge, and other violations of rules and regulations  
of the committee. An established civil service system may not  
be discontinued unless approved by the taxpaying electors of the  
district. Any such civil service system cannot cover employees  
of a fire department rendering fire protection services to the  
district under contract.

March 11

July 1

31 Parental liability for willful or malicious destruction of  
property by children. Increases the liability of parents for  
willful and malicious destruction of property by their children  
from \$300 to \$1,000.

March 11

July 1

37 Department of institutions - purchase of mental health services.  
Act raises the maximum which the department of institutions can  
spend for services purchased from community mental health  
centers, measured on a per capita basis of the area covered by  
such services, from forty-five cents to fifty-two and one-half  
cents in the 1969-70 fiscal year and not more than sixty cents  
thereafter. Removes limitation on amounts paid for such serv-  
ices, formerly \$6.00, or in some cases, \$7.50 per hour.  
Changes the measure of the contribution due from the department  
from a customary and reasonable charge to the cost of providing  
such services. New provisions allow the department to reduce  
its payments for such services in proportion to any reduction  
of local financial support of any such health service, but also  
provides that the department can waive any requirement as to  
local support where good reason exists.

May 7

May 7

38 Criminally insane. Provides that the criminally insane are  
committed to the custody of the executive director of the  
department of institutions for placement in a facility under  
the supervision of the department, rather than having such per-  
sons committed to the state hospital or such other institution  
designated by law. Provides for treatment and rehabilitation  
of such persons at facilities not under control of department,  
upon written order of committing court. Transfers persons  
committed prior to effective date to the custody of the execu-  
tive director.

March 26

March 26

No.	Subject	March 11	April 1
39	<u>Contents of county and municipal sales tax ordinances and proposals.</u> Provides that county and municipal sales tax ordinances and proposals must contain a provision that sales of personal property on which a specific ownership tax has been paid or is payable shall be exempt from the county or municipal tax if the purchaser of the property is a nonresident or has its principal place of business outside of the taxing authority, and if the purchased property is required to be registered outside the limits of the taxing authority.		
		March 11	April 1
40	<u>Protection of fishing streams.</u> Requires any state agency which plans to obstruct, damage, or change the natural existing shape and form of any stream, or its banks or tributaries, by any type of construction, to first notify the game, fish, and parks commission. The notice must be submitted at least 90 days prior to the commencement of the proposed project and must contain details of the construction plans. The commission is required to examine such plans, and if the commission decides that the construction will adversely affect a stream, the state agency planning the construction is notified, with recommendations of alternative plans. If the state agency and the commission are unable to agree on how the construction is to be done, the matter is submitted to the governor, and his decision is final and not subject to judicial review. Act is not to be construed as impairing existing water rights, and it does not apply to irrigation projects.		
		March 28	July 1
44	<u>Public utilities commission - members' compensation.</u> Increases salaries of members of public utilities commission from \$18,000 to \$20,000 annually.		
		May 7	July 1
45	<u>Firemen's pensions - minimum distribution from state firemen's pension fund.</u> Provides that the minimum distribution from the state firemen's pension fund to cities, towns, and cities and counties, having a population of less than 25,000, and to fire protection districts maintaining a regularly organized volunteer or paid fire department, shall be not less than \$500, as long as any such political subdivision contributes to its pension funds a sum equal to the proceeds of a levy of one-half mill on the current valuation for assessment of such political subdivision. (See S.B. No. 354, which supersedes this act.)		
		March 26	March 26
46	<u>State to adopt accrual or modified accrual accounting system.</u> Requires the uniform and integrated accounting system for the state to be based upon the accrual or modified accrual system of accounting.		
		March 11	July 1



No.

Subject

- 53 County officers and employees - retirement. Removes limitation of 70% of average salary for total of retirement benefits plus social security benefits, which previously applied to county employee retirement plans not participating in the public employees' retirement system.
- May 10                      May 10
- 54 Prohibition against employment of minors in hazardous occupations - exemption. Provides that the prohibition against the employment of minors in certain occupations designated as hazardous, such as the operation of certain power-driven machinery, slaughtering livestock, manufacture of bricks and related products, and roofing, shall not apply where such employment is incidental to a student learner program conducted by public schools, junior colleges, community and technical colleges, or proprietary schools, or where employment in any such occupation follows completion of such a program.
- March 11                      July 1
- 55 Aid to indigent tuberculars. Makes several name changes and changes in functions and duties required by the passage of the "Administrative Organization Act of 1968". The board of social services is required to simplify the application process and to establish adequate safeguards to insure that only eligible persons receive aid. A verification procedure replaces an investigation with regard to applications for aid, appeals to the department of social services, and changes in the amount of aid.
- March 12                      July 1
- 56 Division of public welfare - organization. The children and youth section and the tuberculosis sections of the division of public welfare are replaced by a family and children section and a medical services section.
- March 11                      July 1
- 57 Children's code - child abuse. Repeals and re-enacts a 1967 law concerning reporting of non-accidental injuries to children. Defines "abuse" broadly to cover malnutrition, sexual molestation, failure to thrive, and death, as well as any injury not satisfactorily explained, or any condition indicating the cause of an injury to be non-accidental. Requirements for reports are substantially broadened to require reports from anyone who has reasonable cause to believe any child has been subjected to abuse or to conditions likely to result in abuse. The former statute concerning reports applied only to attending physicians and medical care institutions finding injuries inflicted by the person having custody of the child. Eliminates the provision limiting applicability to children under 12. Requires the police or sheriff's office having jurisdiction, upon receiving

No.                      Subject

57    such report, to take any necessary steps under the statutes  
cont. authorizing temporary custody and shelter of children, to insti-  
tute appropriate legal proceedings, and report the matter to the  
county welfare department within one working day, which depart-  
ment is to investigate, provide any necessary social services,  
take appropriate legal action, and report to the state registry  
of child protection, which is established by the act in the  
division of public welfare.

June 1                      June 1

59    Crimes and punishments - pornography - obscenity. The act is  
divided into 2 articles, one dealing with pornographic material  
sold or exhibited to minors under eighteen years of age, the  
other being a general obscenity article.

The article making sales or exhibitions to minors unlawful prohibits any sale of any type of visual representation, as itemized therein, or of any printed material or sound recording, containing a description or representation of nudity, sexual conduct or excitement, or sado-masochistic abuse, all as defined, which is "harmful to minors", which also is defined to mean that it "predominantly appeals to the prurient interest of minors, is patently offensive to prevailing adult standards as to what is suitable material for minors, and is utterly without redeeming social importance for minors.". The article also prohibits admitting a minor, for consideration, to a show or similar presentation which, taken as a whole, is harmful to minors. Knowledge, as defined, of the nature of the material is required, honest mistakes as to a minor's age are excused.

Lawful search warrants are specifically authorized, and any citizen can demand that the district attorney bring injunction proceedings on a showing that the article is being or will be violated. Violating an injunction carries its own penalty.

The article on obscenity includes a definition of what is obscene, covering basically the same elements as in measuring what is harmful material with respect to minors, but the test is based on the average adult, except in certain circumstances. The article makes it unlawful to possess any obscene material or present any obscene performance. The provisions as to search warrants and as to bringing actions for violations are the same as in the article concerning minors.

June 7                      July 1

61    Instruction in public schools. Provides that instruction in  
public schools shall be principally in the English language, but  
another language may be used in a classroom to develop bilingual  
skills or to assist students in their transition to the English  
language.

April 28                      April 28

No.

Subject

- 62 Regulation of credit life insurance and credit accident and health insurance. Enacts the "Model Credit Life Insurance and Credit Accident and Health Insurance Act". Provides that credit life and credit accident and health insurance shall be issued only in prescribed forms. Generally, the initial amount of credit life insurance cannot exceed the total amount of the debt to which it is incident, and the term of credit life and credit accident and health insurance shall commence on the date when the debtor becomes obligated to the creditor and the term cannot extend more than 30 days after the maturity date of the indebtedness. Provides that individual policies or group certificates must contain certain provisions such as the name and home office of the insurer, the name of the debtor, the amount of the premium, and a description of the coverage. Requires the delivery of a policy or certificate to the insured at the time the indebtedness is incurred, in most cases. Procedure is established for the mandatory filing of forms for policies and certificates with the insurance commissioner, and for his approval or disapproval thereof. Provision is made for revision of premium rates. When credit life or credit accident and health insurance is required as additional security, the debtor may obtain such insurance through an insurer of his choice or furnish it through existing insurance owned or controlled by him. Act does not authorize credit life or credit accident and health insurance to be required by a creditor with respect to revolving charge accounts or other types of charge accounts. Article 4 of chapter 73, C.R.S. 1963, concerning insurance as security for loans is repealed. Act applies only to policies issued on or after July 1, 1969.
- April 10                      July 1
- 64 Appropriation - division of game, fish, and parks. Appropriates \$105,000 out of game cash fund to the division of game, fish, and parks for capital construction purposes at Highline lake.
- May 7                              May 7
- 67 Child care act - redefining terms and applicability. Changes the name of a residence facility for child care from "foster care home" to "family care home", and redefines such facility to include either twenty-four hour care or shorter periods. Provides further limitations on exclusions from coverage of the act with respect to facilities operated in connection with other businesses and non-regular care in a private residence.
- March 26                      July 1
- 68 Welfare services - concerning children. Provides statutory authorization for child welfare services which have previously been provided under the rules of the board of social services. The board is to adopt rules to establish a program of such services, administered by the department of social services or supervised by the department and administered by the county welfare departments. Services are to be made available to any child in the state in need thereof, in coordination with other programs for

No.

Subject

68 children under other laws. The department is to reimburse county welfare departments for eighty per cent of county expenditures for such services. Records are safeguarded to protect recipients, through rules of the board. Misdemeanor penalties are provided for misuse of any records, and for obtaining assistance by means of fraud.

June 1

July 1

69 Veterans - Colorado state veterans center. This act repeals and reenacts the article concerning the Colorado state veterans center, and declares the center to be a state home for veterans and their wives, widows, and mothers. Major changes are: The executive director of the department of social services is given various duties, including adopting policies, rules and regulations, setting admission and discharge criteria, and appointing personnel. General standards are set for eligibility of veterans for admission, including economic situation, state residency, morality, and physical and mental condition. The executive director can make exceptions in some cases, and is to make regulations governing admission of veterans' wives, widows, and mothers. Present residents do not have to meet the new standards. If there are vacancies and no applicants meet the requirements for veterans and their specified female relatives, the center can accept for temporary occupancy non-veterans who are Colorado residents, male or female, who are receiving certain types of state assistance and are mentally, physically, and financially able to qualify with the executive director's regulations. If there are still additional vacancies and lack of applicants therefor, temporary occupancy can be given any Colorado resident, age sixty or over, who complies with the mental, physical, and financial ability regulations. The executive director is to establish charges for occupancy based upon several factors, including the center's operational deficit, charges being made elsewhere for comparable facilities, and, in his discretion, on ability to pay.

April 2

July 1

70 Aid to the blind. Changes references to state agency to comply with "Administrative Organization Act of 1968", and changes the duties of the department of social services with respect to aid to the blind, including cooperating with the federal government for aid services, measuring budgetary need, including consideration of need for an essential person, simplifying application procedures, authorizing any additional verification felt necessary by the department in making a determination of blindness, and making the department's decisions binding on the county department involved.

March 12

July 1

71 Rehabilitation of handicapped. Authorizes the division of rehabilitation to operate, through contract, small businesses in accordance with federal requirements, conducted by handicapped persons, particularly the blind, and authorizes the department of social services to make rules and regulations concerning financial

Senate Bills

No.

Subject

71 assistance to the handicapped. Formerly the division could cont. only supervise the operation of such businesses.

March 12

July 1

72 Veterans - board of veterans affairs. Makes the board of veterans affairs an advisory body to the Colorado veterans affairs section and the state board of social services. Formerly supervised and made policy decisions for the veterans affairs section.

April 2

July 1

76 Public employees' retirement association - investment of funds. Act repeals and re-enacts the law concerning the investment of the moneys in the retirement fund of the public employees retirement association. Main changes are as follows:

1. The public employees' retirement board is held to the "prudent man" standard for making investments.

2. The board is given new authority to invest in: Real estate; corporate notes, bonds, or debentures (formerly the board could only invest in such securities if they had been issued by certain types of public utilities); participation agreements with life insurance companies; and railroad equipment trust certificates.

3. The board no longer is required to invest a certain percentage of the fund in governmental bonds and the types of investments specified in paragraph 2 above.

4. With respect to corporate stocks, both preferred and common, the limitation on the amount that may be invested in such securities is raised from 10 to 30 per cent, and the limitation on investment in any single corporation is raised from 1 to 5 per cent.

5. The board may not invest more than 7 per cent of the fund in securities of any type of a single corporation.

March 11

March 11

77 Public employees' retirement association - benefits. The retirement board may exempt temporary state employees from membership, but they may now apply for membership in the association, and continued membership then becomes compulsory. The option upon cessation of employment after 5 years covered service, to leave contributions with the association for a deferred annuity, rather than take a refund, must now be exercised within 2 years after leaving employment. Annuity options, for both state and public employees, are changed somewhat, on retirement for superannuation or disability. On a single life ordinary annuity, a refund to a beneficiary or to the estate is provided for in any

No.                      Subject

77  
cont. amount by which an annuitant's contributions exceed the benefits paid him before death. The refund provision was formerly available only on a reduced single life annuity. A reduced joint life ordinary annuity is added, whereby the member receives a reduced annuity for life, but the monthly benefit to the beneficiary after the annuitant's death is reduced to one-half the annuitant's reduced benefit, similar to the present option IV joint annuity in which the survivor's benefit is reduced to one-half on the death of either the annuitant or the beneficiary. Disability retirement benefits are now set at fifty per cent of average salary, computed as specified, rather than being set at the same figure as an annuity for superannuation. Removes a provision prohibiting the board from increasing contributions or decreasing benefits without a vote of the members.

May 10

July 1

78 Compensation of county and other officers - Clear Creek county. For the purposes of the compensation of county and other officers, the classification of Clear Creek county is changed from Class IVB to Class IIIB. Act applies only to officers elected or appointed on or after July 1, 1969.

March 11

July 1

79 Uniform anatomical gift act. Enacts the "Uniform Anatomical Gift Act". Sets forth who may execute an anatomical gift, and establishes a priority schedule of who may make a gift of a decedent's body or a portion thereof. Donees of anatomical gifts may include: Hospitals, doctors, accredited medical or dental research facilities, banks or storage facilities for human organs, and individual persons for therapy or transplantation. A physician who signs a death certificate may not be a donee or perform a transplant. Provides that an anatomical gift may be made by will, to become effective on the death of the testator, or the gift may be made by another document. Provides that a gift may be amended or revoked. The act prescribes the rights and duties of the donee of the gift, and the procedure to be followed with respect to the decedent's body following death.

April 24

April 24

81 Water rights - determination and administration. Enacts a new article, entitled "The Water Right Determination and Administration Act of 1969", replacing several existing articles on water law. The following basic areas are covered:

Policy. The act declares that: All waters, surface or underground, are the property of the public, subject to appropriation and use in accordance with law; integration of use of surface and underground waters is necessary; vested water rights are to be protected but must use all reasonable means of diversion therefor, including the use of underground water; and no lawful diversion is to be reduced unless it will increase supplies for senior priorities.

No.

Subject

81 Water divisions. Seven water divisions are established  
cont. covering the entire state, with a division engineer in each to  
be appointed by the state engineer with the approval of the  
executive director of the department of natural resources, the  
division engineer to reside in the division and have his office  
in the specified city in the division.

Organization for making determinations. Offices of water  
judges, referees, and water clerks are established for the pur-  
pose of making determinations concerning water rights. The  
office of water judge of the district court is established in  
each division on behalf of all district courts in each division  
and no other judge is to have jurisdiction regarding water.  
Such water judge is to hear all water matters within his water  
division, and is to be appointed by the supreme court within  
10 days after the passage of this act and on or before January  
10 of each year thereafter. The water judge is to be a district  
judge already in office in one of the district courts within the  
area of the water division. Water matters are to be given priority  
over such judge's regular duties. Additional water judges can  
be appointed by the supreme court if necessary for proper handling  
of water matters. A water judge shall, unless he wishes to per-  
form such duties himself, appoint such referees as necessary to  
make investigations and rulings on water matters, such appoint-  
ment to be made from a list of 3 names submitted by the execu-  
tive director of the department of natural resources. A referee  
shall be qualified by training and experience to decide complex  
water matters, and shall be a court employee and may be hired  
for full or part time, or on contract. All applications and  
protests filed with the water clerk of the division are to be  
referred to the referee. Each water clerk is to be an associ-  
ate clerk of the district court, located at the same city as  
the division engineer. The clerk is charged with maintaining  
the records of all proceedings in the court concerning water,  
including rulings of the referee and orders of the water judge.

Procedures in water determinations. Applications for  
determination of a water right or conditional water right shall  
be verified and contain information to support the requested  
ruling, and shall be filed with the water clerk, accompanied by  
a fee of \$25. Any person opposing such application may file a  
verified statement of facts in opposition thereto with the water  
clerk with a fee of \$15, any time before the last day of the  
second month after the month in which the application was filed.  
Forms are to be supplied by the clerk, and shall require certain  
specified information. By the 5th day of each month, the water  
clerk is to prepare a resume of all applications filed in the  
preceding month, which shall be published once by the 10th of  
the month in papers in general circulation in the district, and  
mailed to such persons as the referee believes would be affected,  
or who have asked for such notice and paid \$12 annually therefor.

Referee's duties. Upon such filing with the clerk, the  
documents are to be delivered to the referee, who is to

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No.

Subject

81 cont. investigate to ascertain the accuracy of the application and any opposing statements. In the month following the last date for filing statements in opposition, the referee is to make his ruling, unless he has decided to refer any protested application to the water judge. The ruling is effective on entry, but subject to review.

Water judges - hearings. Twice each year in each division, the water judge is to commence hearings on cases referred by the referee, and protests to the referee's rulings, filed during the preceding 6 months. Rules of procedure apply, except that no pleadings are required in such cases. The court is not bound by the referee's findings. The division engineer is to testify. All persons who enter appearances can participate. Applicants have the burden of sustaining the application. The court is to conduct hearings in the county where the water diversion is located if requested by any party. The judge's decision on a hearing involving a referee's protested ruling shall confirm, modify, reverse, or reverse and remand on protested portions of the referee's ruling, and shall confirm any rulings not protested, unless he finds error of law involved. He may provide for reconsideration at a later date. Appellate review is available on any part of the court's decision on which a protest has been filed, but no other. Application can be made ex parte to the water judge for judicial review and to stay the effect of a referee's ruling within 30 days of the ruling, by one who claims he will be injured as a result of the ruling.

Standards and procedures. Provides standards to be applied by the referee and water judge in determinations of water rights and terms and conditions which may be imposed are specified. The referee has the authority and duty to rule on water rights in the first instance, including applications for conditional water rights and subsequent biennial applications thereafter for a finding of reasonable diligence in development. Wide discretion is granted to permit the use of wells as alternate points of diversion. Special procedures are provided for augmentation plans, and only the water judge may hear such cases. Groups or organizations may apply therefor on behalf of members.

Priorities - tabulations. An exception to the priority system is specified in the case of some wells. The division engineers are each required to complete, by July 1, 1970, a tabulation of all decreed water rights in their division, in order of seniority, separating such priority lists according to the source of supply. Standards are specified for determining priority. The division engineers' tabulations are to be published by July 10, 1970, and objections to any listing or omission must be filed by September 10, 1970. By October 10, 1970, the division engineer is to make any revisions he feels necessary resulting from objections raised or which are felt necessary by the state engineer. The division tabulation is to be filed by October 10, 1970, with the water clerk in each division. Written protests thereon may be



No.Subject

81  
cont. filed with the water clerk, and the water judge shall hear such protests and make any orders found necessary. By July 1, 1974, each division engineer is to prepare a new tabulation, and by July 1 each second year thereafter, bringing same up to date as to changes brought about by protests, new priorities awarded, and abandonments. A time schedule is established for the required future tabulations, substantially the same as that set forth for 1970, adding provisions for protesting tabulations and providing for hearings thereon by the water judge. If no protests are filed the water judge is to enter judgment and decree incorporating the tabulation. Appellate review is provided on any portion of the tabulation which is the subject of protest. For these purposes failure for 10 years or more to apply to beneficial use any water right creates a rebuttable presumption of abandonment. State and division engineers have sole authority to administer the law regarding water except for control of water pollution by health authorities.

Wasting - illegal use. The state and division engineers may order limitations on the use of water so as to prevent waste. A division engineer may order any diversion to be limited or discontinued if he finds it is causing or will cause material injury to senior appropriators. Factors to be considered in making such decision are set forth, primarily requiring the determination of injury to be based on the question of whether discontinuance of use will increase the amount of water available to others having prior rights thereto. If discontinuance does not make more water available, the order is to be rescinded. Users having wells as alternate diversion points are to be required to utilize them to any extent feasible before junior appropriators are required to discontinue diversions. The division engineer can order the release of illegally or improperly stored water, order any owner or user to install measuring devices, enter lands to inspect water systems, and supervise augmentations. The state and division engineers can, through the attorney general, apply for injunctions to halt violations. Triple damages are available to persons suffering damage to business or property where there has been a violation of both an engineer's orders and a court injunction. The article is not applicable to designated ground water basins or to wells for stock watering or domestic purposes.

Other changes. Sections of other articles concerning appropriation and use of water are amended without substantial change. The office of water commissioner is eliminated.

June 7

June 7

- | <u>No.</u> | <u>Subject</u>  |          |        |
|------------|---|----------|--------|
| 82         | <u>Social services - aid to needy disabled.</u> Act provides that with respect to aid to the needy disabled, the department of social services shall cooperate with the federal government to qualify the state for federal aid in the providing of services to applicants, potential applicants, and recipients, to assist them in achieving self-care and self-support. Simplification of application and verification procedures is called for, and the department rather than the county is now to determine disability with the county to verify the applicant's statements. Amounts of assistance shall include provision for an essential person, as defined, when federal moneys permit. Provision is made for possible state payment of medical benefits incurred in nursing homes and intermediate care facilities not covered by Title XIX of the federal Social Security Act or by "The Colorado Medical Assistance Act". In determining budgetary need, income earned may be disregarded if allowed by federal law. A provision for extra state reimbursement for personal needs, in some cases, is removed. | May 7    | July 1 |
| 83         | <u>Colorado Medical Assistance Act.</u> Makes several name and function changes required by the "Administrative Organization Act of 1968". Makes certain additions with respect to what comes within medical assistance, including essential person care, personal needs, and funeral and burial benefits, all within specified circumstances and when involving certain classes of recipients. The state board of social services shall promulgate rules and regulations concerning determinations of eligibility, application for benefits, and commencement of benefits, and the availability of a recipient's supplemental income for payment of medical purposes. When so applied for medical purposes such supplemental income will not disqualify a recipient from further medical assistance benefits.  | April 28 | July 1 |
| 84         | <u>State homes for aged - eligibility - county liability.</u> Provides that applicants are eligible for admission to a state home for the aged if they are recipients of aid to needy disabled, or aid to the blind. State residency requirement is removed. County where the state home is located will now be charged for public assistance given to resident patients of such home, rather than the county of the person's residence.  | April 28 | July 1 |
| 85         | <u>Old age pensions - exempt income and assets.</u> Act provides that amounts received from the federal government as rent supplementation or relocation payments, earned income to the extent allowed by Title 1, Section 2, of the federal social security act, and lump sum amounts received through a retroactive increase in benefits under the railroad retirement act, and ownership of a pre-paid burial contract up to five hundred dollars plus accruals thereon, will not serve to eliminate or reduce the old age pension.  |          |        |

No.

Subject

85 The state board of social services is to promulgate rules to  
cont. simplify the application process.

May 10

July 1

89 Operation of vehicle - under influence or impairment -  
penalties. A new offense is created, that of driving while  
ability to operate a vehicle is impaired by consumption of  
alcohol, and a presumption is created that there is such  
impairment when the chemical analysis test shows more than  
0.05 and less than 0.10 by weight of alcohol in the blood.  
The act also changes the minimum percentage by weight of  
alcohol in the blood at which the presumption arises that a  
defendant was under the influence, from 0.15 down to 0.10.  
On conviction of the new offense of driving while ability is  
impaired, the penalty is a fine of \$10 to \$500, or not more  
than ten days in the county jail, or both. Such conviction  
results in an assessment of 8 points against a driver's  
license.

May 31

July 1

92 School of mines - exchange of land. Authorizes the Colorado  
school of mines to make an exchange of title to certain  
described lands in Jefferson county.

March 11

March 11

96 Snowmobiles - unlawful acts. Provides that it shall be a  
misdemeanor to: Hunt wildlife from a snowmobile; operate a  
snowmobile while in possession of a firearm or bow unless the  
firearm is unloaded and encased or unless the bow is unstrung.  
(an exception is made with respect to persons to whom the  
division of game, fish, and parks has issued a permit to hunt  
predators); drive, or otherwise intentionally disturb, wild-  
life by use of a snowmobile, but a person is not prevented  
from protecting his crops or other property. Provides that  
the division of game, fish, and parks may issue permits to use  
snowmobiles for the control of predators.

March 28

July 1

97 Aid to dependent children. The definition of a dependent  
child is broadened to include a needy child who has been  
deprived of parental support because of his father's unemploy-  
ment; or a child who is between 18 and 21 and regularly attends  
school, or who is living under foster care. Likewise broadened  
is the definition of assistance or aid to families with depend-  
ent children, to include services to preserve, rehabilitate,  
reunite, or strengthen the family, or other services to assist  
family members toward self-support and independence, if feder-  
al funds are available therefor. Aid is extended to expectant  
mothers if all other requirements are met, and the child would  
be dependent if born at the time of application. Authorizes

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No.Subject

97 the payment of flat grants, and provides for simplification of application and verification procedures. The state shall reimburse counties eighty per cent of the amount expended for services as well as for monetary assistance.

June 1

July 1

98 Judgments - uniform enforcement of foreign judgments act. Permits a copy of a foreign judgment (entitled to full faith and credit), authenticated pursuant to an act of congress or in accord with Colorado law, to be filed, accompanied by a fee of \$15 and affidavit of the judgment creditor or his attorney giving the parties' names and addresses, in any Colorado court which would have had jurisdiction over the subject matter originally. The judgment is then subject to the Colorado statutes and rules of civil procedure as though it were a Colorado judgment, both with respect to enforcement and avoidance. Notice must be given by mail to the judgment debtor, and proof of mailing such is sufficient, no proof of receipt being required. No execution on the foreign judgment can issue for 10 days after filing, and the debtor can apply for further stay, on any ground under the rules of procedure, and by filing security for satisfaction of judgment. The debtor can also have execution stayed by showing that the foreign judgment is being appealed in the other state, or that the foreign court has stayed execution, and that he has furnished any required security for satisfaction required by the foreign court. The procedure authorized by the act is declared to be an alternative to the regular procedure to obtain a Colorado court judgment by suit on a foreign judgment.

June 1

July 1

102 Trust company act. Amends the law with respect to trust companies organized and doing business for at least one year prior to the passage of "The Colorado Trust Company Act", in 1967. Gives such companies greater powers than those organized under the 1967 act, subject to some additional restrictions. The principal change is to restore to such companies the right to make loans and to accept deposits, both of which powers existed in the statutes regulating trust companies prior to the 1967 act. Broader investment powers are also granted to such companies, corresponding to the statute prior to 1967. Regulates the lending and deposit business of such companies by imposing special requirements as to surplus and reserves, and gives the state bank commissioner more authority to regulate companies having these powers, including the right to restrict withdrawal of deposits and to order lending operations stopped if financial conditions so dictate. The commissioner can also require special financial reports from such companies, and publication of their annual financial reports is required.

June 7

June 7

No.

Subject

105 Water - administration and regulation by state engineer. This is a companion bill to S.B. No. 81, the "Water Right and Determination Act of 1969". The civil service commission is directed to require that the state engineer be a registered engineer in Colorado, with adequate water background, and to fix the salary grade adequately to cover such requirements. If the engineer has a personal interest in any matter requiring his decision, he must notify the governor who may then designate someone else to handle the matter.

General duties of the state engineer are broadened and set forth in considerable detail, with some additions to the list of statutory duties of the office. These include the authority to reasonably require the services of employees of the water resources division where they are most needed for efficient operations, and authorization to provide educational opportunities for employees relating to their duties. The engineer is called on specifically to report employee misconduct or default of duty to the civil service commission, which is required to promptly act thereon.

Broadened specific authority is given to contract for services under various stated circumstances. Repeals the former requirement of appointing a special deputy state engineer for the LaPlata river compact, and provides that as to interstate water compacts generally, the engineer is required to make and enforce regulations necessary to carry out all compacts. The attorney general is to assign an assistant to advise the state engineer, who can also procure additional legal services payable out of the budget. The state engineer is authorized to permit upstream water storage, out of priority, under specified conditions, and provides procedures for furnishing substitute supplies of water to senior appropriators by others.

June 7

June 7

109 Dangerous drugs. Amends several provisions of the 1968 act concerning "dangerous drugs". Adds to definition of hallucinogenic drugs to include phencyclidine and its salts. Enlarges definition of wholesaler to specifically include persons outside the state. Some changes of form, not substance, relating to exemptions and licensing. The act gives this group of sections the title "Colorado Dangerous Drug Act", and contains a severability clause.

June 1

June 1

114 Administrative agencies - procedures and functions. Extensively amends the law concerning rule making and licensing procedures by state agencies. Some of the more important changes are as follows:

1. Establishes the Colorado regulations register, to be

Senate Bills

No.                      Subject

114 cont. published by the secretary of state. The register is to contain each notice of rule making and each rule as finally adopted by state administrative and licensing agencies, together with the attorney general's opinion thereon. The secretary of state is to maintain a mailing list for the register, and any person may request to be placed on such list. All currently effective regulations and attorney general's opinions are to be published in the register.

2. On license applications, the agency must give written notice of the action taken on the application, and if the application is denied, the reasons for the denial must be given. If an application is denied without a hearing, the applicant, within 60 days after having received notice of the denial, may request a hearing on the matter. A limitation, unless consented to by the applicant, on a license shall be treated as a denial, and a modification, unless consented to, on a license already issued shall be treated as a revocation.

3. In the conduct of hearings, a procedure is provided for the making of an initial decision by a hearing officer, which decision is then subject to agency review.

As this act makes several other important changes in the administrative procedure before state agencies, such as changes in the method of judicial review, the manner and time within which notice must be given in certain cases, it is recommended that the act be consulted for a thorough understanding of its provisions.

June 7

July 1

115 Fees charged by state engineer. Provides that the fee for copying documents filed in the state engineer's office is changed from \$1.00 per page to \$.50 per page, and the departments and agencies of the state are exempted from the payment of fees for applications for the use of ground water or for a permit to construct a well.

March 26

March 26

118 General property tax - tax sales to a county - disposition of the proceeds of the sale or other use by the county. Provides that the net proceeds from the sale, lease, or other disposition of real estate conveyed to a county for unpaid taxes shall be distributed to the various taxing entities in which the real estate is located in the same proportion that the ad valorem taxes levied by each such entity in the preceding calendar year bears to the total of all ad valorem taxes levied on such real estate. Formerly such proceeds were first applied to all unpaid taxes, and the remainder was credited to the county general fund.

May 10

May 10

No.Subject

- 119 Lands wrongfully sold for unpaid taxes - reimbursement. Provides that when lands are wrongfully sold for unpaid taxes, reimbursement is to be made from the various county funds to which the tax was originally distributed, except that interest is paid from the county general fund. Provides that the county treasurer, assessor, or clerk, as the case may be, and the surety on their bonds, are liable to the county for such amounts reimbursed only in the case of willful misconduct.
- May 10                      May 10
- 120 County treasurers - increase in fees for certain documents. Increases the fees to be collected by county treasurers for the following documents: Certificate of taxes due, from \$2.00 to \$3.00; certificate of purchase, from 50¢ to \$1.00 and the additional fee for each tract of land described in the certificate is increased from 5¢ to 10¢; endorsement of tax payments on tax certificate is changed from 10¢ for each tract of land described on the certificate to 50¢ for each certificate; certificate of redemption, from 50¢ to \$1.00, and the additional fee for each tract of land described in the certificate is increased from 5¢ to 10¢.
- May 7                      July 1
- 122 Motor vehicles - suspension of drivers licenses. Provides that the license of a chauffeur convicted of driving under the influence of alcohol or drugs or of leaving the scene of an accident, during the course of employment, shall be suspended the same as if the offense occurred outside the course of employment. Also provides that if a minor operator receives a summons for a traffic violation, the court from which the summons is issued is required to notify the minor's parent or legal guardian.
- June 24                      July 1
- 126 State courts - funding and control - public defender - appropriation. Transfers the administration, income, and expense of all courts of record including all county courts except Denver, to state government, and creates a state public defender system.
- Starting January 1, 1970, the state is to provide funds for all expenses and salaries of courts of record except municipal courts and the Denver county court, and take over all supplies and equipment, except motor vehicles, of such courts. The supreme court is to prescribe rules concerning court employees, including jury commissioners. The state judicial administrator is to handle the fiscal administration of all courts, and is to prepare annual capital construction budgets regarding court facility requirements, as well as a long range judicial construction plan. Joint construction with local government is authorized, as well as leasing arrangements. Prior service credit in PERA is provided for some court employees. Amends numerous sections of law to implement the transfer of court

No.                      Subject

126    funding to the state.  
cont.

The office of state public defender is created, appointment thereto to be made by the supreme court for 5 year terms. The public defender is to appoint deputies and necessary employees and set up regional offices as necessary. He has the duty of representing without charge all indigent persons arrested for or charged with felonies, at their request or on court order, and also all such persons charged with misdemeanors, juveniles under delinquency petitions, persons confined against their will, and, at his discretion, persons charged with municipal code violations.

Appropriates \$1,500,400 for additional court salaries and expenses to be paid by the state from January 1, 1970, through June 30, 1970.

June 24

January 1, 1970

127    Schools - "Public School Foundation Act of 1969" - appropriations.  
Repeals the "Public School Foundation Act" and enacts the "Public School Foundation Act of 1969", to provide for the financing of the public schools commencing January 1, 1970. The main provisions of the act are as follows:

1. The average daily attendance (ADA) in each school district during the four-week period ending the 4th Friday of October constitutes the "average daily attendance entitlement" (ADAE) of a school district and is made the basis for determining the equalization support to be provided each school district during the next ensuing calendar year. Classroom units (CRU's) are no longer used in determining state support. ADAE shall not be less than 96% of average daily membership of a school district. ADAE may be computed on a different 4-week period where a twelve-month school program is conducted.

2. In order to participate in the state equalization program, a school district is required to cause to be levied a school tax of 17 mills (called the "school district foundation levy") in each county in which the district is located; but in any district where in a 17 mill levy would raise revenue sufficient to provide more than \$250 for each pupil in ADA entitlement in the district, the amount to be raised through the school district foundation levy shall be sufficient to provide: (a) \$250 for each pupil in ADA entitlement in the district, unless a levy of less than 14 mills would be required to provide that amount, in which case the amount to be provided shall be: (b) \$280 for each pupil in ADA entitlement unless a levy of less than 11 1/2 mills would be required to provide that amount, in which case the amount to be raised shall be: (c) \$300 for each pupil in ADA entitlement unless a levy of less than 10 mills would be required to raise that amount, in which case the amount to be raised shall be: (d) \$380 for each pupil in ADA entitlement in the district.

3. From and after January 1, 1970, the sharing of support



No.

Subject

127 cont. for the public schools by the state and school districts shall be on the following basis: For the calendar year 1970, the total level of support shall be \$440 per pupil of ADA entitlement; for the calendar year 1971, the total level of support is increased to \$460 per pupil of ADA entitlement, and thereafter the general assembly is to review the level of state support. A school district's share of equalization support includes the amount received from the school district foundation levy and the total amounts received from federal mineral leases, federal forest lands, federal land materials, federal lands marginal, federal flood control, specific ownership taxes, and certain other federal moneys when permitted by federal law. The state's share shall be the difference between the total level and the district's share of support. Distributions from the state public school fund are to be made no later than the 1st day of February, May, August, and November of each year, beginning in 1970.

4. A new formula is provided for additional state support for school districts operating small attendance centers. It is recommended that the act be consulted for the details of this new formula.

5. The authority of a school district to increase the general fund budget of the district, which has budgeted for the current year a current expense per pupil in ADA entitlement in excess of \$620, is limited to the sum of: 106% of the current expense per pupil in ADA entitlement multiplied by the estimated number of pupils in ADA for the ensuing budget year, plus estimated expenditures for categorical purposes, transportation, capital outlay and debt service, the contingency reserve, and specific programs for culturally and educationally disadvantaged pupils. The foregoing limitation does not apply until a district's budgeted current expense per estimated pupil in ADA exceeds \$620. If a school board is of the opinion that it is necessary to exceed the foregoing limitations, the question is to be submitted to the registered qualified taxing electors of the district at a special election, such election to be held on or before the 2nd Tuesday in December.

6. The act makes the following appropriations:

a. For the state's share of the state minimum equalization program under the old foundation act for the period July 1, 1969 to January 1, 1970 - \$21,800,000.

b. For the state's share of equalization support under the new foundation act for the period January 1, 1970 to July 1, 1970 - \$61,800,000.

c. Additional state support for the operation of small attendance centers - \$1,230,000. This appropriation must be distributed on or before December 1, 1969.

No.

Subject

127 d. For use as a contingency reserve during the fiscal year cont. beginning July 1, 1969 - \$300,000.

e. To the public school transportation fund - \$5,000,000.

June 24

July 1

130 Division of purchasing - services to local political subdivisions. Provides that, upon request of and through the division of local government, the division of purchasing shall extend its services to local political subdivisions of the state.

April 10

July 1

134 State funds. Lists the land survey fund, the real estate license fund, and the landscape architects' examining board fund, in section 130-5-2, C.R.S. 1963, as amended, subjecting said funds to surplus funds limitations the same as cash funds of other state licensing and examining boards and agencies.

March 18

March 18

136 Insurance - authorization to issue contracts of life insurance on a variable basis. With regard to issuing life insurance contracts on a variable basis, this act removes the requirement that the issuing company is required to have been engaged in the life insurance business for at least 2 years before it can issue life insurance on a variable basis; provides that a company which issues contracts on a variable basis and which is a subsidiary of, or affiliated through common management or ownership with, a life insurance company authorized and licensed to do business in this state is deemed to have met the requirements of the law with regard to issuing contracts on a variable basis, if either it or the parent or affiliated company meets such requirements.

May 10

May 10

137 Insurance - licensing of agents. Requires an insurance agent to be licensed and qualified for every line of insurance other than variable annuity contracts for which the insurance company requisitioning his license is certified to sell in Colorado, but only those agents designated by the company and specially qualified and licensed therefor may sell variable annuity contracts.

April 16

April 16

139 Local improvement districts - bonds of directors. Main changes permit the directors of certain local improvement districts to post individual, schedule, or blanket bonds. In some cases, the former maximum amount of the bond is made the minimum.

May 7

May 7

- | <u>No.</u> | <u>Subject</u>  |          |                 |
|------------|---|----------|-----------------|
| 140        | <u>County powers - licensing dogs.</u> Increases maximum fees chargeable by a county for annual registration or licensing of all dogs to \$3.50. Former limits ranged from \$2.00 to \$3.00.  | May 31   | January 1, 1970 |
| 142        | <u>Schools - director district plan changes.</u> Provides that either the board of education or the electors of the school district can propose, as to an existing director district plan of representation, to change the number of director districts. With regard to such changes in such districts, the board may any time, and must every four years, ascertain the relative number of electors in each district and propose a method of equalization and contiguity, and for such purposes may propose changes in the number of director districts, or boundaries, or both, so long as the number of directors is kept at not less than 5 nor more than 7, or the board can propose the elimination of the director district plan and the return to an at-large plan. Any such proposed plan must be made by board resolution not less than 30 days prior to the regular election instead of the 60 day interval formerly required, and no change which is approved shall cause the termination of any director's term already started. | March 26 | March 26        |
| 143        | <u>Division of game, fish, and parks - parks and recreation.</u> Authorizes the division of game, fish, and parks to contract with political subdivisions of the state for the development, operation, and maintenance of parks or recreational areas owned by such subdivision, and provides that possession of any such park or area need not be transferred to the division, nor shall any entrance fee be charged as to such park or area.  | March 28 | March 28        |
| 144        | <u>Public employees retirement association - appropriation.</u><br><br><u>Contributions.</u> Increases the required contributions of state employees from the present 6% (including 1 per cent for survivor benefits) to 7% and eliminates the separate contribution for survivor benefits. Highway patrol officers will now pay 8%, instead of the former 7%. State contributions to be credited to the state division of the retirement fund are increased to 7% effective July 1, 1969, increasing to 8% the year thereafter, and to 8 1/2% July 1 of the following year. The separate 1% contribution for survivor benefits is also eliminated for the state.<br><br><u>Member benefits.</u> Removes a provision reducing benefits for employees retiring before age 60. Authorizes an increased benefit of 1% per year for each year of service over 20 years rendered after July 1, 1969, up to a maximum total benefit of 70% of the highest average monthly salary, computed in the   |          |                 |

No.                      Subject

144 usual manner. The same provision is made applicable in the case of  
cont. the highway patrol. Optional forms of annuities are changed in  
minor respects. A new section requires an annual redetermination  
of benefits payable after May 1, 1969, and authorizes an increase  
in benefits of 1 1/2% per year, with minimum and maximum limits  
specified, the latter being tied to the consumer price index.

Survivor benefits. Annuities payable to surviving spouses of  
deceased members have an increased minimum, from \$125.00 to \$150.00  
per month. Payments to or for minor children under age 18 and to  
dependent parents, where neither spouse nor minor children survive  
the member, are increased by \$25.00 per month in most cases.

Miscellaneous. The retirement board is to submit annual  
actuarial valuation reports to the legislative audit and joint  
budget committees, with recommendations as to necessary changes,  
based on amortization over a 60 year period as being adequate for  
the stability of the retirement fund. Some minor changes are made  
with respect to the length of service of judges of courts of  
record, both as to retaining membership and as to annuities of dis-  
abled dependent spouses. The act appropriates to the state con-  
troller \$1,933,622 for the state's increased contribution to the  
fund, of which \$1,015,226 is from the general fund and \$918,096  
out of cash funds.

June 1                      July 1

145 Eye protection devices in educational institutions. Requires  
governing body of every educational institution to provide eye  
protective devices for the use of all persons participating in or  
observing courses and activities involving the use of hazardous  
substances likely to cause eye injury. The person supervising the  
course or activity has the duty of requiring the use of such  
devices. A non-exclusive list of courses, activities, and sub-  
stances is set forth, primarily shop and laboratory courses,  
involving work with flammable, toxic, corrosive, and pressurized  
materials, and activities relating generally to working with metals  
and heat, which require the wearing of eye protection devices.  
General standards are set for the devices, and the commissioner of  
education is to implement the act.

April 2                      September 1

146 Military code - national guard. Act submitted by revisor of  
statutes, to delete a reference to a repealed statute concerning  
payments to the national guard, and to delete an obsolete provi-  
sion concerning the adjutant general.

April 2                      April 2

147 Alcohol - manufacture - sale. Act submitted by revisor of statutes,  
deleting reference to office of justice of peace, now abolished, in  
connection with violation of statute concerning manufacture and  
sale of alcohol.

April 2                      April 2

<u>No.</u>	<u>Subject</u>		
148	<u>Metropolitan stadium act - repeal.</u> Act submitted by revisor of statutes, repealing the metropolitan stadium act, since the district formed by the act has been dissolved, and the act is now obsolete.	April 2	April 2
149	<u>Insurance - examinations and investigations.</u> Act submitted by revisor of statutes, to correct obsolete references to the insurance fund, which has been abolished, and to substitute the term general fund, with respect to costs of examination of the records of foreign insurance companies when made outside the state.	April 2	April 2
150	<u>Fees - county officers - clerks of court.</u> Act submitted by revisor of statutes, to delete obsolete provisions concerning fees of county officers and clerks of court, and the dates concerning the applicability of certain laws.	April 2	April 2
151	<u>Banking practices.</u> Act submitted by the revisor of statutes, deleting references to the negotiable instruments law, now repealed, with regard to closing banks on Saturday and the legal effect thereof.	April 2	April 2
152	<u>Savings and loan associations - examinations.</u> Act submitted by revisor of statutes, deleting obsolete reference to savings and loan inspection fund, with respect to reimbursement to the state of costs of examination of foreign savings and loan associations.	April 2	April 2
153	<u>Colorado Revised Statutes - validation of 1967 Supplement.</u> Act recites that the 1967 Supplement to Colorado Revised Statutes 1963 has been published according to law, and the supplement is declared to be in full force and effect as of March 8, 1968.	April 2	April 2
154	<u>Lieutenant governor - effect of governor's absence.</u> Act submitted by revisor of statutes, provides that when the lieutenant governor and president of the senate pro tem take over the duties of governor and lieutenant governor, respectively, by reason of the governor's absence from the state, the governor's salary no longer ceases during such absence, nor will the temporary occupancy of the higher offices by the lieutenant governor and the president pro tem entitle them to the salaries of those offices during such periods.	April 2	April 2 Senate Bills

- | <u>No.</u> | <u>Subject</u>  |         |         |
|------------|---|---------|---------|
| 155        | <u>Old age pensions - funds.</u> Act submitted by revisor of statutes, repealing an obsolete law and removing references thereto, concerning funds for old age pensions.  | April 2 | April 2 |
| 156        | <u>Elections - qualifications of electors.</u> Act submitted by the revisor of statutes to show clearly that a person who will have attained the age of twenty-one years by the date of an election can previously register to vote in that election, and also removes an obsolete reference to the office of constable concerning duties when a polling place is changed.  | April 2 | April 2 |
| 157        | <u>County functions - support of pauper.</u> Act submitted by revisor of statutes, removing a reference to justice of the peace courts, now abolished, concerning actions by the county commissioners to enforce support of paupers by relatives.   | April 2 | April 2 |
| 159        | <u>Cooperative associations - articles.</u> Act submitted by revisor of statutes, deleting an obsolete reference to the 1953 statutes, concerning amending the articles of cooperative associations.  | April 2 | April 2 |
| 160        | <u>County officers - surveyor's bond.</u> Act submitted by revisor of statutes, providing that the county surveyor shall file his official bond with the county clerk, for approval by the county commissioners, rather than vice versa, making the procedure in accord with that for other county officers.  | April 2 | April 2 |
| 161        | <u>Prostitution - delete justice of the peace reference.</u> Act submitted by the revisor of statutes to delete an obsolete reference to a justice of the peace in 40-9-14, C.R.S. 1963, concerning the penalty for prostitution.   | April 2 | April 2 |
| 163        | <u>Motor vehicles - volunteer firemen - special red lights.</u> Provides that the private automobiles of volunteer firemen may be equipped with a red light temporarily mounted on the top of the automobile, while going to, attending, or returning from a fire or other emergency, or a light permanently mounted to the top of the automobile to be provided with an opaque cover with the cover to be removed and light used only while going to, attending, or returning from, a fire or other emergency. | May 7   | May 7   |

<u>No.</u>	<u>Subject</u>		
165	<u>Supplemental appropriation - division of purchasing. For personal services - \$10,649.</u>	March 18	March 18
166	<u>Supplemental appropriation - legislative audit committee. To audit the intercollegiate athletic programs at selected institutions of higher learning - \$25,000.</u>	March 18	March 18
167	<u>Supplemental appropriation - soil conservation board. For operating expenses - \$3,082.</u>	March 18	March 18
168	<u>Supplemental appropriation - secretary of state. For publishing of the initiated and referred constitutional amendments, as required by section 70-1-14, C.R.S. 1963 - \$17,040.</u>	March 18	March 18
169	<u>Supplemental appropriation - state board of accountancy. For personal services, operating expenses, and capital outlay - \$5,072.</u>	March 18	March 18
170	<u>Supplemental appropriation - Colorado state fair and industrial exposition. For personal services and operating expenses - \$56,263.</u>	March 18	March 18
171	<u>Supplemental appropriation - Lathrop park youth camp. For personal services - \$2,950.</u>	March 18	March 18
173	<u>Oil and gas commission - hearings and notice. Act allows the commission to give notice by mail, in addition to personal service or publication. Personal service may be required. The notice must state the time limit for protests to petitions. A new provision allows any person believing he has an interest to request notices by mail of any proceeding. Written protests may be filed with the commission up to three days before hearings, copy thereof to be mailed by the protestor to the petitioner; any such filing entitles a protestor to be heard. Hearing can be waived and petition granted by consent of all interested parties.</u>	June 1	July 1

No.

Subject

174 Schools - educational achievement - work study programs - appropriation. Act has 2 purposes which are as follows:

1. To provide assistance to school districts to carry out programs for educational achievement of those students in grades 2 through 12 who are 2 or more grade levels below their assigned grade in reading. Local school districts are eligible to apply to the state board of education for grants for planning and implementing pilot programs for improved educational achievement through: Improved use of educational personnel; training and development programs designed to enable teachers to acquire special skills in the problems of children who are not achieving up to their grade levels; comprehensive educational programs designed to meet the special needs of children who are not achieving up to their grade levels; capital outlay limited to the specific needs of programs for educational achievement. Educational achievement programs have to meet certain criteria, among which are: A workable plan for a comprehensive program for using financial resources from all sources for improved educational achievement; programs must be of such size, scope, quality, and design as to assure substantial progress for attaining educational achievement. To provide guidelines for educational achievement programs, an "Educational Achievement Committee" is created. The committee has 9 members appointed by the governor, and is comprised as follows: 2 members of the general assembly; 1 member of the commission on higher education; 1 employee of the compensatory education division of the department of education; 1 local school board member; 1 public school administrator; 1 public school teacher; and 2 parents of children who are not achieving up to their grade levels.

2. To establish a demonstration work study program in state institutions of higher learning to aid students in meeting the costs of higher education. The program is to be established by the Colorado commission on higher education and is to be designed to provide employment for qualifying students in positions which are directly under the control of the institution providing the position. The program is limited to Colorado resident students. Provision is made for allocation by the commission of the appropriation for the work study program as follows: Not more than 30% may be used for funding on a basis other than financial need; not more than 70% shall be allocated for students demonstrating financial need.

\$2,000,000 is appropriated to the state board of education to implement the educational achievement program, and \$300,000 is appropriated to the state board of education to implement the work study program.

The provisions of the act dealing with the work study program take effect July 1, 1969, and the provisions dealing with the educational achievement programs take effect September 1, 1969. All other provisions take effect upon passage.

June 24

June 24



No.

Subject

- 178 Colorado river conservation district - mill levy. Increases from two-tenths to five-tenths of one mill the maximum general levy allowable to cover ordinary expenses of the Colorado river conservation district.

June 7

July 1

- 179 Health - air pollution control. The legislative declaration concerning air pollution control is expanded to make the control provisions automatically applicable when the ambient air standards are exceeded. Department of health is given complete enforcement authority and local authorities are called upon to do their part. The definition of air pollution is enlarged to include unreasonable interference with the conduct of business. Ambient air standards are changed by reducing the allowable amount of suspended particulates at which point control measures are to be instituted, and allowable emissions are reduced for fuel-burning equipment. Limitations are placed on the effect of variances granted by local authority. The variance board can suspend any emission standard it finds not worthwhile. Court warrants are authorized to gain entrance onto property for inspection when necessary. In cases of immediate danger to public health, the division can request the governor to declare an emergency and issue any necessary orders including halting or curtailing vehicle traffic or other sources of pollution. The act prohibits any person from permitting any emissions in areas where the standards are applicable unless the person gives the division an air contaminant emission notice. Compliance with the federal act is recited. In areas not designated as subject to the standards, emissions in amounts exceeding the standards can be declared a public nuisance, and if an abatement agreement cannot be reached, a petition may be filed in the district court to determine existence of nuisance and requesting court orders to require compliance with standards. Automobile inspections required by law are to include inspecting the connection of pollution control devices installed by manufacturers on 1968 and later models, and it is made a misdemeanor to disconnect such device or to drive knowing the vehicle's device has been disconnected.

July 1

July 1

- 180 Hospitals and other health facilities - licensing. Removes the highest standards concerning building regulations and fire safety for nursing homes. Act applies only to licenses issued on or after its effective date.

June 1

June 1

- 187 Public employees' retirement association - temporary employment by retired state, school district, and municipal employees. Provides that retired state, school district, and municipal employees receiving benefits from the PERA, may temporarily work in certain public employment for a period not to exceed 90 days per calendar year without reduction or suspension of PERA benefits.

April 23

April 23

Senate Bills

No.

Subject

188 General property tax - exempt property. This act continues, subject to limitations, an exemption from general property taxes which a 1967 act had specified would not be available to certain property starting in 1969. The property involved is defined as that owned and used solely for charitable purposes. Such property is specifically made exempt if it is non-residential, or if it is an integral part of an institution whose property is otherwise exempt. If it is residential, and non-integral, it must qualify for exemption by meeting several qualification tests, to be determined by the tax commission, as follows: Occupancy - The structure must be occupied as an orphanage, or as a home for individuals age 62 or over or families whose head or spouse is that age and whose income and assets are not more than 1½ times the limitations imposed thereon by the regulations applying to the nearest low-rent public housing federally financed under chapter 8, Title 42., U.S. Code. Operation - The structure must be operated efficiently, on property not excessively large for the purpose, and there must be no discrimination as to occupancy. Ownership - The property must be owned by a non-profit corporation so organized and operated that under no circumstances can any benefit of ownership or operation inure to a private person.

Declares such use to be a charitable purpose since such accommodations lessen the burdens of government.

If only part of the occupancy of such a structure qualifies under the specifications, the tax commission is authorized to tax a pro rata portion of the property's value. The commission is authorized to require complete financial reports concerning both the operation and the occupants.

A repeal section makes the exemption of non-integral residential property ineffective on and after January 1, 1985.

June 7

June 7

189 Mines and minerals - safety of earthworks. Requires coal mine inspectors, in course of the required underground coal mine inspections, to examine adjacent surface areas, starting July 1, 1969, with respect to prevention of landslides, floods, and erosion. If the surface area is found not to be properly stabilized and preventive stabilization measures are needed, the inspector must give notice of the defects, ordering the remedies within a certain time, or may obtain an agreement concerning same. If the work is not done, the commissioner of mines may secure an injunction to halt operations. The same requirements are made as to the duties of other mine inspectors of the division of mines, not only as to all types of mines (other than coal mines), mills, smelters, pits, quarries, and the like, but also, in cooperation with other state agencies, with respect to dams, highways, and additional types of excavations. All such mines and other operations are also to be inspected on completion or cessation of operations, with respect to surface stabilization. To insure performance of the stabilization work ordered or

Senate Bills

No.                      Subject

189    or agreed to be done, the commissioner of mines may require a  
cont. performance bond. The commissioner is given additional duties  
of collecting information on successful stabilization methods,  
and can call on various other state agencies for data and  
assistance concerning such stabilization. Additional safety  
regulations are provided concerning the duties of owners in  
securing abandoned mines against trespass and failure to do  
so is made a misdemeanor, as is trespassing thereon. Entry  
into any mine or excavation, active or inactive, without per-  
mission, is declared a misdemeanor, and subject to penalty.

May 10

July 1

191    Right of action granted - Alfonso Cordova. Grants to Alfonso  
Cordova the right to sue the state, within one year after the  
effective date of the act, to determine the state's liability  
for his injuries suffered in an accident on U.S. highway 285  
in Chaffee county, Colorado, on June 3, 1967.

May 31

May 31

192    Title insurance code of Colorado. This act enacts "The Title  
Insurance Code of Colorado", which provides for comprehensive  
regulation of title insurance companies. The main changes in  
the law are as follows:

1. Regulation of domestic title insurance companies is trans-  
ferred from the state bank commissioner to the commissioner of  
insurance.
2. Domestic title insurance companies formed after July 1,  
1969, are required to be formed as a stock corporation. Pre-  
viously any form of business enterprise organized by not less  
than 3 persons was authorized.
3. Foreign title insurance companies, formerly regulated as  
casualty insurance companies, become subject to this act on  
July 1.
4. Title insurance companies are required to make a reasonable  
title examination to determine insurability of title, prior to  
the issuance of a title policy, and evidence thereof is required  
to be maintained for not less than 15 years.
5. Title insurance companies are required to establish unearned  
premium reserves. With respect to each policy issued, \$1.00  
plus 15¢ for each \$1,000 face amount of net retained liability  
on each policy, is to be set aside for the unearned premium  
reserve. A formula is provided for withdrawals from the reserve.
6. Title insurance companies are required to maintain reserves  
against unpaid losses.
7. Limitations are established on net retained liability.

Senate Bills

<u>No.</u>	<u>Subject</u>		
192 cont.	8. Title insurance companies are given the power to reinsure.		
	9. Legal investments for title insurance companies are the same as those for other insurance companies. In addition, title insurance companies are authorized to invest in a title plant.		
	10. Title insurance agents are required to be licensed in the same manner as other insurance agents.		
	11. Title insurance rates and rating organizations are regulated in the same manner as other insurance rates and rating organizations.		
	12. Paid up cash capital or guaranty fund requirement is \$200,000, but if business is limited to the state of Colorado, the requirement is only \$100,000. Surplus requirement is \$100,000, but only \$50,000 if business is limited to the state of Colorado.		
		May 31	July 1
193	<u>Appropriation to Colorado claims commission.</u> For settlement of a claim against the state by Charles Garbarino for injuries resulting from a fall at a state port of entry station - \$10,000. Appropriation is out of the highway users tax fund.		
		April 16	April 16
194	<u>Supplemental appropriation - state reformatory.</u> For personal services - \$36,228.		
		April 16	April 16
195	<u>Supplemental appropriation - state board for community colleges and occupational education.</u> For distribution as a grant to Colorado mountain college, pursuant to 124-26-29 (2), C.R.S. 1963, as amended - \$14,490.		
		April 16	April 16
196	<u>State treasurer - duties with respect to cancelling bonds and keeping of a cash book.</u> Repeals the laws concerning the duty of the state treasurer to cancel by perforation any bonds and warrants redeemed by him, and the duty of keeping a cash book in which is recorded the receipt of tax or other public moneys from county treasurers or other persons.		
		April 23	April 23
201	<u>Unemployment benefits - eligibility after having received workmen's compensation.</u> Provides that any person who is separated from employment due to accident or injury resulting in a temporary total disability, and who receives workmen's compensation benefits therefor, shall, if otherwise eligible, be entitled to receive after the end of the continuous period of disability, unemployment benefits which were available at the time of separation from employment.		

No.

Subject

201 cont. Payments of benefits for a week are payable only if a claim therefor is filed within the 4 weeks following the end of the disability period, and the week for which benefits are claimed occurs within 3 years after the date of separation from employment.

May 7

July 1

202 "Urban Drainage and Flood Control Act". The act creates "The Urban Drainage and Flood Control District" which includes the city and county of Denver and designated sections of the counties of Adams, Arapahoe, Boulder, Douglas, and Jefferson.

The district will be governed by a fifteen member board of directors to be composed as follows: The mayor of the city and county of Denver shall be an ex officio director; three directors appointed by the city council of the city and county of Denver who shall be members of the city council; one director each from the counties of Adams, Arapahoe, Boulder, Douglas, and Jefferson appointed by the board of county commissioners of each such county, who shall be a member of such board of county commissioners; one director each from the counties of Adams, Arapahoe, Boulder, and Jefferson appointed by the governor who shall be an executive officer of a municipality located within such county; and two directors appointed by the other members of the urban district board who shall be registered professional engineers.

The urban district is charged with acquiring, improving, maintaining, and operating such facilities and projects as may be necessary in the drainage and flood control system within the urban district. The board may create within the urban district special assessment improvement districts, sewer districts and subdistricts, relief districts, and intercepting districts.

The urban district is authorized to borrow money and issue district securities evidencing the amount borrowed. District securities include bonds, temporary bonds, notes, warrants, and interim debentures.

The urban district has the power to levy taxes against all taxable property within the urban district. Any levy in excess of one-tenth mill must be submitted for approval by a vote of the taxpaying electors of the urban district, except that the urban district may, without a vote, levy taxes (1) without limitation as to rate, for the payment of any debt authorized by the taxpaying electors, (2) without limitation as to rate, to pay interest on general obligation securities of the urban district, (3) not over one mill, to defray costs of capital improvements, (4) not over one mill, to accumulate funds as additional security pledged for the payment of any assessment bonds or debentures, and (5) not over one-half mill, to defray operation and maintenance expenses. The urban

No.                      Subject

202    district has power to levy assessments against real property within  
cont. an improvement district, and to charge and collect rates, fees, and  
other service charges.

The aggregate amount of indebtedness of the district may not exceed three per cent of the valuation for assessment of the taxable property of the urban district. General obligation bonds, temporary general obligation bonds, and general obligation interim debentures only are totalled to compute such aggregate amount of indebtedness. Not constituting indebtedness for such purposes are district securities constituting special obligations, assessment bonds and debentures, notes, warrants, general obligations and special obligations payable within one year, interest on any district securities, any moneys advanced by the federal government or any public body to be repaid by the urban district, any prior redemption premiums due, and any prepayment charges.

Urban district securities may be issued at, above, or below par at a discount not exceeding seven per cent of the principal amount, and at a price which will result in a net interest rate not exceeding seven per cent per annum.

The board may create special assessment improvement districts within the urban district, and may levy special assessments against property within the improvement district and pledge the money collected to pay assessment bonds and debentures. As primary security for the payment of assessment bonds and debentures, the urban district is required to pay any deficiency in any improvement district and reimburse itself by collecting the unpaid assessments due. As additional security, it may contract with the holders of assessment bonds and debentures to levy and collect general property taxes not to exceed one mill and deposit same in a special fund. If any assessment proves insufficient to pay any project for which it is levied, the amount of the deficiency must be paid by the urban district which may levy general property taxes for such purpose not to exceed one mill. All property, whether owned privately or by the urban district, the state, or any county, city, or any type of district, authority, or institution of higher education within the urban district is subject to assessment.

The urban district may establish and maintain separate sewer districts and subdistricts for storm drainage. The urban district may classify districts as sewer districts, relief districts, or intercepting districts. It may acquire subdistrict laterals in any subdistrict. The cost of district sewers may be assessed upon all assessable property in the improvement district. The cost of submains will be assessed to the subdistricts which are supplied with submains.

The territorial limits of the urban district may be enlarged by annexation by (1) petition and consent of the fee owners of contiguous property, (2) by petition and approval of taxpaying electors of contiguous property, or (3) by action initiated by the urban district.

No.

Subject

202  
cont.

Property of the urban district is exempt from taxation.

June 7

June 14

203

Public school system - professional practices commission - appropriation. Creates in the department of education a professional practices commission for the establishment of a code of professional ethics and standards for teachers. The commission is to consist of 12 members appointed by the governor from nominations submitted by the state board of education, for original terms of from 1 to 3 years and staggered terms thereafter of 4 years each. The commission membership is to be made up of 4 elementary and 4 secondary school teachers, 1 vocational or special services teacher, 1 elementary and 1 secondary school principal, and 1 school superintendent. An educational practice fund is created to pay commission expenses, funded by a fee of \$2 from each subscribing teacher. The code of ethics and professional standards can be adopted or amended only on majority vote by subscribing members and 2/3 majority vote of the commission. The commission may investigate complaints concerning teachers and may recommend revocation or suspension of teachers' certificates, but cannot bind the department of education or the board. \$3,000 is appropriated to the commission for expenses.

June 1

July 1

205

Concerning witnesses in probate proceedings. Provides that in a proceeding to establish a will or codicil, or to contest same, a witness is not to be barred as being a party in interest on the grounds he or an organization in which he has an interest will render services to the estate and receive compensation therefor, nor is an executor to be deemed a party to a proceeding merely because he is proponent of the will or codicil or is named therein as executor. Applies to proceedings commenced after the effective date of the act.

April 16

April 16

206

Health insurance - state employees - appropriation. Changes the law concerning health insurance for state employees, to make the supplemental health insurance plan supplemental to medicaid as well as medicare, changes the waiting period for eligible persons who fail to make a timely election as to enrollment, from "at least 12 months" to "until the next enrollment", increases the state contribution from \$5 to \$6.75 per month for each state employee enrolled, and appropriates \$304,000 for the state's increased contribution, including \$167,200 from the general fund, and \$136,800 out of cash funds.

May 31

July 1

Senate Bills

- | <u>No.</u> | <u>Subject</u>  |          |          |
|------------|---|----------|----------|
| 210        | <u>Crimes and punishment - vagrancy.</u> Repeals the law concerning vagrancy, and also the provision for the right to trial by jury on such charge.   | April 16 | April 16 |
| 213        | <u>Firemen's pensions - cities of 100,000 population or more.</u> With respect to retirement for disability, the act provides that a retired officer, member, or employee of a fire department, after retirement, shall continue to accrue longevity and his length of service shall continue to extend in the same manner and with the same limitations as if he were still active and not retired. The act makes extensive amendments concerning the amount of the pension for routine retirement and retirement for disability. For an analysis of such amendments, the act itself should be consulted.  | June 7   | July 1   |
| 214        | <u>Telecommunications Research Facilities.</u> Provides that the planning commission, board of adjustment, and governing body of the city, town, or county having a telecommunications research facility within its jurisdiction <u>must</u> be guided, as to permitting uses of land lying within 2 miles of the perimeter of the facility's perimeter, by whether any proposed land use would interfere with the research facility's operations, primarily on the question of electrical interference, in the case of proposed use for either commercial or residential purposes. The approval of a subdivision plat can be granted, subject to certain exceptions, only if covenants are filed containing specified prohibitions and requirements concerning the use of certain enumerated electrical equipment or specifying its method of use. Exemptions are provided as to some types of land use, and waivers of prohibitions are authorized. Expressways, major arterials and, subject to exceptions, collector streets, within 1 mile of the facility, are prohibited. These limitations are to be written into zoning and building resolutions of any city, town, or county having an existing facility. Repeals former criminal law concerning such facilities. | April 23 | April 23 |
| 215        | <u>Judges.</u> Increases from 3 to 4, the number of judges authorized for the 20th judicial district, effective July 1, 1970.   | May 10   | May 10   |
| 216        | <u>Insurance - examination of companies.</u> Provides for the examination of executive or branch office of domestic insurance companies located outside the borders of this state. The expense of any such examination is to be borne by the company examined.  | May 7    | July 1   |



No.

Subject

217 Insurance - pecuniary interests of officers, directors, and employees of insurance companies. Provides that no director, officer, or employee having any authority in the investment or disposition of the funds of a domestic insurance company, shall accept or be the beneficiary of, except on behalf of the company, any fee, brokerage, gift, or other emolument because of any investment, loan, deposit, purchase, sale, payment, or exchange made by or for the company. Provides that a director who is not otherwise an officer or employee of the company may receive compensation for necessary services performed for sales or purchases made to or for the company in the ordinary course of the company's and the director's business. Provision is made for the bringing of suit to recover, on behalf of the company, any profit or gain received by any director, officer, or employee.

May 10

July 1

218 Highways - relocation assistance. Authorizes the division of highways to give relocation advisory assistance, including assistance in obtaining replacement facilities, to certain persons who are displaced or required to relocate due to the acquisition of real property or a right-of-way for a highway project. Types of assistance are as follows: Compensation for moving expenses; or, for the cost of moving from a dwelling, a moving expense allowance of not more than \$200; or a fixed relocation payment, when a business or farm is moved or discontinued, equal to the average annual net earnings of the business or farm, or \$5,000, whichever is less. Additional assistance is authorized when the property is improved with a 1, 2, or 3 family dwelling, if the dwelling is owned and occupied by the owner for not less than 1 year prior to the first written offer for the acquisition of such property. A formula is provided for the determination of such additional assistance, but it cannot exceed \$5,000. Provides that the division shall make a payment to any individual or family displaced from any dwelling and not eligible to receive assistance as provided above, which dwelling was lawfully actually occupied by such individual or family for not less than 90 days prior to the first written offer for the acquisition of the property. Such assistance cannot exceed \$1,500, and is based on the cost, or the rental for 2 years, of a similar dwelling. The division is directed to pay certain other expenses, such as recording fees, transfer taxes, and mortgage prepayment penalties. All assistance is to be paid out of the cost of a highway project. A review procedure by the chief engineer is provided, and his decision is final. The division is authorized to adopt rules and regulations to implement the act.

May 31

May 31

Senate Bills

- | <u>No.</u> | <u>Subject</u>  |          |          |
|------------|---|----------|----------|
| 232        | <u>Appropriation - Gilpin county.</u> For expenses to be incurred by Gilpin county in the prosecution of the criminal proceeding, <u>The People of the State of Colorado vs. Woodard, Kennedy, et al</u> - \$16,150.  | May 31   | May 31   |
| 239        | <u>Towns and cities - recall of officers.</u> Makes the method of recall of elective town officers applicable to cities also, and clarifies the method by providing that the number of signers of the recall petition must be at least 40 per cent of the number of ballots cast for the particular office involved in the recall.  | May 15   | July 1   |
| 240        | <u>Agriculture - seeds.</u> Changes the defined term "hybrid seed" to "hybrid" alone, amending the definition thereof, and adding a definition of "controlling the pollination". The period of time after germination tests within which seed can lawfully be sold is lengthened in the case of seed in hermetically sealed containers, and the department of agriculture's authority to issue and enforce stop sale orders is extended to cover vegetable and ornamental plant seed.   | April 10 | July 1   |
| 244        | <u>Purchase of Farmers Union Building - appropriation.</u> Authorizes the purchase of the Farmers Union Building and parking structure for a price of not more than \$3,000,000, subject to existing tenancies, on or before March 31, 1969. Prescribes terms of sale and purchase, and provides for crediting of rental and parking revenues after building acquired, to the farmers union amortization account in the capital construction fund, and for the payment of maintenance and operation expenses therefrom. Provides for the employment by the state of janitorial, maintenance, and security personnel of farmers union. Appropriates \$3,000,000 to department of administration, division of public works, for such acquisition. NOTE: See S.B. Nos. 297 and 423 for appropriation out of farmers union amortization account for payment of such expenses. | March 18 | March 18 |
| 245        | <u>Debt adjusters - fees.</u> The act reduces maximum fees which licensed debt adjusters can charge, and prohibits any fee until 90%, rather than 80% as previously, of the debtor's creditors have agreed to a debt management plan. Fee reductions include: Fees chargeable, from 12 1/2% down to 1% of the outstanding indebtedness; application fee, from \$25 down to \$5; balance of fee allowable in case of early pay-off by debtor, from 25% down to 15%; and fee on cancellation by debtor, from \$25 down to \$5.  |          |          |

VETOED JUNE 7

No.Subject

- 246 State officials - increases in certain officials' salaries. Increases the annual salaries of the following appointed state officials: Members of the state board of land commissioners, from \$12,500 to \$13,200, effective July 1; members of the industrial commission, from \$15,000 to \$17,000; and members of the civil service commission, from \$12,500 to \$13,200, effective July 1.
- May 31                      May 31
- 247 Nonprofit corporations - definition of "duplicate originals". Provides that in the "Colorado Nonprofit Corporation Act", the term "duplicate originals" means each instrument typed and executed in duplicate by all parties, or a true copy made when the original was made or copy made by picture or other process from the original, which resulting copy must be black type on white paper.
- May 31                      May 31
- 250 Corporations - change of registered office or registered agent. Provides that restated articles of incorporation may include provisions concerning the last registered office address and registered agent on file.
- June 1                      June 1
- 251 Corporations - definition of "duplicate originals". Amends the definition of "duplicate originals" in the "Colorado Corporation Code" so that said term is defined as is provided in S.B. No. 247 above.
- May 31                      May 31
- 252 Public records - inspection. Amends 1968 act concerning inspection of certain public records. Adds to the list of records which are not available for inspection by anyone other than the person in interest, the addresses and telephone numbers of public elementary and secondary school students. Prohibits inspection by person in interest of letters of reference concerning such person. It also creates a new exception to such prohibition against allowing inspection, by authorizing the transmittal by a custodian of data concerning a student's scholastic achievement to a prospective employer, and allowing transmittal of data, inspection of, or furnishing copies of, a student's scholastic, medical, psychological, or sociological records to a law enforcement agency which shows that such information is necessary for its investigation of a student.
- May 31                      May 31

- | <u>No.</u> | <u>Subject</u>  |        |        |
|------------|---|--------|--------|
| 253        | <u>Supplemental appropriation - department of social services. For operation of the workshop for the blind - \$60,129.</u>  | May 7  | May 7  |
| 254        | <u>State universities and colleges - student safety and welfare regulations.</u> Gives governing boards of state institutions of higher education authority to make rules and regulations for the safety and welfare of students, employees, and property. Specific authority is granted to such boards to control the operation and parking of vehicles on school property, including methods of vehicle identification and enforcement thereof, and also granting authority to cede jurisdiction to local authorities to enforce traffic laws, ordinances, and resolutions on the property and to install traffic controls. Boards are further authorized to establish a system of identification of students, faculty, and staff, and to enforce compliance with the system. Authority is also granted to hire any licensed physician to examine and treat students of any school.   | June 7 | June 7 |
| 256        | <u>Local government - audit law.</u> With respect to the Colorado local government audit law, the act further defines "local government" to include any governmental unit having authority to impose special assessments, and any organization of political subdivisions or officers or employees thereof, whose expenses in whole or part are paid from dues or contributions received from member political subdivisions.   | May 7  | July 1 |
| 258        | <u>Water - river basin authorities.</u> Authorizes creation of 13 river basin authorities throughout the state, for the stated purposes of promoting stability of supply and to encourage maximum utilization of water by means of planned management. Such management is to be exercised by the board of directors of each authority, the 7 members of which are to be selected by the commissioners of the counties within a basin, meeting en banc and after first voting to form such authority. Appointees must be landowners living in the basin. Original appointments are for terms of from 1 to 7 years, after which all terms are for 7 years. Each authority has the power to construct and operate water facilities, to condemn property therefor, to impose taxes on the real property right to use water and which tax may be based upon classifying properties on the basis of benefit received, with a limit thereon of 1/2 mill. Bonds may be issued when authorized by the taxpaying electors of the basin, according to the procedure set forth. Authority is granted the board to establish standards of water use, and various definitions are set forth therefor, but such standards shall not be inconsistent with any established under other legislative authority. No such authority is to include Denver, and consent is necessary to include any area furnished urban or industrial water by a municipal or quasi-municipal corporation, or any |        |        |

No.                      Subject

258    industry with its own water supply, or any existing water con-  
cont.    servation district.

July 1

July 1

262    Department of agriculture - functions. Adds new provisions concerning functions of the department of agriculture and certain changes with respect to the commissioner of agriculture and the state agricultural commission. The department is now permitted to authorize by regulation the issuance or renewal of any required licenses or other authorizations at different dates than those specified by statute so long as the duration of any such license is not changed. The governor's appointment of the commissioner of agriculture is now to be made without any recommendation from the state agricultural commission, and the appointment and salary are subject to civil service. The duties of the department and the commission are changed by the elimination of provisions requiring the department to provide crop protection from hail loss, and pertaining to some commission duties which have been rendered superfluous by the "Administrative Organization Act of 1968".

June 7

July 1

263    Political parties - when certain committees shall meet. Provides that the organizational meetings of the state senatorial and state representative district central committees, to be held in each odd-numbered year, shall be held between February 1 and April 1. Formerly, such meetings were required to be held between March 15 and April 1. Deletes the provision which allowed state senatorial and state representative central committees to hold organizational meetings between March 1 and April 1 of odd-numbered years if the senatorial or representative district was comprised of all or a portion of one county.

May 31

July 1

264    State lands - sale and lease. Authorizes the department of institutions to sell and convey certain described lands in Jefferson county now held for the use and benefit of the Look-out Mountain school for boys. Certain terms of sale are specified. Also permits the department to lease certain described lands in Jefferson county to the North Jeffco Metropolitan Recreation and Park District.

May 10

May 10

265    Abandoned motor vehicles. Provides that a motor vehicle shall not be presumed to be abandoned until a bona fide attempt is made to contact the owner or operator. Increases from 30 days to 60 days the time in which an owner or lien holder may reclaim an abandoned vehicle before the public agency is authorized to sell the motor vehicle. Increases the minimum fee that may be charged for towing from \$5.00 to \$10.00, and increases the maximum of the fee that may be charged for

Senate Bills

No.                      Subject

265    uncovered or covered storage from \$1.50 to \$2.00. Authorizes an  
cont. additional fee if extra wheeled equipment is necessary and used  
in towing. Also creates a presumption of abandonment if a vehicle,  
left on private property under arrangements, is not removed in  
72 hours after written notice is issued to remove the vehicle.

June 7                      July 1

269    Rio Grande water conservation district - miscellaneous amendments.  
Provides that the office of any director of the district may be  
declared vacant by a majority vote of all members of the board  
when that director has failed to attend 2 consecutive meetings  
without excuse. Provides that vacancies in the office of director  
are to be filled by the county commissioners for the unexpired  
term of the vacated office. Provides for the appointment by boards  
of county commissioners of the successors to the present members  
of the board of directors for staggered terms of office. Provides  
that the regular quarterly meetings of the board of directors are  
to be held within the district, and the date and place of such  
meeting is to be fixed by the board at the next preceding quarterly  
meeting, and the time and place is to be advertised in a newspaper  
having general circulation in the district. Raises the mill levy  
limit from four-tenths of a mill to 1 mill, and expands the utili-  
zation of the proceeds of the mill levy to include all lawful pur-  
poses of the district, including capital construction.

May 7                      May 7

272    Counties - classification for compensation of county officers.  
For the purpose of compensation of county and other officers, the  
following counties are reclassified as follows: Baca, from IIIB  
to III; Chaffee, from IIIA to IIF; Delta, from IIF to IIC; Douglas,  
from IIIC to IID; Elbert, from IVA to IIIC; Gilpin, from VI to V;  
Gunnison, from IIIC to IIIB; Hinsdale, from VIA to VI; Jackson,  
from V to IVB; Lake, from IIIB to III; La Plata, from IIE to IIC;  
Logan, from IID to IIB; Montezuma, from IIF to IID; Montrose,  
from IIE to IIC; Morgan, from IID to IIB; Park, from IVC to IVA;  
and Summit, from IVC to IIIC.

Act applies only to officers elected or appointed on or  
after July 1, 1969.

June 24                      July 1

274    Littering - programs for control. Gives the executive director of  
the department of natural resources the power and duty to develop  
and promote programs for the prevention, abatement, and control of  
littering. The executive director is authorized to enter into  
contracts for the implementation of such programs.

May 7                      May 7

275    Crimes and punishment - defacing property. This act makes it a

Senate Bills

No.

Subject

275 cont. misdemeanor to deface public or private property without the consent of the owner of such property. Defines "defacing", and requires posting of signs along highways giving notice of this act. The law concerning the defacing of natural scenery is repealed.

May 10

June 1

276 Littering prohibited. Makes it unlawful to litter, or to permit littering, on any public or private property in this state or any waters in this state, unless: The property littered upon is an area designated by the state, its agencies, or political subdivisions for the disposal of litter, or; the litter is deposited in a container installed on any such property for such purpose, or; the person littering or allowing the littering either is the owner or tenant of the property, or has obtained the written consent of the owner or tenant, or the littering is done under the personal direction of the owner or tenant. Provides that when litter is thrown from any motor vehicle, the operator of the vehicle is presumed to have caused or permitted the litter to have been thrown. The state patrol and the wildlife conservation officers and other enforcement officers of the division of game, fish, and parks are specifically given authority to enforce the act. Supervisors of state properties are directed to establish and maintain receptacles for litter and to publicize the availability of the receptacles.

May 31

June 1

278 School districts - sale of property - disposition of proceeds. Provides that when lands, buildings, or any combination thereof are sold by a school district, the proceeds, less costs of sale, shall be deposited in and expended from either the bond redemption fund or the capital reserve fund, or both such funds, as shall be determined by the board of education. The foregoing also applies to the disposition of the proceeds of casualty insurance, if such proceeds cannot be used advantageously to repair the damaged property. Repeals the provision in the law concerning the sale of school assets by new school districts.

May 31

May 31

282 Teachers - qualifications for type C certificate. Provides that an applicant for a vocational teacher certificate, type C, shall be of good moral character, shall have knowledge in depth of his subject matter, and shall have satisfactorily completed 5 or more calendar years in a particular trade or vocation area. Formerly, such persons were required to have at least a bachelor's degree and have satisfactorily completed a program of preparation for teaching a particular trade or vocation area, consisting of formal training or experience totaling 5 or more calendar years of which not more than 2 calendar years shall

<u>No.</u>	<u>Subject</u>		
282 cont.	have been devoted to the formal training portion of the program.	June 24	June 24
283	<u>Schools - teachers' salary schedules - exchanges.</u> Allows salary schedules set by school district board to be on basis of job description and definition, and authorizes and encourages boards to provide for exchange of teachers within as well as without the state.	June 7	June 7
285	<u>Insurance - assets of companies and the investment thereof.</u> Enacts a comprehensive body of law regarding the investment of insurance company assets. Generally, the prior law regarding the investment of assets is superseded by this act. The main provisions of the act are as follows:		
	1. The act sets forth in detail what are "admitted assets". Some of the items that are considered admitted assets are: Petty cash; demand deposits; gross premiums or premium deposits in the course of collection, with certain exclusions; due and uncollected premiums on certain types of insurance; reinsurance recoverable on paid losses; value of a company's ownership in the cash value of a life insurance policy; fixed and required interest due on certain evidences of indebtedness and other certain secured obligations; accrued rents due a company; declared and unpaid dividends; certain electronic data processing equipment.		
	2. The act defines "nonadmitted assets", which include goodwill, tradenames, and other like intangible assets, certain loans and advances to company officers, employees, and agents, stock in the company owned by it or any equity therein or loans secured thereby, and furnishing and fixtures. Nonadmitted assets cannot be used in determining the financial condition of a company.		
	3. Admitted assets are to be used in determining a company's surplus.		
	4. Deposits made with the commissioner of insurance as permitted or required by law are to be only certain admitted assets which are securities.		
	5. Authorizes certain investments for domestic insurance companies and provides that all such investments shall be admitted assets, except that quantitative limitations are placed on certain investments. Examples of such investments are: Almost all types of governmental bonds bearing interest, bonds of solvent corporations not in default in interest payments, most Canadian governmental bonds, and certain bonds of Mexico; first liens on real property, subject to extensive conditions; federally guaranteed or insured real estate loans; real estate for use in the company's business; certain real estate acquired as satisfaction of certain types of indebtedness due the company, and certain real estate acquired for the production of income; tangible personal property acquired for		



No.                      Subject

285                      the production of income, subject to certain conditions;  
cont.                      loans on life insurance policies; certificates of deposits;  
                                 preferred and common stocks of United States corporations,  
                                 but the aggregate value which may be admitted assets is  
                                 limited to not more than 10 per cent of the company's ad-  
                                 mitted assets. Several other enumerated types of investments  
                                 are listed, all of which qualify as admitted assets. Detail-  
                                 ed provisions are provided for the manner in which investments  
                                 are to be valued.

May 31                      May 31

291                      Judges - increase in compensation. Increases the compensa-  
                                 tion of certain judges as follows: Chief justice of the  
                                 supreme court from \$22,500 to \$25,000; associate justices  
                                 of the supreme court, from \$22,000 to \$24,500; district  
                                 judges, superior court judges, and the judges of the Denver  
                                 juvenile and probate courts, from \$18,000 to \$20,000.

May 7                      July 1

292                      Judges - salaries of county court judges. Provides that  
                                 the judges of the county courts shall receive the following  
                                 annual compensation:

In the city and county of Denver, and in Adams, Arapahoe,  
Boulder, El Paso, Jefferson, Larimer, Mesa, Pueblo, and Weld  
counties - \$17,500; in Otero county - \$12,700; in Fremont,  
Las Animas, Logan, and Morgan counties - \$10,000; in La Plata  
and Montrose counties - \$9,100; in Alamosa, Chaffee, Delta,  
Garfield, Montezuma, Prowers, and Rio Grande counties -  
\$8,250; in Douglas county - \$7,700; in Conejos, Huerfano,  
and Yuma counties - \$7,100; in Baca, Bent, Kit Carson, Lake,  
Moffat, Routt, and Washington counties - \$6,850; in Clear  
Creek county - \$6,500; in Eagle, Gunnison, Lincoln, and  
Rio Blanco counties - \$5,800; in Costilla, Crowley, Elbert,  
Grand, Phillips, Saguache, San Miguel, and Sedgwick counties  
- \$5,700; in Archuleta, Cheyenne, Kiowa, Pitkin, and Teller  
counties - \$5,200; in Dolores, Park, and Summit counties -  
\$4,900; in Custer, Jackson, and Ouray counties - \$4,400; in  
Gilpin and San Juan counties - \$4,150; and in Mineral and  
Hinsdale counties - \$1,650.

The classification of counties for the purposes of  
compensation of county officers no longer applies to judges  
of county courts.

July 1                      January 1, 1970

- | <u>No.</u> | <u>Subject</u>  |            |        |
|------------|---|------------|--------|
| 294        | <u>Towns and cities - police pension funds.</u> Requires each municipal treasurer to certify to the state treasurer by April 1 a financial statement of the condition of any policemen's pension fund of which he is custodian, and makes each city responsible for payment of any police pension earned.   | May 31     | May 31 |
| 295        | <u>Courts - repeal of simplified system of civil procedure in county courts.</u> Repeals the system of simplified civil procedure established by law for use in the county courts. (The rules of civil procedure for county courts will thereafter govern county court procedure. See Vol. 9, C.R.S. 1963, 1965 Supp., pages 30-75.)  | June 1     | July 1 |
| 297        | <u>Supplemental appropriation - department of public works.</u> From the farmers union amortization account of the capital construction fund, for general purposes and capital outlay expenses incurred during current fiscal year in operating the farmers union building, \$57,369.   | May 7      | May 7  |
| 298        | <u>Appropriation - legislative department.</u> Appropriates \$1,925,850 to legislative department for expenses of the legislative department for the fiscal year ending June 30, 1970, to be allocated as follows:  |            |        |
|            | House of Representatives and Senate -----   | \$791,519* |        |
|            | State Auditor -----   | 413,444    |        |
|            | Joint Budget Committee -----  | 116,623    |        |
|            | Joint Budget Committee Studies -----  | 75,000     |        |
|            | Legislative Council -----   | 206,075    |        |
|            | Research Studies -----  | 200,000    |        |
|            | Legislative Drafting Office -----   | 88,689     |        |
|            | Commission on:  |            |        |
|            | Interstate Cooperation -----  | 30,000     |        |
|            | Uniform State Laws -----  | 4,500      |        |
|            | *\$60,000 of this amount shall become available upon passage of this act.   |            |        |
|            |   | May 31     | May 31 |
| 299        | <u>"Colorado Exchange of Insurance Securities Act"</u> . Authorizes any domestic stock insurance company to adopt a plan for the exchange by stockholders of their stock in the domestic stock insurance company for stock or other securities of an acquiring corporation, cash, other consideration, or any combination thereof. The acquiring corporation may be any domestic or foreign stock corporation, whether or not an insurance company. Provides a procedure, which is not mandatory, whereby the plan for the exchange may be effected, which procedure shall include, among other things, submission of |            |        |

No.                      Subject

299    the proposed plan to the commissioner of insurance, hearing by  
cont. the commissioner on its fairness, approval or disapproval by  
the commissioner, and submission of the plan to the shareholders  
of the domestic stock insurance company for their approval (an  
affirmative vote of at least two-thirds of the total voting  
power of outstanding shares is necessary for stockholder  
approval). Any shareholder not voting for the plan may demand  
payment of such shares if the plan is approved. The domestic  
stock insurance company and the acquiring corporation shall in  
all respects be regarded in law as separate and distinct  
corporations having no liabilities to the creditors, policy-  
holders, or shareholders of the other.

May 15

May 15

303    District health departments - withdrawal by counties. Provides  
that any county that is a member of a district health depart-  
ment may withdraw therefrom by giving one year's written notice  
to the department. Formerly, only a 90-day written notice was  
required.

May 31

May 31

304    Liquor code - wholesalers' licenses. Creates a new type of  
license for a wholesaler selling only vinous liquors and grape  
brandy of his own manufacture, for which the license fee is  
\$250.

VETOED - MAY 10

305    Sickness and accident insurance - policy requirements. Provides  
that whenever any policy of sickness and accident insurance  
issued on or after July 1, 1969, provides for reimbursement for  
any service which may be lawfully performed by a person licensed  
for the practice of osteopathy, medicine, psychology, or  
podiatry, reimbursement under such policy shall not be denied  
when such service is rendered by a person so licensed.

June 1

June 1

306    Aid to the blind - repeal of law concerning ineligibility for  
other assistance. Repeals the law which provides that persons  
receiving aid to the blind assistance are ineligible, in most  
instances, to receive assistance from any other public assistance  
program financed by state or federal funds.

May 31

May 31

307    County powers - public works fund. Authorizes county commis-  
sioners to accumulate public works funds for purpose of acquir-  
ing, as well as constructing, public buildings or additions.

May 31

May 31

Senate Bills

No.                      Subject

307      County powers - public works fund. Authorizes county commissioners to accumulate public works funds for purpose of acquiring, as well as constructing, public buildings or additions.

May 31

May 31

309      Mass transportation.

1. Creates a "Regional Transportation District" which will include the city and county of Denver, and the counties of Adams, Arapahoe, Jefferson, Boulder, Weld, and Douglas.

2. The district will be governed by a twenty-one member board of directors to be composed as follows: Ten members from the city and county of Denver to be appointed by the mayor of the city of Denver, subject to approval by city council; two members each from the counties of Adams, Arapahoe, Jefferson, and Boulder, to be appointed by the respective boards of county commissioners; one member each from the counties of Weld and Douglas, to be appointed by the respective boards of county commissioners; one at-large member to be selected by the other twenty members of the board.

3. The district is charged with constructing, maintaining, and operating a unified mass transportation system within the district. The system may utilize bus, rail, air, or any other means of conveyance designed to transport the general public.

4. Employees of the district will come under the "Labor Peace Act" as provided in the 1965 amendments to said act.

5. The district is authorized to issue "district securities", i.e., general obligation bonds, temporary bonds, refunding bonds, special obligation bonds, interim notes, notes, and warrants, for the payment of any debt of the district authorized by a vote of the taxpaying electors. Maximum interest rate on bonds, notes, or warrants is seven per cent per annum; maximum debt limit for the district is four per cent of the valuation for assessment of the taxable property within the district.

6. The district is authorized to cause a levy of general ad valorem property taxes only (1) for the payment of any debt authorized in advance by the qualified electors, (2) to defray the cost of preparing a comprehensive plan for the district and to defray the cost of an authorizing election, which if it does not carry results in a dissolution of the district, the levy not to exceed one-half mill, and (3) to defray any deficit in operation and maintenance of the mass transportation system of the district, said levy not to exceed two mills annually. All revenues of the district derived from its operation are to be used to pay current expenses in operating and maintaining the system.

7. An initial authorizing election to incur debt and issue

No.                      Subject

309    district securities must be held within five years after the  
cont. effective date of the act, unless extended by act of the gen-  
eral assembly. If the authorizing election does not carry,  
the district is dissolved.

June 7

July 1

311    Public employees retirement association - extensions - contri-  
butions and benefits. Authorizes PERA coverage for employees  
of the Colorado association of school boards and the high school  
activities association. It also provides for increased contri-  
butions and benefits affecting public employees other than state  
employees, matching to some extent increases in S.B. 144 involv-  
ing state employees.

Contributions. The net increase in employee contributions  
is 1% of salary, involving an increase from 5% to 7%, but mak-  
ing inapplicable the formerly separate 1% contribution for  
survivor benefits. Effective January 1, 1970, public employer  
contributions are likewise increased from 5% to 7%, increasing  
to 7 1/2% on January 1, 1971. The separate 1% contribution for  
survivor benefits is also eliminated for the employer.

Member benefits. The act removes a limitation on benefits  
for school district and municipal employees retiring before age  
60, and authorizes an increased benefit of 1% per year for each  
year of service over 20 years rendered after July 1, 1969, up  
to a maximum of 70% (total monthly benefit) of the highest  
monthly salary computed in the usual manner. Optional forms of  
annuities are changed in minor respects. A new section requires  
a redetermination of benefits payable after May 1, 1969, and  
authorizes an increase in benefits of 1 1/2% per year with  
minimum and maximum limits specified, the latter being tied to  
the consumer price index.

Survivor benefits. Annuities payable to surviving spouses  
of deceased members have an increased minimum, up from \$125 to  
\$150 per month. Payments to or for minor children under 18, and  
to dependent parents, when neither spouse nor minor children  
survive the member, are increased, by \$25 per month in most cases.

Miscellaneous. The retirement board is to submit annual  
actuarial valuation reports to the legislative audit and joint  
budget committees, with recommendations as to necessary changes,  
based on amortization over a 60-year period as being adequate  
for the stability of the fund.

June 24

July 1

314    Public schools - powers of boards of education and boards of  
cooperative services. Grants power to boards of education of  
school districts to employ, on a voluntary or paid basis, teacher  
aides and other auxiliary noncertificated personnel to assist  
certificated personnel in the instruction and supervision of

Senate Bills

<u>No.</u>	<u>Subject</u>		
314	children. It likewise broadens powers of boards of cooperative cont. services.	July 1	July 1
320	<u>Firearms - sale and purchase - contiguous states.</u> Enacts legislation consistent with the federal "Gun Control Act of 1968". Authorizes the sale of rifles and shotguns by Colorado dealers to residents of contiguous states, and sales by dealers in those states to Colorado residents, subject to the laws of the states involved, and the compliance of both buyer and seller with the federal act. Does not apply to transactions between dealers or the loaning of such firearms, and an exception to the requirements is made for a non-resident hunter or gun-match contestant whose gun becomes lost or inoperative.	June 7	June 7
321	<u>Bail bondsmen - "professional bondsman".</u> Amends definition of "professional bondsman" to include persons appointed by insurers by power of attorney to furnish bail bonds, whether for compensation or otherwise, and persons who post security for bail bonds, whether for compensation or otherwise.	May 31	May 31
326	<u>Schools - Colorado state university.</u> Repeals obsolete provisions directing the establishment of a department of economics and sociology at Colorado state university, requiring labor by students on the school's property, and concerning the wages to be paid therefor.	May 31	May 31
327	<u>State board of agriculture - membership.</u> Changes the provision concerning eligibility for appointment to the state board of agriculture (which required half of the 8 appointed members to be practical farmers) to require that at least 2 members of the board shall have some connection with farming.	May 31	July 1
332	<u>Fees - clerks of court.</u> Increases many of the fees collected by court clerks, and increases the state's share of some fees. The state is to receive 20% of district and superior court docket fees instead of 10%, except probate fees which remain at 10%, and the state is also to receive all of a new additional fee chargeable to successful plaintiffs obtaining monetary judgments. In district and superior courts, docket fees for plaintiffs and counter- or cross-claimants are raised from \$20 to \$25, and for defendants and appellees from \$10 to \$12.50. Appellant's fee is raised from \$15 to \$20. County court docket fees are raised from \$5 to \$6. A new additional fee is provided in civil cases to be charged against a plaintiff winning a monetary judgment in		

No.

Subject

332 a contested trial, to be paid before a certificate of satisfaction will be issued. The new fee runs from \$10 on judgment between \$5,000 and \$10,000, up to \$90 on judgments between \$30,000 and \$50,000, and plus \$2 for each \$1,000 over \$50,000. Additional fees of court clerks on items such as certificates and copies are increased by 25¢ on each item furnished; except that fees for writs of execution are increased by 50¢. The criminal defendant's trial court docket fee is raised from \$10 to \$15, except that in county court the fee is \$6 instead of \$5. The basic jury fee is increased from \$15 to \$25.

May 31

July 1

333 Unemployment compensation - weekly benefit amount for total unemployment. Makes the following changes in the weekly unemployment compensation benefit:

(a) The rate of such benefit is changed from 60 per cent of average weekly wages to 60 per cent of one-thirteenth of the wages paid for insured work during the quarter in the unemployed person's base period.

(b) An individual who is entitled to the maximum weekly benefit, as provided in (a) above, shall receive a weekly benefit of 50 per cent of one fifty-second of his total wages paid for insured work during his base period. This amount is an alternative to that payable under (a) above, and is to be paid only if the amount computed under (b) is greater than the amount computed under (a).

(c) The provision requiring the weekly benefit to be at least 60 per cent of the unemployed's weekly wage is deleted.

May 7

July 1

334 Employment. Authorizes the division of employment to keep records designating race in order to comply with federal directives, such records to be used by state and federal agencies only. Increases from \$3.00 to \$9.00 the amount that may be earned and not deducted from weekly unemployment benefits. Repeals the requirement that the division of employment keep a complete list of all determinations of claims for benefits not specifically covered by section 82-4-8, C.R.S. 1963, and that such list be transmitted to the governor and the general assembly and kept for public inspection.

June 7

July 1

336 Unemployment compensation - employer contributions. Provides that beginning with the calendar year 1970, the length of time that an employer must make contribution at the 2.7 rate before being eligible for a lower rate will be reduced to 12 months. Amends the rate table used to compute an employer's contribution

Senate Bills

No.                      Subject

336     rate for the ensuing calendar year. Permits any employer to elect<sup>a</sup>  
cont. on or before July 31, 1969, to have his experience rating account  
cancelled as of the computation date for the calendar year 1969, if  
the total benefits chargeable to his account and paid exceed his  
total contributions. No such employer shall be eligible for a rate  
less than 2.7 per cent for a period of 3 years.

June 7

July 1

339     Real estate brokers and salesmen - licensing. Transfers all  
administrative duties relating to licensing real estate brokers  
and salesmen from the secretary of state to the real estate com-  
mission under the department of regulatory agencies, consistent  
with the "Administrative Organization Act of 1968". All other  
changes under this act are of a "housekeeping" nature.

July 1

July 1

342     Insurance - authorization of group marketing of property and  
liability insurance. Permits the writing of property or liability  
insurance (fire, casualty, package insurance, including motor  
vehicle and homeowners insurance) on a group merchandising basis.  
In order to qualify for group merchandising, a group must have  
been in existence for more than 5 years prior to the purchase of  
the insurance or prove that the group was not organized for the  
sole purpose of purchasing insurance on a group basis. The group  
must have a reasonable degree of homogeneity, and must consist of  
at least 100 or more members with at least 75% participation in  
the group plan. If the group has national, state, or local affil-  
iates, the smallest eligible group must have at least 25 members.  
In order for an individual to be eligible as a group member, he  
must be engaged in 24 hours or more of employment per week, and  
mandatory participation in the group plan cannot be made a condi-  
tion of employment.

Some of the restrictions on group merchandising of property  
or liability insurance are as follows: The insurer and the insured  
group must accept all members who are eligible to participate in  
the plan; a group plan must include a provision that any group  
member has the right to convert his group policy to a standard  
policy of insurance of the same time type offered by the insurer  
upon termination of his connection with the group; except with  
respect to motor vehicle insurance, policy forms for group members  
must be the same, varying only as to the amounts of insurance and  
limits of liability; an insurer may not cancel the insurance of an  
individual group member except for the nonpayment of premium or  
unless the insurance for the entire group is cancelled.

Special restrictions concerning motor vehicle group insurance  
are as follows: Only those automobiles owned by members of the  
group, or jointly by them with spouses or children are eligible  
for coverage; all individuals considered eligible members shall be  
provided with motor vehicle insurance if one family member holds a  
valid license to operate a motor vehicle; an insurer may not cancel



No.                      Subject

342    the insurance of an individual group member except for nonpay-  
cont. ment of premium or suspension or revocation of a driver's  
license of the member or a resident member of such member's  
household, unless the resident member of the household whose  
license has been suspended or revoked shall be excluded from  
the coverage provided by the group plan.

VETOED JULY 14

344    Certified shorthand reporters. Increases court reporters'  
compensation in courts of record for transcribing notes into  
typewritten form, from 30¢ per 100 word folio to 50¢, and 5¢  
for each copy thereof, and amends several provisions relating  
to certification of shorthand reporters. Powers of state  
board of shorthand reporters are more detailed and include  
specifications of what the examination of applicants for  
certification shall cover. Experience qualification of  
applicants is reduced from 3 years to 1. 2 examinations  
annually, in June and November, are now specified to be held  
in Denver, and the examination fee is increased from \$15.00 to  
\$25.00. Grounds for revocation of license by the board are  
specified. Certification is no longer required for county  
court reporters, but in all other courts a non-certified  
reporter can be appointed only if the state board cannot sup-  
ply one who is certified, within 30 days of a court's request  
therefor, and then only for a 12 month provisional period  
within which time the appointee must become certified to  
qualify for further appointment.

May 31

May 31

346    Nursing home administrators. New article creates board of  
examiners of nursing home administrators and provides for its  
functions. The article prohibits the operation of any nursing  
home on or after July 1, 1970, unless supervised by an admin-  
istrator licensed under this article, and prohibits adminis-  
trators acting without a license. A nine-member board is  
created under the division of registrations of the department  
of regulatory agencies, to be appointed by the governor, after  
consultation with and recommendations by groups involved,  
with original terms of from 1 to 3 years, with standard 3 year  
terms thereafter.

The board is to have an executive secretary, and is to  
develop and enforce standards of nursing home administration,  
examine and investigate all applicants, issue licenses, and  
study and investigate problems of such operations.

Fee for license application is \$25. Up to July 1, 1970,  
an applicant must show good moral character and be at least  
21 years; effective July 1, 1970, a high school diploma or  
equivalent is required; effective July 1, 1975, two years of  
college after high school is required; and effective January 1,

Senate Bills

No.                      Subject

346 cont. 1980, a college degree including approved courses of study, are required of applicants, subject to experience being substituted for higher education. Provisional licenses good for 2 years are available to those presently serving as administrators, up to June 30, 1972. Registration accompanies licensing and annual re-certification may involve some requirements for continuing education. Reciprocity is provided with respect to licensees of other states. Temporary permits are provided for certain applicants, involving 1 year in-service training commencing in 1972. Misdemeanor penalties are provided for violation of licensing provisions, and disciplinary proceedings are specified for license revocation. A board of examiners nursing home administrators fund is created.

May 31

July 1

348 Elections - ballots. Provides that the question of retention in office of supreme court justices, district court judges, and county court judges shall appear, in that order, preceding state constitutional amendment questions.

May 31

May 31

350 Automobile insurance cancellation. Provides for regulation of the cancellation of motor vehicle insurance policies on privately-owned motor vehicles not used for business. A notice of cancellation is valid only if it is based upon (1) nonpayment of premium, (2) revocation or suspension of driver's license or motor vehicle registration, or (3) false statement made in an application for insurance. The above does not apply if the policy has been in effect less than sixty days, or to nonrenewal of a policy. All notices of cancellation must be accompanied by a statement of reasons for cancellation or a statement that the insurer will specify such reasons upon request. Requires that an insurer give twenty days written notice of intent not to renew. If an insurer refuses to renew, the insured may demand written notification of the reasons for nonrenewal. The insurer has immunity from suit with respect to the giving of reasons for cancellation or nonrenewal. Does not apply to policies issued under an assigned risk plan.

July 1

July 1

354 Firemen's pensions. Repeals and re-enacts the general law concerning firemen's pensions. The main changes are as follows:

General provisions. Firemen members of the board of trustees of the firemen's pension fund, except for initial terms, serve 2 or 3 year terms, depending on the size of the political subdivision; formerly, there was no provision concerning the term of office of such members. The amount required to be transferred by the state treasurer to the firemen's pension fund is increased from \$1,000,000 to \$1,300,000, and no political subdivision is to receive less than \$500 a year, as long as it contributes to its firemen's pension fund a sum equal to the proceeds of a levy of one-half mill on the current valuation

No.                      Subject

354    for assessment of such political subdivision (see S.B. No.  
cont. 45). Political subdivisions having a population of less  
than 100,000 having a paid fire department only or both a  
paid and volunteer department, are required to levy an  
assessment on the department's members of 6% of their monthly  
salaries, and the political subdivision is required to match  
such levy. Formerly such levy was subject to the approval of  
the members of the fire department, and the rate was 5%. The  
provision providing for a \$10 non-matching assessment in some  
cases, is deleted. The treasurers of pension funds are now  
allowed to invest such funds in noninsured trust pension  
plans with a bank or trust company authorized to exercise  
trust powers, but the trustee is required to hold at least  
60% of the funds in trust in fixed income obligations.

Benefits. The act makes several major changes in the  
pension benefits payable to officers, employees, and members  
of fire departments, and their survivors. These changes are  
extensive, and it is recommended that the act be consulted  
for details.

June 7                      July 1

358    Public utilities commission - motor vehicle carriers.  
Authorizes a motor vehicle carrier holding both a common  
carrier certificate and a permit as a contract carrier to  
commingle freight being transported at the same time with  
the same equipment. When the certificate and permit author-  
ize duplicating rights, such transportation is to be performed  
under the certificate.

June 7                      June 7

359    Insurance company delinquencies. Amends provisions relating  
to the grounds and procedures for suspension or revocation  
of a certificate of authority of an insurance company to do  
business in Colorado. It enacts a new article concerning  
insurance company delinquencies and provides the insurance  
commissioner with remedial authority in situations not severe  
enough to warrant suspension or revocation of certificate,  
or court receivership. Whenever the commissioner of insurance  
determines that an insurance company has committed or suffered  
a delinquency, as defined in the article, he may notify the  
insurance company of his determination and require the company  
to take abatement action; he may also place the company under  
his direct supervision until the delinquencies are abated,  
or appoint a supervisor. The commissioner may, at any time  
after a determination of delinquency, appoint a conservator  
to take charge of the company and abate the delinquencies.  
The insurance company may seek administrative and judicial  
review of any action of the commissioner ordering supervision  
or conservatorship.

July 1                      July 1

Senate Bills

No.	Subject		
360	<u>Corporations - involuntary dissolution - reinstatement.</u> Amends the law under which corporations are dissolved by operation of law 5 years after being in defunct status by virtue of the secretary of state's giving the necessary notices and publication of failure to make annual reports and pay franchise fees. This act allows any corporation defunct as of January 1, 1964, and subsequently dissolved by the effect of this statute, to become reinstated if it, before January 1, 1970, makes all reports and pays all franchise fees and penalties necessary to bring it current. If its name or one deceptively similar has been taken or reserved during its period of dissolution it must take a new name as part of the reinstatement procedure.	June 7	June 7
363	<u>Supreme court judges - pensions of widows.</u> If other requirements are met, a widow of a supreme court judge is entitled to receive a pension if she was married to the judge for at least 10 years at the time of his death, and if she is not 65 years of age at the time of death, then she becomes entitled to the pension upon reaching age 65. Formerly, a widow had to be married to a judge for at least 20 years and at least 65 years old at his death to be entitled to a pension.	June 7	June 7
367	<u>Mechanics' liens - contracts for work.</u> Provides that in any case of contract for work, the percentage of the contract price payable within 35 days after final completion of the contract is changed from at least 15% of the contract price to the following schedule: At least 15% of the first \$250,000 of the contract price; 10% of the contract price in excess of \$250,000 up to and including \$500,000; 5% of the contract price in excess of \$500,000 up to and including \$750,000; and 2% of the contract price in excess of \$750,000. Applies only to contracts entered into on or after July 1, 1969.	June 1	July 1
370	<u>Legal investments and deposits.</u> Provides that obligations of the Asian Development Bank are legal investments for financial institutions and organizations. Provides that the state treasurer may invest public funds in his possession in prime quality commercial paper, as defined by a nationally recognized security rating organization. Investment in such is limited to paper issued by a corporation organized and operating in the United States, and having total assets in excess of \$5,000,000. Purchases of such paper may not exceed 90 days' maturity, nor represent more than 5% of the outstanding commercial paper of the issuing corporation, nor exceed 10% of the moneys in the state treasury eligible for investment.	May 31	May 31

No.

Subject

- 374 Fermented malt beverages - licenses to sell at retail - procedure when building not constructed. Permits an application to a local licensing authority for an application to sell fermented malt beverages at retail, when the building for which the application is made has not been constructed at the time of the application. At the time of such application, the applicant files complete plans and specifications for the interior of the building and a drawing of the proposed building; the applicant has to conspicuously post the premises on which the building is to be constructed; if the application is approved, no license shall issue until the building is ready for occupancy, and then only after an inspection of the premises by the local licensing authority to determine if the applicant has complied with the drawings and plans and specifications submitted.
- May 31                      May 31
- 375 Intoxicating liquors - refusal of state licensing authority to issue license. Provides that the state licensing authority shall not refuse to issue a state license after a local license has been granted, except upon hearing after 15 days notice. Formerly, the state licensing authority could refuse to issue a state license after the local licensing authority had issued a license, without the necessity of a hearing. The notice required must be in writing and set forth the grounds for refusal. If the applicant does not respond within 15 days, the application for a state license is denied. Any hearing conducted on a denial shall be conducted according to the provisions of section 3-16-4, C.R.S. 1963, and judicial review may be had under section 3-16-5, C.R.S. 1963.
- May 31                      May 31
- 377 Junior colleges - direct grants. Provides that any junior college district organized and operating during the entire school year in which a grant is made, shall be entitled to a direct grant from appropriated funds of \$525 for each Colorado resident student carrying an average of 45 quarter hours or 30 semester hours of credit during the current regular academic year of distribution. Credit work of part-time, special, and summer-term Colorado resident students who carry less than the work load required above is counted on a full-time equivalent basis. Committees of junior college districts are required to certify information to the state board for community colleges and occupational education, and the board then determines the amount to be paid to each eligible district.

Utilizing the above formula, the state board for community colleges and occupational education is required to determine an additional amount of \$475 for each full-time equivalent Colorado resident student enrolled in occupational courses.

No.                      Subject

377                      Distribution of grants is made in the months of February, cont. May, August, and November, and the funds are to be used for current operating expenses or for capital construction.

June 1                      June 1

378                      Probation officers - state's share of salaries. Provides that the state's share of the monthly salary of a probation officer shall be one-half the monthly salary or \$300, whichever is less. Formerly, the state's share was one-half the monthly salary or \$200, whichever was less.

June 24                      July 1

390                      Trade secrets. The definition of "trade secrets" in the law concerning the theft of trade secrets is expanded to include confidential business or financial information, and listings of names, addresses, or telephone numbers.

June 7                      June 7

392                      Wiretapping and eavesdropping. Repeals and re-enacts the law concerning the procedure for obtaining an ex parte order for wiretapping and eavesdropping. The procedure is essentially as follows:

1. An ex parte order for wiretapping or eavesdropping may be issued by any judge of competent jurisdiction upon application of the attorney general, a district attorney, or the United States attorney, stating that evidence may be obtained concerning the commission of specified serious crimes, including: Murder, kidnapping, robbery, rape, arson, burglary, or a conspiracy therefor; narcotics violations; or endangering national security. An application must be written and made under oath, and among the information it must contain is the following: The identity of the person making the application and the person authorizing the application; a complete statement of the facts and circumstances relied upon by the applicant, to justify his belief that an order should be issued; a statement as to whether or not other investigative procedures have been tried and failed, or why they are not feasible; a statement of the period of time for which the interception is required to be maintained.

2. Before an order is issued, the court must make certain findings, among which are: There is probable cause for belief that a person is committing, has committed, or is about to commit such a crime; there is probable cause to believe that communications concerning the crime will be obtained through interception; normal investigative procedures have been tried and failed, or appear to be unlikely to succeed, if tried.

3. If issued, an order must contain information including the following: The identity, if known, of the person whose communications are to be intercepted; the nature and location of the

No.

Subject

392 cont. communications facilities as to which authority to intercept is granted; a description of the type of communication sought to be intercepted, and a statement of the offense to which it relates; the period of time during which interception is authorized. The maximum period of an order authorizing interception is 30 days, but extensions may be obtained upon following the procedure for the issuance of the original order.

4. Intercepted communications are required to be recorded on tape, wire, or other similar devices, if possible. Upon expiration of the period of the order, recordings are turned over to the court that issued the order, and sealed.

5. A procedure is provided, in certain cases, for notifying the persons named in an application or order or other parties to intercepted communication, of the fact of the entry of the order or application, the period thereof, and the fact that during the period communications were or were not intercepted. Also such persons may, under certain circumstances be permitted to inspect the communications and the applications and orders with respect thereto.

6. Extensive provisions are provided concerning the use of intercepted communications, among which are: Contents of communications cannot be received in evidence in court, unless 10 days before trial, each party is furnished with a copy of the application and order; a procedure for suppressing intercepted communications is provided, and grounds for suppression are specified; a law enforcement officer who, by authorized means, has gained knowledge of the contents of an intercepted communication may disclose such contents to another law enforcement officer when appropriate in the performance of official duties, and the contents may be used under like conditions; any person may disclose the contents of intercepted communications in court, if he has gained knowledge thereof under authorized conditions; the privilege attached to certain communications is retained.

7. A good faith reliance on a court order obtained as provided by law is made a complete defense to civil and criminal actions.

July 1

July 1

394

Witness immunity. Provides that in any proceeding before a court or a grand jury, a witness may be compelled to testify or produce evidence; however, such witness shall be immune from prosecution and immune from penalty or forfeiture for or on account of any matter on which he is compelled to testify (except perjury or contempt) if he first claimed the privilege against self-incrimination.

June 24

July 1

Senate Bills





No.                      Subject

408    schools charging tuition but not conducted for profit.  
cont.

May 31                      July 1

412    Civil rights - antidiscrimination. Act amends section of  
civil rights article dealing with places of public accommo-  
dation, listing examples of such places in considerably more  
detail than the former statute, and making it a discrimina-  
tory practice and unlawful to deny to any person or group the  
equal enjoyment of any place of public accommodation, on  
grounds of race, creed, color, sex, national origin, or  
ancestry, or to transmit any communication indicating an intent  
to do so. An exception is made to allow restricting admission  
to accommodations to one sex if bona fide grounds exist.

June 7                      July 1

423    Appropriation - long appropriation act. For expenses of the  
executive and judicial departments of the state government,  
1969-1970\*.....\$299,646,749  
    For capital construction\* .....\$ 25,168,697  
    Total.....\$324,815,446

\*Includes some supplemental appropriations available on pass-  
age of the act.

The above total includes the following appropriations  
which until recently have been heretofore made by separate  
appropriation bills:

(a) To the division of public welfare of the depart-  
ment of social services, \$39,638,944 from the general fund  
for the following purposes:

Medical care administration .....	\$ 400,000
Aid to dependent children .....	7,530,500
Work incentive program.....	618,280
Aid to needy disabled.....	916,000
Child welfare.....	3,765,688
Aid to the blind.....	30,883
Tuberculosis hospitalization.....	131,725
County administration.....	4,687,763
Medical care, Title XIX.....	21,019,603
State contingency.....	50,000
Mental retardation placement program.....	244,502
County contingency.....	200,000

(b) For grants to junior college districts, \$4,793,625,  
to be distributed at the rate of \$525 for the equivalent of  
each Colorado resident student carrying an average of 45  
quarter hours or 30 semester hours during the current academic  
year, plus an additional \$475 for the equivalent of each  
Colorado resident student enrolled in occupational courses.

- | <u>No.</u>   | <u>Subject</u>  |         |        |
|--------------|---|---------|--------|
| 423<br>cont. | (c) To the division of game, fish, and parks of the department of natural resources for the fiscal year beginning July 1, 1969, \$6,548,462, from the game cash fund for operating costs of the game and fish functions of the division; \$1,017,263, from the general fund for operating costs of the parks function of the division; \$367,000 from the game cash fund for matching available federal funds apportioned during 1969 and 1970. For capital construction, \$2,757,250.  | June 7  | July 1 |
| 424          | <u>Teachers - encouraging racial and ethnic minority groups to enter the teaching profession - appropriation.</u> The Colorado commission on higher education and the governing bodies of state-supported institutions of higher learning are to provide assistance through scholarships and other programs for members of racial and ethnic minority groups, on the basis of financial need and scholastic achievement or potential, if residents of this state, and will agree to teach in Colorado for a period of 2 or more years after receiving a teacher's certificate or other necessary teaching qualifications. Appropriates \$75,000 to commission on higher education to implement act. The act, by its terms, expires June 30, 1971. | June 24 | July 1 |
| 425          | <u>Policemen's pension fund - cities and towns.</u> The amount to be transferred annually by the state treasurer from revenues derived from the premium tax on foreign insurance companies to the policemen's pension fund is increased from \$600,000 to \$1,000,000.  | May 31  | May 31 |
| 426          | <u>Social services - county contingency fund.</u> A county contingency fund is created in the department of social services to assist counties in which expenditures for public assistance and welfare have been at the maximum mill levy permitted, and the county cannot meet its present welfare requirements as ascertained by the state board of social services. The board is also to determine what assistance will be given a county from the fund, depending on availability, and other demands on the fund.   | May 31  | May 31 |
| 428          | <u>Communications system, state.</u> State communications coordinator is authorized, within the department of administration, to be appointed by the executive director thereof, whose duties shall include formulating plans for present and future communication needs of the state for approval by the executive director and the governor. The coordinator is to administer the approved plan and supervise the communications system, including examining existing communications and approval of all present and future plans and equipment involving communications. An advisory   |         |        |

No.

Subject

428 committee is to be appointed by the executive director of the  
cont. department, with the governor's approval, to consult with the  
executive director on policy and technical matters concerning  
the communications system. The state patrol may continue to  
operate the state radio broadcasting and teletype system, sub-  
ject to the supervision of the communications coordinator.  
Additional state agencies are authorized to make use of the  
radio system, as well as county and municipal law enforcement  
departments, all use to be subject to the supervision of the  
coordinator and the approval of the advisory commission.  
Personnel, property, and funds necessary to the office of the  
coordinator are to be transferred to the department of adminis-  
tration January 1, 1970, and the department of highways is to  
cooperate before that date to insure an orderly transition.  
The highway users tax fund is to be reimbursed for property  
thus transferred which will no longer be used for highway  
purposes.

June 7

January 1, 1970

429 Accounts and control - disbursements. Increases from \$50 to  
\$100 the maximum the state controller is authorized to allow  
any state department or agency to draw for emergency or inci-  
dental purposes, and also permits the controller to allow an  
advance to state employees for travel on state business up to  
\$200 per person per trip.

May 31

July 1



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