

FILE COPY

DIGEST OF BILLS

Enacted by The

FORTY-EIGHTH GENERAL ASSEMBLY

1971 First Regular Session



COLORADO

LEGISLATIVE DRAFTING OFFICE

30 State Capitol Bldg.
Denver, Colorado 80203

June, 1971

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

(1971 - First Regular Session)

and

APPROVED OR VETOED BY THE GOVERNOR

(Together with a Subject Index)

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	197
Senate Bills	<u>199</u>

Bills enacted	396
Vetoed	<u>7</u>

Approved	389
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SENATE BILLS ENACTED AND APPROVED

- | <u>No.</u> | <u>Subject</u> | | |
|------------|--|-------------|------------|
| 1 | <u>Oil and gas conservation act - applicability.</u> In addition to the areas in which the oil and gas conservation act presently applies to lands of the United States, or lands subject to its supervision, this act provides that the oil and gas conservation act shall apply to such lands only to the extent necessary to permit the oil and gas conservation commission to carry out the provisions of section 100-6-15, C.R.S. 1963, which concern the commission's authority to require certain information and records; to require that wells be drilled, operated, plugged, and spaced according to rules prescribed by the commission; and to limit production. Also provides that the oil and gas conservation act shall not apply to land committed to a unit or cooperative agreement approved by the department of the interior except as provided in such section 100-6-15. | February 4 | February 4 |
| 2 | <u>Oil and gas conservation act - fees and reports.</u> Provides that the charge paid on the market value at the well of oil and gas is in addition to the filing and service fee paid under section 100-6-15 (1) (g), C.R.S. 1963. Changes the period for the filing of reports on such market value and for the payment of the charge imposed from monthly to quarterly, and where the charge is \$10 or less, authorizes a deferred payment until the amount exceeds \$10, but in no event may payment be deferred for more than 1 calendar year. | February 16 | July 1 |
| 7 | <u>Counties - law enforcement authority.</u> Removes minimum population requirement of 100,000 for county to establish law enforcement authority, and requires approval of majority of electors only for its establishment, deleting the requirement of approval by taxpaying electors. The same change is made for detachment and dissolution. No single tract of more than 20 acres may be included without the consent of the owners, unless the tract is entirely within the authority boundaries. All residents of an area may petition for inclusion within an existing authority without an election, or such inclusion may be accomplished in the same manner as for organizing an authority. | April 24 | April 24 |
| 10 | <u>Corporations - annual reports - disposition of fees.</u> Provides that when the secretary of state returns an annual report because of noncompliance with law, he shall refund the filing | | |

Senate Bills

No.

Subject

10 fee accompanying such report if a corrected report is not filed
cont. prior to August 1.

January 29

January 29

11 State board of land commissioners - receipts - expenses.
Changes the method of paying administrative expenses of the state board of land commissioners. The existing system provides for the crediting of up to 10% of all receipts of the board, except from land sales and bond and loan redemption, to the land commissioners' expense fund, from which the general assembly makes annual appropriations for administrative expenses. The new method involves the deduction of 10% of specified receipts for the reimbursement of the general fund for administrative expenses of the board. All receipts are to be deposited with the state treasurer; the 10% deduction, together with moneys received for fees and services, is to be credited to the general fund, and the remainder is to be credited to the proper funds as provided by law. Appropriations for administrative expenses will now be made from the general fund.

April 30

July 1, 1972

13 Purchase of real property by the state - appraisal required.
Provides that before any state department, institution, or agency enters into any option or agreement to purchase real property having a purchase price of more than \$100,000, the department, agency, or institution shall contract with at least 1, but not more than 3, independent appraisers for an estimate of the fair market value of the property. One copy of each appraisal is to be attached to the option or contract prior to approval by the state controller. The act does not apply to acquisitions by the state department of highways for highway purposes.

February 16

February 16

14 State lands - allocation of revenues received. Specifies the allocation to be made of revenues from public school and other state lands to either income or permanent funds, the basic distinction being that royalties for depletion or extraction of natural resources go to the public school or other proper permanent trust fund, and other receipts, including proceeds from the sale of timber, go to the public school or other trust income fund. Repeals provisions which gave the board of land commissioners various powers and duties related to leasing state lands, including the limitation of 10 years on agricultural land leases.

March 4

July 1

Senate Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|---|----------|-----------------|
| 16 | <u>Water rights - revision of tabulations of water rights.</u> Delays until 1973 the date for each division engineer to have made all revisions to the original tabulations made in 1970 under the 1969 act. Also allows more latitude in the format of the tabulation and the information contained therein as to priority in the entire division or as to any stream therein. Cost of copies of the tabulation is increased from \$2 to \$5, and publication may be of the revisions only, or of the entire tabulation, as revised, in the state engineer's discretion. | March 2 | March 2 |
| 18 | <u>Water rights - pending proceedings under conditional decrees.</u> Showings of reasonable diligence under conditional water right decrees are to be made pursuant to the 1969 act commencing in 1972 instead of 1970, but the time requirements are waived if the applicant failed or fails to comply with the requirements through no fault of his own. | March 31 | March 31 |
| 19 | <u>Water rights - priorities.</u> Clarifies water right priorities under 1969 act by basing priority on date of filing applications rather than date of award, and extends for another year, from 1971 to 1972, the right of well owners to file for a priority to be based on date of first appropriation rather than date of filing application. | March 2 | March 2 |
| 20 | <u>Motor vehicles - implements of husbandry.</u> For purposes of articles 1 through 5 of the chapter concerning motor vehicles, including the motor vehicle registration provisions, equipment used solely for the application of fertilizer and other heavy movable farm equipment whose primary use is not on the highways is included in the definition of "implement of husbandry". Provides that transportation of fertilizer in or on the application equipment shall be deemed part of the application, if it is incident to the application. | May 6 | January 1, 1972 |
| 21 | <u>Water - powers of water conservation board - construction fund.</u> Authorizes the Colorado water conservation board to contract for the construction of water conservation projects, including projects outside Colorado on interstate waters when the benefit thereof accrues to Colorado citizens. Permits the board to file applications for the appropriation of water and to take any action necessary to acquire or perfect water rights for board projects. Creates the Colorado water conservation board construction fund, which may be used for the construction of | | |

Senate Bills

<u>No.</u>	<u>Subject</u>
21 cont.	water conservation projects in accordance with priorities established by the general assembly and upon terms determined by it.

Allows the board to make water and power from state owned or controlled projects available under contract to state agencies, individuals, or organizations of Colorado citizens, at a charge based upon the cost of constructing and maintaining the project. Any revenue in excess of such costs becomes part of the construction fund, together with appropriations by the general assembly and proceeds from the sale or disposal of property. Moneys in the fund, up to \$10,000,000, do not revert to the general fund at the close of the fiscal year.

June 4 June 4

22	<u>Water rights - plans for augmentation.</u> Removes the time limitation in the 1969 act which required filing applications for approval of plans for augmentation before July 1, 1971 to avoid being delayed until July 1, 1973.
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March 31 March 31

24	<u>Civil rights - blind and other handicapped persons.</u> Declares that the policy of the state is to encourage and enable the blind, the visually handicapped, and other physically disabled persons to participate fully in the social and economic life of the state and to engage in remunerative employment. Provides that such persons shall be employed by the state, its political subdivisions, the public schools, and other enterprises supported by public funds on the same terms and conditions as the able-bodied; shall have similar rights to the use of public streets, sidewalks, buildings, and other public places as the able-bodied; and shall have similar access to places to which the general public is invited. States that a blind, visually handicapped, or otherwise physically disabled person assumes the liability for any injury which results solely from the disability, and provides that blind persons have the right to be accompanied by a guide dog in places to which the general public is invited without any extra charge. Provides that anyone who denies or interferes with the stated rights of handicapped persons shall be guilty of a misdemeanor.
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April 14 July 1

25	<u>State auditor - reimbursement of general fund for certain audits.</u> If state auditor is required by law to audit accounts of state agencies or other entities which contain other than state appropriated moneys, the general fund is to be reimbursed for the cost of performing such audit.
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March 4 March 4

Senate Bills

No.

Subject

- 26 Annual road reports - cities and counties. Provides that responsibilities of the state auditor with respect to annual road and street reports of counties and municipalities shall be transferred to the division of highways.

March 2

March 2

- 28 Motor vehicles - removal and disposal of abandoned vehicles. Provides that the Colorado state patrol, a sheriff, or the chief of a municipal police department may appoint a staff member to make the required appraisal of abandoned motor vehicles, and requires the appraisal figure to be included in the report and notice required for such vehicles. If the vehicle is appraised at \$100 or more, the owner or lienholder is allowed 30, rather than 60, days to reclaim the vehicle before it is sold. If the appraisal is less than \$100, the vehicle may be sold after a 15-day period during which it is not reclaimed, but the sale may only be for the purpose of junking or dismantling the vehicle. The bill of sale, a report of which must be forwarded to the department of revenue, must show that no certificate of title may be issued for the vehicle, and the department must purge the records for the vehicle.

Authorizes a public authority to contract for the removal of abandoned motor vehicles in its area.

June 2

July 1

- 29 Motor vehicles - ports of entry. Provides that owners or operators of motor vehicles subject to ton-mile or passenger-mile tax must secure clearance certificate at the first port of entry located within 5 miles of route normally followed, or prior to operating within state, unless owner or operator has a special revocable permit issued by department of revenue. Fines for violation are mandatory and may not be suspended.

March 19

July 1

- 30 Motor vehicle records - copy fees. Raises fee from 75¢ to \$1.25 for a search for, or a copy of, certain motor vehicle records from department of revenue.

March 11

July 1

- 33 Public schools - educational accountability - appropriation. Requires the state board of education to develop a state accountability program which describes and provides for the implementation of state goals for education; identifies performance objectives leading to the achievement of state goals; provides a method for evaluating performance; and recommends a procedure and timetable for establishing local

Senate Bills

No.

Subject

33 cont. accountability programs. Creates an advisory committee composed primarily of legislators, present and former school board members, classroom teachers, and administrators to assist the state board of education.

Requires each school district to adopt a plan for a local accountability program to measure the adequacy and efficiency of its educational programs, and provides that there shall be a local advisory committee to consist of at least a parent, a teacher, an administrator, and a taxpayer. Directs each district to report annually to its residents and the state board on the extent to which it has achieved its stated goals and objectives.

Appropriates \$40,000 to the department of education for the administration of the act.

June 7

July 1

35 County roads and city streets required to be maintained - annual report required. Requires county roads and municipal streets to be maintained before they receive allocations from highway users tax fund. Extends grace period from 60 to 90 days for counties and municipalities to file road reports, and provides that all rather than 10% of allocations from the highway users tax fund shall be withheld unless the report is filed on time. Requires counties and cities to make annual road report showing changes in mileage, location, and surface classifications.

April 14

April 14

36 Highways - roadside advertising - nonconforming devices - acquisition. Extends regulation of advertising devices to devices located along secondary highways. Defines a "nonconforming advertising device" as an advertising device which was lawfully erected and maintained on July 1, 1971, and excludes from the definition the same devices as have heretofore been exempt from regulation. Establishes a regulatory system for nonconforming advertising devices based upon the zoning concept of nonconforming uses, and provides that the right to maintain nonconforming devices will be terminated by specified events, including increase in the dimensions of the device; change in its character; damage to or destruction of the device, except willful destruction, and obsolescence of the device, where the cost of repair exceeds 50% of the replacement cost; and failure to comply with state or local law.

Authorizes the executive director of the state department

Senate Bills

- | <u>No.</u> | <u>Subject</u> | | |
|-------------|---|----------|--------|
| 36
cont. | of highways to enter into an agreement with the secretary of the U.S. department of transportation, which must include a plan for the removal of nonconforming advertising devices before January 1, 1976, and declares that the general assembly's intent is to comply with the federal "Highway Beautification Act of 1965". Empowers the division of highways to acquire all property rights in nonconforming advertising devices, and requires it to pay just compensation to the owner of the device and the owner of the land on which the device is located. Provides that no device need be removed until the 75% federal share of just compensation is available to the state. Authorizes the use of highway users tax fund moneys to pay just compensation for nonconforming advertising devices. | June 2 | June 2 |
| 38 | <u>Motor vehicles - hotels to be licensed.</u> Requires hotels which provide parking space to be licensed. Raises annual license fee for auto camps and hotels to \$5 and provides that the department of revenue shall administer instead of the Colorado state patrol. | March 11 | July 1 |
| 41 | <u>Schools - comprehensive educational planning - appropriation.</u> Makes state funds available to school districts which engage in comprehensive educational planning, including evaluation of present programs, delineation of goals, and development of a plan to achieve the goals. Grants may be up to \$5,000 per year, but a district must agree to spend at least as much of its own funds as it requests from the state. Districts are required to perform initial planning, with assistance from the department of education, before they may receive a grant. Requires the department to report periodically on school district progress, and appropriates \$90,000 to the department of education for purposes of the act, of which 25% may be used to purchase consulting services for districts. | June 7 | July 1 |
| 42 | <u>Public schools - budgeting and evaluation system - appropriation.</u> Directs the department of education to contract for the preparation of a draft manual containing definitions and directions necessary for establishing a statewide program accounting system, and requires the department to prepare the manual in final form and distribute it to school districts not later than July 1, 1972. Provides that each school district must establish and maintain its program accounting system by July 1, 1973. Any school district which does not comply shall forfeit 10% of its Foundation Act moneys for the ensuing | | |

Senate Bills

No.

Subject

42 calendar year. Appropriates \$40,000 to the department of
cont. education for implementation of the act.

Provides that boards of cooperative services shall annually adopt a budget and an appropriation resolution for the ensuing calendar year and shall be subject to applicable provisions of "The School District Budget Law of 1964".

June 7

June 7

43 General assembly - disposition of journals. Transfers responsibility for the disposition of journals from the secretary of state to the secretary of the senate and the chief clerk of the house of representatives.

February 4

February 4

44 General assembly - committee on legal services - membership. Authorizes the majority and minority leaders of the house of representatives and the senate to designate persons to serve in their stead on the committee on legal services.

February 4

February 4

51 County treasurers - fees and collections. Consolidates service fees of county treasurer into section 56-4-2. Raises fee for treasurer's deed containing one description from \$1 to \$10. Provides that, in computing interest due on late property taxes and real property redemptions, portions of months are to be counted as whole months. Specifies instances, including school district foundation levy, when treasurer may not collect fee on any moneys collected or distributed by him to a school district located in whole or in part in his county. Provision relating to fees on collection and disbursement of school funds took effect April 24, 1971.

April 24

January 1, 1972

56 Desertion and nonsupport - reciprocal enforcement of support. Makes miscellaneous changes in the law of reciprocal support, and enacts the "Revised Uniform Reciprocal Enforcement of Support Act". Some of the more important changes are as follows: Provides that county attorneys and other officials having a duty to enforce the criminal laws regarding nonsupport, in addition to district attorneys, may prosecute proceedings under the act; adds procedures for the registration of foreign support orders in courts of this state, and provides that upon registration the foreign order shall be treated in the same manner as a support order of a court of this state; authorizes the interstate rendition of a person charged with

Senate Bills

No.

Subject

56
cont. criminal nonsupport whether or not the nonsupport occurred in the demanding or the rendering state or in some other location; elaborates upon procedures to be followed when other proceedings involving divorce, separation, annulment, dissolution, habeas corpus, adoption, or custody are pending; imposes additional responsibilities on the department of social services as state information agency under the act, and authorizes it, through the attorney general, to represent an obligee if the district attorney or other prosecuting attorney is not diligently prosecuting certain cases; authorizes the department to contract with the Colorado bureau of investigation for investigative services; and provides that the issue of paternity may be adjudicated in a proceeding under the act, if both parties are present or if the proof required indicates that such presence is not necessary.

May 6

July 1

57 School director districts. Requires that board of education of any school district with director districts shall be comprised of one elector from each district with board to have not less than 5 nor more than 7 members. Director districts must be contiguous, compact, and as nearly equal in population as possible. Not later than December 1, 1972, and every 4 years thereafter, the board of education must determine if population is substantially equal in districts and revise boundaries if necessary. If board does not revise boundaries, any elector of the district may institute an action to require such revision not later than the following January 15, and the revision must be accomplished by February 28 next following.

February 4

February 4

60 Racing - sweepstakes races. Authorizes the Colorado racing commission to contract with a person licensed to hold race meets for the conduct of not more than 2 sweepstakes races in any year. Provides that the commission shall regulate the holding of sweepstakes races, including fixing the purses to be awarded and the price of tickets which may not exceed \$3. Requires the proceeds of ticket sales to be used to pay the expenses of holding the races and the balance to be transferred to the parks cash fund for park and outdoor recreation purposes; provides that 10% of such balance must be made available for multiple purpose park projects of local governments.

Provides that the act will be referred to the qualified electors of the state at the 1972 general election.

61 Probation - work and education release programs. Authorizes

Senate Bills

No.

Subject

61 cont. the court to require as a condition of probation for person convicted of felony that probationer participate in supervised work or education release program not exceeding 2 years. Includes provisions for disposition of probationer's income.

April 14

April 14

64 Snowmobiles - licensing and regulation. Requires that snowmobiles be registered with division of game, fish, and parks after January 1, 1972, and authorizes division to begin registering October 1, 1971. Original registration fee is \$5, with \$3 for annual renewal; dealer's registration and renewal costs \$25. Assigned registration number and validating date tag must be displayed on snowmobile and certificate of registration shown on demand. No person under age 10 may operate snowmobile unless supervised by a person over 16 or a person over 14 who has completed safety course offered by division. A person 10 or over but under 16 may operate a snowmobile if he has completed the safety course.

Snowmobile operation is prohibited on right-of-way of any interstate highway or freeway, and on other rights-of-way. A snowmobile must be operated as far as practicable from the roadway. Snowmobiles permitted to cross highway only after complete stop and at approximately 90-degree angle to highway. Snowmobiles must have brakes, muffler, and be equipped with lights if operated at night. Any accident resulting in injury to person or property must immediately be reported to law enforcement officer. Allows political subdivisions to regulate the operation of snowmobiles if not inconsistent with state laws or regulations, but prohibits licensing by local governments. Snowmobiles cannot be operated on private property without permission or used for the hunting of any wildlife.

April 14

April 14

65 Agriculture - permit for transportation of horses. Authorizes issuance of permanent transportation permit for certain competition horses, race horses, special drill and pleasure horses, and Colorado work or saddle horses.

March 31

July 1

66 Agriculture - cattle inspection. When cattle are moved from a pasture, requires proof of ownership, not specifically a bill of sale, to be shown on demand to brand inspector or other interested party. State board of stock inspection commissioners may provide for arbitration when ownership of

Senate Bills

- | <u>No.</u> | <u>Subject</u> | | |
|-------------|--|----------|----------|
| 66
cont. | cattle is disputed. | March 11 | July 1 |
| 67 | <u>Free fishing licenses - Colorado servicemen on temporary leave.</u>
Allows Colorado servicemen while on temporary leave to receive free fishing license from Denver office of division of game, fish, and parks. | April 14 | April 14 |
| 69 | <u>Local sales taxes - confidentiality of returns.</u> Authorizes the executive director of the department of revenue to exchange information concerning licensed vendors in a home rule city which imposes a sales and use tax with the appropriate official of that city. | May 6 | May 6 |
| 70 | <u>Housing - certification of factory-built units.</u> Requires the state housing board to promulgate rules for the issuance of insignia of approval for factory-built housing. "Factory-built housing" means any structure or component designed for residential occupancy, including a mobile home, which is made or assembled in manufacturing facilities for installation on the building site. States that factory-built housing bearing insignia of approval issued by the division of housing shall be deemed to comply with all applicable requirements of any local government concerning manufacture of such housing. Establishes an advisory committee consisting of representatives of various professional and technical fields to assist in the drafting of rules, and provides that the rules shall be reasonably consistent with recognized and accepted standards adopted by certain national, state, and local organizations.

Provides for injunctive relief and criminal penalties for the sale, or offering for sale, of factory-built housing which does not bear the required insignia. Authorizes the board to provide for the approval of factory-built housing which meets standards set by other states or the United States, if such standards are at least equal to those developed by the board. | June 2 | July 1 |
| 71 | <u>Taxation - sales and use tax on motor vehicles - collection.</u> Provides that department of revenue shall not issue certificate of title to a motor vehicle unless all sales, storage, use, and consumption taxes have been paid thereon. Provides that department of revenue shall collect any such unpaid taxes, | | |

Senate Bills

No. Subject

71 including those imposed by home rule cities. Governing body of
cont. city or town must certify applicable tax ordinance to
department.

April 24 July 1

74 Automobiles - licensing of parts dealers and garages.
Transfers the administration of the law concerning the
licensing of automobile parts dealers and garages from the
Colorado state patrol to the department of revenue. Includes
persons in the business of destroying, disposing, or salvaging
automobiles in the definition of "dealer". Eliminates the
provision on transfer of licenses when a licensee moves to a
new place of business. Requires the records of a licensee to
show, in addition to matters presently required, the model year
of any automobile received. Provides that records shall be
open at all times for inspection by the department of revenue
or any law enforcement officer.

March 19 January 1, 1972

75 Salaries - compensation of justices and judges - appropriation.
Establishes a fixed annual salary differential among the judges
and justices of the state. Sets the salary of associate
justices of the supreme court at \$27,500, and provides that
other justices and judges shall receive specified amounts more
or less than the salary of such associate justices, as follows:
the chief justice of the supreme court, \$500 more; the chief
judge of the court of appeals, \$2,000 less; other court of
appeals judges, \$2,500 less; district court judges, \$5,000
less; judges of the juvenile, probate, and superior courts of
Denver, \$5,000 less; and county judges in Class A and B
counties, \$7,500 less. Fixes specific dollar salaries for
county judges in Class C and D counties. Raises all judicial
salaries except those of supreme court justices and county
judges in Otero, Fremont, Las Animas, Logan, and Morgan
counties.

Appropriates \$341,400 to the judicial department for
implementation of the act.

June 2 July 1

78 Schools - special education - mandatory programs. Requires
each school district to make special educational programs
available to handicapped children who reside in the district no
later than July 1, 1974. As under present law, programs may be
provided by the district or, pursuant to contract, by 2 or more
districts acting together; if less than 6 resident children

Senate Bills

<u>No.</u>	<u>Subject</u>
78 cont.	need a particular program, services may be purchased from a district providing such a program. The board of the district providing a special education program is given final authority to approve enrollments in the program.

Requires districts to submit plans for compliance with the act by July 1, 1973; if they do not, or if the plan is not acceptable, the state board of education must recommend a plan for the district before January 1, 1974.

June 2

June 2

81	<u>Criminal procedure - defendants committed to custody of department of institutions.</u> Authorizes the executive director of the department of institutions to designate institutions, including community mental health centers, for the observation and examination of criminal defendants in the custody of such department who have been certified as no longer insane or eligible for conditional release. Provides that when the committing court receives such a certification, it shall order a defendant originally charged with a crime against a person to be committed for observation and examination to the university of Colorado psychiatric hospital or other designated institution, other than the one where the defendant was held for treatment, and provides that such commitment may be ordered for other defendants on the court's own motion or on request of the district attorney or the executive director of the department of institutions.
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March 31

March 31

82	<u>Mental health - western regional mental health center.</u> Establishes the western regional mental health center at Grand Junction. Provides that the center will be under the supervision of the department of institutions and that the executive director of the department will appoint staff for the center. Provides for the acceptance of gifts and grants and for admission and transfer of patients, which provisions are similar to those governing the Fort Logan mental health center.
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June 2

June 2

83	<u>Damages - transplants and transfusions - limitation on liability - consent of minor to donation of blood.</u> Provides that no person or entity which participates in the donating, obtaining, preparing, transplanting, injecting, transfusing, or transferring of any tissue, organ, blood, or component thereof from one human being to another living human being shall not be liable for any damages arising therefrom, except for his
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Senate Bills

No. Subject

83 negligent or willful misconduct.

cont.

Provides that a minor who is at least 18 years of age may give consent to the donation of his blood, and that such consent shall not be subject to disaffirmance because of minority.

March 11

March 11

87 Real estate brokers and salesmen - recovery fund. Creates the real estate recovery fund, which is to be composed of annual \$10 payments by real estate brokers and annual \$5 payments by real estate salesmen, collected at the time of license renewal beginning in 1972. Provides that a person obtaining a final judgment against a broker or salesman on the grounds of fraud, deceit, willful misrepresentation, or conversion of trust funds in a transaction for which a real estate license is required may be paid, out of the recovery fund, any unpaid portion of the judgment, but limits the amount of recovery out of the fund as to any one licensee to \$15,000.

No payment from the fund may be made unless the suit was commenced within 1 year after the cause of action accrued, and the real estate commission must be notified of the suit and made a party when application is made for payment. After termination of all proceedings including appeals, and before payment is ordered, the court must find that all reasonable efforts to collect have been made and have failed. If payment is made, the real estate commission is subrogated to the rights of the judgment creditor, and it must also initiate proceedings to suspend or revoke the judgment debtor's real estate license.

June 4

June 4

90 Motor vehicles - license plates. Provides that license number plates for passenger vehicles for the calendar year 1973 and thereafter shall bear the words "Colorful Colorado".

April 14

April 14

91 Planning - Colorado land use commission - appropriation.

Plans. Reformulates the duties of the Colorado land use commission. Directs the commission to prepare and submit to the general assembly a progress report by February 1, 1972, an interim land use plan by September 1, 1972, and a final land use planning program by December 1, 1973. Requires the commission to utilize existing land uses and policies and to recognize that decisions should be made at the lowest possible

Senate Bills

<u>No.</u>	<u>Subject</u>
91 cont.	level of government. Authorizes the commission to establish criteria for classifying land use problems as matters of state, regional, or local concern. Directs the commission to appoint an advisory committee to consist of legislators and representatives of specified interests.

Emergency power. Provides that if the commission finds that a land development activity is in progress or proposed which constitutes a danger of irreparable injury, loss, or damage of serious and major proportions, it must notify the governing bodies of the counties, cities, or towns involved. If the local governing body does not remedy the situation, the land use commission may ask the governor to review the matter; if the governor grants the request and determines that the activity constitutes such a danger, he may direct the commission to issue a cease and desist order to the person in charge of the activity, which order is enforceable in a district court. When an order of the commission or the court is issued, the commission is required to establish planning criteria for the elimination of the danger.

Winter olympics. Empowers the land use commission to cooperate in site selection for the 1976 winter olympics; to evaluate land use matters and public investment related thereto; to cooperate with local officials in developing land use controls which are adequate to protect the environment; and, if local authorities do not provide adequate controls, to establish adequate regulations upon recommendation of the governor.

Miscellaneous. Requires the land use commission to develop model resolutions for subdivisions, designated floodways, and improvement notice regulations for unincorporated areas where building permits are not required. Directs counties to adopt and enforce such improvement notice regulations not later than January 1, 1972. Requires the commission to designate in its progress report critical areas for identifying 100-year floodways. Makes other changes in the "Colorado Land Use Act", including broadening the specified reference to a land use map and referring instead to plans, maps, and related implementation techniques in land use planning; reconstituting the commission to increase its membership from 7 to 9 and to require greater representation from western Colorado; authorizing the commission to perform its duties through its own staff or by contract, rather than by utilizing staff of the state planning office; and authorizing the receipt and use of funds from private as well as governmental sources. Appropriates \$282,260 for the implementation of the act.

June 2

June 2

Senate Bills

No.

Subject

- 92 County planning - subdivision regulations. Requires every county in the state to have a county planning commission, and requires each board of county commissioners to adopt and enforce subdivision regulations for land in the unincorporated portion of the county by July 1, 1972. Provides that the Colorado land use commission may promulgate subdivision regulations for such areas if the county commissioners have not acted by such date, and that if the county commissioners adopt subdivision regulations thereafter, they must be at least as stringent as those promulgated by the land use commission. Requires all subdivision regulations and amendments thereto to be furnished to the land use commission.

Requires subdivision regulations to include standards for areas for recreation, schools, utilities, and other public services and provisions for storm drainage, sanitary sewers, and water systems. Provides that regulations shall require subdividers to submit certain data, analyses, and plans to the board of county commissioners and the Colorado land use commission, including a survey, site characteristics, and a plat showing, among other things, water, sewer, street, and parking requirements. States that no subdivision may be approved for recording unless it has been found to comply with the county's subdivision regulations.

June 2

June 2

- 93: Planning aid - local and regional planning agencies - appropriation. Creates the state-local government planning aid fund which is to be administered by the Colorado land use commission and used to reimburse municipal, county, and regional planning agencies which carry out a planning work program. A planning agency may qualify for assistance if it is located in an area designated by the Colorado land use commission as an area of critical planning need, if it is in need of planning funds, and if it has submitted a specific work program and had the program approved by the commission. Reimbursement may not exceed 2/3 of the total actual costs incurred in carrying out the program. Appropriates \$200,000 for planning aid for the fiscal year 1971-72.

May 6

May 6

- 99 Supplemental appropriation - department of social services. \$4,983,106, allocated as follows: \$3,368,031 for aid to families with dependent children; \$292,446 for aid to the needy disabled; \$12,000 for the workshop for the blind; \$41,216 for the Trinidad state nursing home; \$623,797 for medical care Title XIX; and \$645,616 for the mentally retarded in state nursing homes.

Provides that of the total appropriation, \$4,941,890

Senate Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|---|----------|----------|
| 99 | shall be out of the general fund, and \$41,216 shall be out of cash funds of the Trinidad state nursing home. | March 31 | March 31 |
| 103 | <u>State historical society - powers.</u> Authorizes the state historical society to loan materials or exhibits to responsible borrowers for reasonable periods of time under adequate safeguards. | March 31 | March 31 |
| 104 | <u>Towns and cities - acquisition of park lands.</u> Provides that a town or city may authorize the acquisition of park lands by ordinance. Provides that the ordinance shall specify the location and legal description of the lands to be acquired and, in the case of purchase, the price to be paid and the manner of payment. Abolishes the requirement that the acquisition of park lands be approved at an election. Provides that the governing body of a town or city shall submit the question of acquiring park lands at the next regular municipal election upon petition of one-tenth of the electors of the town or city voting at the last regular municipal election. Does not change the requirement of an election to approve the incurring of indebtedness or the issuance of bonds for the acquisition of park lands. | March 19 | March 19 |
| 107 | <u>Agriculture - brand inspection - sale of animals.</u> Allows brand inspector to permit public sale of animals, in justifiable circumstances, without adequate proof of ownership, the sale proceeds thereof to be impounded until such proof is forthcoming from the consignor. | March 11 | March 11 |
| 109 | <u>Supplemental appropriation - department of natural resources.</u> Out of game cash fund, \$12,750, to provide matching funds for federal funds available under Dingell-Johnson Act. | March 11 | March 11 |
| 110 | <u>Department of natural resources - funds for roads.</u> Requires the general assembly to annually determine amounts to be expended for road and highway work in recreation areas and parks, and is to appropriate such amounts to the division of game, fish, and parks from the state's share of highway users tax fund. Such funds are to be used only to contract with the state department of highways for the provision of such work. | March 12 | March 12 |

Senate Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|--|----------|----------|
| 117 | <u>Supplemental appropriation - secretary of state.</u> \$76,167, for publication of initiated and referred amendments for elections, and of the court of appeals reports. | March 11 | March 11 |
| 118 | <u>State institutions, departments, and agencies - security officers.</u> Authorizes all state institutions, agencies, and departments of state government to employ security officers, at least 21 years old, who will, while on state property, have the powers of peace officers to carry weapons and make arrests. Local police authorities are directed to coordinate their activities with these security officers. | April 24 | April 24 |
| 119 | <u>Jury service - petit juries.</u> Changes provision concerning length of service for petit jurors by providing that judges in a county of from 100,000 to 400,000 population may change term of service to between 2 calendar weeks and 31 days, rather than to 4 calendar weeks. In counties of between 40,000 and 100,000, the term of jury service presently 4 calendar weeks, may now be extended to 31 days. All term maximums are still subject to the provision that a juror will not be discharged while hearing a trial, or, in the court's discretion, after jury selection has begun in a case. | April 24 | April 24 |
| 121 | <u>Supplemental appropriation - revisor of statutes.</u> \$190,000, of which \$35,000 is for publication of 1971 Session Laws, and \$155,000 for contractual services in the preparation of annotations and index for Colorado Revised Statutes 1973. | March 11 | March 11 |
| 125 | <u>Racing - duration of quarter horse race meets.</u> Authorizes a licensee to conduct up to 8 additional days of races, which days shall be added to a quarter horse race meet. Provides that such extra days shall be devoted to races of appaloosa, Arabian, paint, pinto, and palomino horses, if entered in sufficient numbers, otherwise additional quarter horse races may be held. | June 2 | June 2 |
| 127 | <u>Dentists and dental hygenists - licensing.</u> Provides that a license certificate may be issued to a full-time faculty member of a school of dentistry or dental hygiene upon certification by the dean or director of the school, if the faculty member is otherwise qualified for a license. The license certificate | | |

Senate Bills

No. Subject

127 issued under this provision enables the faculty member to
cont. perform all functions associated with licensure in the
discharge of his duties at the school.

Provides that the renewal of a dental hygienist's license shall be issued before April 1 instead of March 1 of each year, and raises the renewal fee from \$2 to \$4. Establishes a penalty fee of \$4 for late application for renewal.

March 31 January 1, 1972

128 Crimes - inducing consumption of drugs by fraudulent means.
Provides that it shall be a felony to cause another person to unknowingly consume or be administered any narcotic or dangerous drug.

April 14 July 1

129 Supplemental appropriation - department of agriculture.
\$142,683, allocated as follows: \$105,683 to state fair and industrial exposition for general purposes out of the general fund; and \$37,000 matching moneys to participate in federal wholesome meat act, out of the state federal cooperative meat inspection fund.

March 11 March 11

132 Counties - solid wastes disposal facilities. Gives department of health more detailed duties and powers relating to solid wastes disposal sites, and broadens definition of "solid wastes" to exclude only agricultural wastes. Solid wastes disposal sites and facilities in existence on July 1, 1971, must comply with the more stringent requirements for a certificate of designation by July 1, 1972. Applications for certificates must include more detailed information than previously required, and the application is to be referred to the department of health for review and recommendation, based upon criteria established by the state board of health, and the air and water pollution control commissions. Local health departments and land use planning agencies are also given a voice. Public hearings by the county commissioners are required, with published notice, on all applications. Counties are authorized to levy a tax to establish a fund to acquire and operate such facilities, and to charge fees to users of the facilities.

April 24 July 1

135 Income tax - withholding fund. Changes requirement that any unexpended balance in the income tax withholding fund in excess of \$100,000 be transferred to general fund on June 30 of each year by requiring all unexpended balances to be so transferred.

March 31 March 31

Senate Bills

No.

Subject

- 136 Oil and gas income tax withholding fund - balances. Changes requirement that any unexpended balance in the oil and gas income tax withholding fund in excess of \$50,000 be transferred to general fund on June 30 of each year by requiring all unexpended balances to be so transferred.

March 31

March 31

- 137 Agriculture - publication of livestock brands and transfers. Requires that the list of all new livestock brands and transfers be published in official state livestock paper.

April 14

July 1

- 138 Hospital districts - issuance of revenue securities. Authorizes board of directors of a hospital district to issue securities to finance the purchase, construction, or improvement of any hospital facility with said securities payable only from net pledged revenues.

April 14

July 1

- 139 Public utilities commission - pipeline safety. Authorizes the public utilities commission to make agreements with other states and agencies of the United States, and to provide for the exchange of information with other states and federal agencies, concerning the enforcement of laws on the safe transportation of gas by pipeline. For this purpose, "transportation of gas" excludes the gathering of gas in rural locations outside residential or commercial areas.

June 2

July 1

- 140 Motor vehicles - left turn on red light. Authorizes left turn from a one-way street onto a one-way street after a complete stop, unless such turn is prohibited by a sign.

April 14

July 1

- 145 Counties - advertisements for "stationery proposals". Advertisements for bids for supplies and services for county offices are to call for bids for one-year periods which need not commence on January 1. Advertisements are to be published not more than 40 days before the date set for bid openings, and they may be published in conjunction with other counties or with state ads calling for similar bids.

May 6

May 6

Senate Bills

- | <u>No.</u> | <u>Subject</u> |
|------------|---|
| 147 | <u>Administrative code - capital construction funding.</u> Repeals requirement that 5% of moneys accruing to the general fund be transferred to the capital construction fund each fiscal year. |

April 24 July 1

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|-----|---|
| 148 | <u>Narcotic drugs - treatment programs - possession of marijuana.</u> Requires persons conducting withdrawal or maintenance treatment programs for persons addicted to narcotic drugs to be licensed, or to have a certificate of compliance if the program is operated by a state agency or a political subdivision of the state. Withdrawal programs are those consisting of 3 weeks to 6 months of treatment by decreasing doses of a narcotic drug, leading to the addict's becoming no longer dependent on any amount of the drug; maintenance programs involve long-term administration of an approved narcotic drug, such as methadone, in the course of clinical investigation of addict rehabilitation. Detoxification treatment programs for addicts may be conducted without licensing or certification, but the department of health may require registration of such programs. Authorizes the department to make rules for withdrawal and maintenance treatment programs and for research programs which involve administration of narcotic drugs. |
|-----|---|

Requires that prescriptions containing named narcotic drugs in given quantities may be refilled no more than 5 times and only upon authorization of the person prescribing the drug, and provides that such prescriptions are valid for no more than 6 months.

Reduces a first offense of possession of not more than 1/2 ounce of marijuana from felony to misdemeanor status. Provides that the penalty for a first conviction for such offense shall be a fine not to exceed \$500 or imprisonment in the county jail for not more than 1 year, or both. Declares that a second or subsequent conviction for possession of marijuana is a felony, and sets the penalty at a fine of \$1,000 to \$2,000 or imprisonment in the state penitentiary for 1 to 14 years, or both. Authorizes deferred prosecution of first offenders in a manner similar to that presently authorized for dangerous drug violators.

June 2 July 1

- | | |
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| 149 | <u>Social services - county and state appropriations and payments.</u> Minor changes concerning the apportionment of expenses for public assistance between the state and counties. Allows state funds to be advanced, as well as reimbursed to, counties, and allows use of state funds for reimbursement of county expense for office space, utilities, and fixtures if matching federal funds are available. Counties are required to keep records pursuant to state rules. |
|-----|--|

May 6 July 1

Senate Bills

No.

Subject

153 Firemen's pensions - disability - survivors. The state's annual contribution to firemen's pension funds in municipalities and special districts, from funds derived by the tax on insurance premiums, is increased from \$1,300,000 to \$1,550,000. The 12-month delay provision for receipt of pension benefits for disability arising from off-duty injury is made inapplicable for firemen employed before July 1, 1971. Widows or dependent mothers of deceased firemen will now receive a monthly annuity equal to one-third of the monthly salary of a first grade fireman rather than a flat \$150 per month.

May 6

July 1

154 Public welfare - state board of social services - powers. Authorizes the state board of social services to adopt rules for the establishment of a program to provide social services to Colorado residents who need and request them, which rules must comply with any conditions placed upon available state and federal funds. Allows the state board to adopt budgetary standards for the determination of a schedule of fees for social services. Authorizes the state board to make rules pursuant to contracts with the federal government for studies of income maintenance projects, and provides that statutory eligibility requirements need not apply to such projects; but prohibits any project which would increase the welfare burden on any county or city and county and requires any project conducted in the Denver area to cover the entire Denver standard metropolitan statistical area.

May 6

July 1

155 Schools - teachers' emeritus retirement fund. Increases maximum monthly payments to qualifying teachers from the teachers' emeritus retirement fund from \$150 to \$175.

June 2

July 1

158 Health care facilities - licensing. The licensing requirement for hospitals and other institutions for the care of the sick or injured is made applicable, starting in 1972, to specifically named types of health care facilities and other institutions of like nature, except those owned and operated by governmental agencies, and the license must be renewed annually thereafter. License fees remain at \$10, and provisional licenses at the same fee may be issued for up to two periods of 90 days each pending compliance with the requirements for regular licensing. Procedures are spelled out relating to denial, suspension, and revocation of licenses.

April 14

July 1

Senate Bills

No. Subject

160 Insurance - service of process on unauthorized company. Names the commissioner of insurance, instead of the secretary of state, as the agent for service of process upon an insurance company not authorized to do business in this state. Raises the fee for receiving such service from \$2 to \$5.

June 2 July 1

161 State officers - secretary of state - fees. Adds to fees charged by the secretary of state charges of \$5.00 for filing documents of bodies corporate and politic and for filing facsimile signatures.

April 24 July 1

166 Health - division of alcohol and drug abuse - state advisory council. Changes name of alcoholism division in the department of health to the division of alcohol and drug abuse, and provides that the division shall formulate a comprehensive state plan for alcohol and drug abuse programs. The state plan must include a survey of needs in the alcohol and drug abuse field, including the need for health facilities and trained personnel, plans for educational programs, and plans for providing necessary facilities, programs, and personnel. Authorizes the division to make grants for programs sponsored by public agencies which provide medical, diagnostic, treatment, rehabilitative, educational and counseling, or training services, and to purchase such services from public or private nonprofit agencies approved by the division. Provides that preference in approving grants shall be given to public programs that are community based, provide a comprehensive range of services, and evidence a high degree of community support. Directs the division to purchase services that do not duplicate existing available services or are of a pilot nature.

Creates a 17-member state alcohol and drug abuse advisory council, composed of named state officials and 9 members appointed by the governor. Directs the advisory council to assist in preparing the state plan and to recommend priorities for allocation of funds for grants and purchase of services.

Requires the division, with the assistance of the advisory council, to review and make recommendations on requests for state appropriations for alcohol and drug abuse programs and on applications for federal grants for such programs, including a statement as to whether the request or application is consistent with the state plan.

June 2 July 1

168 Mentally retarded - protective services. Institutes a pilot program whereby the department of social services is authorized

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No.

Subject

168 cont. to offer certain services to up to 400 mentally retarded persons, 18 or older, who have recently been discharged from, or are waiting for entry into, a state institution, but who are not at the time subject to commitment proceedings. Such protective services may include, among others, assistance in obtaining the necessities of life, employment, education, medical and legal help, aid relating to property and finances, and help in dealing with society generally. Such assistance may be initiated at the request of the person or on his behalf through a county welfare department, in which case the state department is to determine his eligibility for available services, or may be initiated by a court petition brought by any person or by the department, in which case the court may find, upon adequate medical and other evidence, that the respondent is mentally retarded, that no adjudication of incompetency is required, and that he would benefit from available protective services by being made a ward of the department. Upon making such order, the court is also to set forth any legal disabilities imposed upon the ward. The department may also provide protective services for persons subject to adjudication proceedings at the request of the court having jurisdiction, and the department may, upon posting bond, be appointed conservator of the estate of a person adjudicated mentally deficient who has an estate of not more than \$10,000, if such person is receiving protective services from the department.

June 2

July 1

169 Minors - consent for medical and dental care. Permits any minor who is married, any minor 18 or over, or any minor 15 or over not living with his parents and managing his own financial affairs to give consent to the furnishing of hospital, medical, dental, or surgical care to himself without requiring consent of a parent or guardian. Doctor or hospital not liable if in good faith it relies on such a minor's consent. Permits a minor parent to give consent to the furnishing of care to his child or ward, and provides that once consent is given, the minor parent has all the rights, powers, and obligations of an adult.

April 24

July 1

170 Seeds - labeling requirements. Establishes definitions for hard and dormant seeds and requires percentage of each be stated on the container label. Exempts wholesale transactions involving seeds from certain labeling requirements. Allows sale of screenings if labeled "screenings for processing, not for seeding".

April 14

July 1

Senate Bills

No. Subject

171 Agriculture - Colorado nursery act. Repeals and reenacts the Colorado nursery act. Changes include: Requiring that out-of-state nurseries selling nursery stock in Colorado file a state of origin inspection certificate with the department of agriculture and also requiring an inspection certificate to accompany each shipment of out-of-state stock; including turfgrass sod in definition of nursery stock; requiring nurserymen and dealers to remove from sale all infested and dead or dying nursery stock; increasing fee for official inspections from \$3 to \$4 an hour not to exceed \$35 for one inspection; increasing nursery advisory committee from 8 to 10 members with one turfgrass grower and an additional landscape contractor to be appointed to the committee; authorizing and directing the commissioner of agriculture to adopt necessary rules in accordance with the administrative code; and authorizing the commissioner through the attorney general to bring an injunctive action against anyone violating the provisions of the article.

April 14

July 1

172 Agriculture - pesticides. Makes a variety of changes in "The Pesticide Act", of which some of the more important are: Providing that all pesticide dealers must annually obtain a license from the commissioner of agriculture for a fee of \$5, with such license expiring Dec. 31 of each year; defining a "restricted use pesticide" as one which is determined by the department of agriculture to create an undue hazard to persons, land, crops, or wildlife; authorizing the department of agriculture to adopt a list of restricted use pesticides and to regulate the time and conditions of sale, distribution, and use of such pesticides; establishing a procedure for service of process on nonresidents who apply for registration of pesticides; directing the department of agriculture to refuse application for registration of any suspected harmful pesticide for which the applicant fails to provide standards and methods of analysis, and authorizing the the department after January 1, 1972, to cancel the registration of any suspected harmful pesticide for which a method of analysis is not provided; and directing the department to issue a stop sale, use, or removal order if pesticides are found in damaged or faulty containers.

April 24

January 1, 1972

175 Local governments - intergovernmental contracts and cooperation. Implements section 18 (2) (a) of article XIV of the state constitution, adopted at the 1970 general election. Provides that policital subdivisions of the state, agencies or departments of the state or federal governments, and political subdivisions of adjoining states may contract or cooperate with one another to provide any service or facility which each is authorized to provide, if the contract or cooperation is

Senate Bills

No.

Subject

175 authorized by each party and is approved by its legislative
cont. body or other appropriate authority. Any other provision of
law requiring special types of contracts or cooperation
prevails over this general provision. Authorizes contracts to
provide for the joint exercise of the service or facility and
for the establishment of a separate legal entity to do so.

Requires each political subdivision of the state to file
a list of all its contracts with other political subdivisions,
together with information on their nature and expiration dates,
with the division of local government on or before February 1,
1972, and to update the list on or before each February 1
thereafter.

April 24

January 1, 1972

177 Mental defectives - state home and training school at Pueblo.
Establishes a separate state home and training school at
Pueblo, for which a superintendent is to be appointed by the
executive director of the department of institutions (who is
now also to appoint the superintendents at Grand Junction and
Ridge), such position to be subject to the qualifications set
forth in the statute and also to civil service requirements.
The facility at Pueblo is to occupy buildings on the Colorado
state hospital grounds.

April 24

April 24

181 State funds - general fund. Creates a general fund to which
will be credited all state revenues and moneys not required by
the constitution or by statute to be credited to another fund.
Replaces the surplus fund, which is to be merged into the
general fund.

April 14

June 30

184 Statewide grand juries. Authorizes the appointment of a state
grand jury upon petition by the attorney general and a finding
by the chief judge of a district court that the matter cannot
be effectively handled by a county grand jury. Provides that a
state grand jury shall have statewide jurisdiction but is
otherwise governed by the law applicable to county grand
juries. Prospective jurors are selected by the state court
administrator from existing county jury lists. Jurors need not
come from every county and may be selected from counties near
the one where the chief judge authorizing the state grand jury
presides; but not more than 1/4 of the jurors may be from any
one county. Their maximum term is 1 year. Evidence is
presented to a state grand jury by the attorney general or his
designee. If an indictment is returned, the chief judge must
designate the county of venue for trial purposes, and he may
order the indictment consolidated with another returned by a

Senate Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|--|--------|--------|
| 184 | county grand jury. Costs of a state grand jury are paid by the state. | | |
| | | May 21 | May 21 |
| 186 | <u>Water - prevention of stream flow impediments.</u> Gives state engineer and division engineer the power and duty to issue orders to keep streams clear of unnecessary dams and obstructions which restrict or impede the flow of water. In court proceedings to enforce by injunction any such order, the costs of the proceeding, including a reasonable attorney fee, is to be charged against the person found to be violating a valid order of the state engineer. | | |
| | | May 6 | May 6 |
| 188 | <u>State hospital - treatment of mentally ill and others.</u> The state hospital at Pueblo is authorized to treat not only the mentally ill but also other persons in state institutions and in programs relating to alcohol and drugs who require care and treatment of the type available at the hospital. | | |
| | | May 6 | May 6 |
| 189 | <u>Colorado bureau of investigation - agents - functions.</u> Abolishes requirement that agents of the Colorado bureau of investigation must be at least 26 with at least 5 years' experience in law enforcement. Provides that when CBI agents investigate criminal activity on the governor's direction, they are not limited by the provision which states that their powers do not supersede those of local law enforcement officials. Directs the CBI to investigate organized crime cutting across jurisdictional boundaries, but provides that investigation is subject to the above-stated limitation. Requires law enforcement, correctional, and judicial agencies to furnish the CBI with all arrest, identification, and dispositional information which it may request, subject to the provisions of the "Colorado Children's Code" and, with respect to judicial agencies, to procedures established jointly by the CBI and the court administrator. | | |
| | | June 2 | July 1 |
| 190 | <u>Trademarks - change of name.</u> Whenever any individual, business, or other organization holding a registered trademark changes its name, it must file a statement to that effect, signed and notarized, with the secretary of state. The filing fee is \$5, and a new certificate will be issued for \$1. | | |
| | | June 2 | July 1 |

Senate Bills

No.

Subject

- 194 State personnel board - election - appropriation. Provides for the election of the 2 members of the new state personnel board who are to be chosen by state employees certified to classes and positions in the state personnel system. Nominations for the 2 positions closed as of April 1, 1971, ballots were to be provided by the secretary of state by May 1, to be marked and returned to him by June 1, and he is to certify the results by June 15. The candidate with the most votes will serve until June 30, 1976; the runnerup, until June 30, 1975. Appropriates \$5,000 to the secretary of state for election expenses.

March 19

March 19

- 196 Courts - additional judges in second judicial district. Authorizes 2 more judges in the second judicial district as of July 1, 1971, making a total of 16.

May 19

May 19

- 197 Health - noise abatement. Declares that excessive noise is a public nuisance, and establishes maximum permissible noise levels, according to the type of area involved. Allowable limits graduate upward from residential through commercial, light industrial and commercial, and industrial zones, the sound levels being measured in decibels which, if exceeded as measured at a point 25 feet or more from the property line of the sound source, is prima evidence that the noise is a public nuisance. Maximums are reduced by 5 decibels at night in each zone, may be exceeded in daytime for 15 minutes in an hour. Certain types of noises are declared nuisances at 5 decibels below the stated limits. Several exemptions or qualifications are set forth, including: Aircraft noise is not covered, nor are authorized race track events; construction projects and railroads are subject to industrial zone limits wherever they are; ambient noise must be considered in making sound measurements; and wind velocity over 5 mph invalidates a test.

Violations are not crimes, the remedy authorized being a civil action by any resident of the state to abate the claimed nuisance. A court may enjoin the responsible party from continuing the activity involved, but is to consider the difficulty faced by the party in complying with the allowable limits, and may allow time for compliance with the court order before making a finding of contempt of its order, which is to be punished by a daily fine of \$100 to \$2,000.

Other controls on noise are established by prohibiting the sale, under misdemeanor penalties, of any new motor vehicle or any self-propelled vehicle manufactured after various

Senate Bills

No. Subject

197 cont. specified dates, the noise limit on such vehicles to be measured from a point 50 feet or more from the vehicle or its lane of travel, the limits being more restrictive for vehicles manufactured after January 1, 1973. Local authorities are authorized to adopt resolutions or ordinances prohibiting the operation of vehicles producing noise in excess of limits specified, and may impose more restrictive controls.

June 2 July 1

199 Supplemental appropriation - coordinator of environmental problems. \$10,000, to pay the operating expenses of the Colorado environmental commission; available until April 30, 1972.

April 24 April 24

202 Courts - costs and fees - payment by the state - appropriation. Clarifies which expenses of courts will be paid by the state. States that costs in criminal cases will be paid by the state, instead of the county, when a defendant is acquitted or when he is convicted and cannot pay, and that the state will pay the costs of preliminary hearings. Provides that the state, not the boards of county commissioners, will pay costs incurred during the period of observation of a criminal defendant who pleads insanity, upon approval by the court. Authorizes the court to fix a reasonable fee and an amount for actual and necessary expenses of experts who evaluate a criminal defendant committed to the department of institutions, or who evaluate a person petitioning for an adjudication of competency, and provides that the state will pay such amounts.

Provides that the state will pay the following: Jury fees and witness fees for attending criminal trials in all courts of record except municipal courts and the county court of Denver; and fees and expenses of members of a medical commission and a guardian ad litem and other expenses incident to commitment proceedings. Jury fees and witness fees for municipal courts are to be paid by the municipality.

Provides that witness fees remaining in the possession of court clerks for 3 months and unclaimed shall be paid to the state treasurer, rather than into the county treasury.

Appropriates \$390,000 to the judicial department for the fiscal year 1971-72 for implementation of the act.

June 2 January 1, 1972

203 Health - local and regional services - appropriation. Changes

Senate Bills

No.

Subject

203 basis of state allotment of funds to local and regional health
cont. departments, from flat basic allotment of \$20,000 to each
county, to allocation on a per capita basis, 85% or less of
state funds to go for local health services and 15% or more for
regional services. Requires counties to expend at least \$1.50
per capita to qualify for state aid. Appropriates \$176,411 for
state assistance, in addition to amounts presently allocated by
the department of health.

June 2

June 2

204 Health - establishment of regional health departments.
Authorizes local health departments or boards of county
commissioners to apply to the state board of health for
establishment of a regional health department in a region or
part of a region established by the state planning office which
has a population in excess of 200,000. Each regional health
department is to have a board of health consisting of at least
7 members or such other number as to provide 1 member from each
county, 1 member from each city over 35,000, and 1 member for
each additional 50,000 population, with members appointed by
county commissioners and city council chairmen. Each such
board is to appoint a public health officer to serve as
administrator of the department. The duties of a regional
health department include: Enforcing health laws,
investigating and controlling epidemic and communicable
diseases, enforcing quarantines, compiling health statistics,
approving construction plans for septic tanks and nonmunicipal
waste disposal systems, and instituting personal,
environmental, and supporting health service programs. In
addition a regional health department has authority to
establish laboratories, make any necessary health
investigations, and purchase needed vaccines for distribution
to physicians. In addition to any federal and state
appropriations, the boards of county commissioners are
authorized to provide moneys from county general funds to
support a regional health department. Procedures are provided
for the merger, consolidation, and dissolution of existing
health departments or service authorities in order to form or
combine with a regional health department.

June 2

July 1

206 Public utilities commission - interstate motor vehicle carrier
regulation. Provides that motor vehicle carriers operating
either as common carriers or contract carriers by motor vehicle
no longer are required to obtain a P.U.C. permit for interstate
operations, but in lieu thereof must file with the P.U.C. an
application for registration of their federal I.C.C. authority
or federal exemption under which they operate in Colorado, must

Senate Bills

- | <u>No.</u> | <u>Subject</u> | | |
|--------------|--|----------|-------------|
| 206
cont. | have the application approved, and must keep it current. No notice or hearing is required on such application, nor is proof of public convenience and necessity. Carriers holding permits for interstate operations issued previously by the P.U.C. need not file the application for registration. Transfer of such registration is subject to P.U.C. approval, and registration is subject to revocation for cause, as in the case of permits. | April 30 | December 14 |
| 210 | <u>Administrative code - executive budget office.</u> Removes the executive budget office from the office of the governor and establishes it as a division in the department of administration. Gives to the executive director of the department of administration the responsibility for management analysis. Provides that the budget director shall assist the executive director in the analysis of the organization and functions of state agencies and their programs, and abolishes the position of director of management analysis. | April 14 | April 14 |
| 211 | <u>Administrative code - state planning office transferred to department of local affairs.</u> Repeals provision for a state planning office in the office of the governor and establishes a division of planning in the department of local affairs with all property and those employees necessary to carry out the functions of the new division transferred thereto as of July 1, 1971. Also abolishes the state planning advisory board and repeals provisions relating to the preparation and updating of a Colorado plan. Designates the division of planning as the primary state agency for the gathering, interpretation, and distribution of demographic information. | June 2 | June 2 |
| 212 | <u>Local government - annual compendium.</u> Transfers the responsibilities of the state auditor with respect to the publication of the annual compendium of local government to the division of local government in the department of local affairs, and transfers the authority of the advisory committee on governmental accounting with respect thereto to the executive director of such department. | April 14 | April 14 |
| 213 | <u>Local government - increase of annual levies.</u> Provides that the question of increasing the annual levy of any taxing district beyond the 5% limitation shall be submitted to and examined and determined by the division of local government in | | |

Senate Bills

No.

Subject

213 cont. the department of local affairs, rather than the property tax administrator. Provides that all qualified electors, not just property taxpaying electors, may vote on the question of an increased levy when the division fails or refuses to grant the increase within 10 days after submission of the question to it.

April 24

July 1

221 Public employees' retirement association - early retirement - reduction of benefits. Provides that a state, municipal, or school district employee member of the retirement association who is eligible for an annuity at age 60 with 20 or more years of service may be paid the annuity if the employee is at least 55 and has at least 20 years of service. If the employee is eligible for an annuity at age 65 with 5 or more years of service, he may be paid the annuity if he is at least 60 and has at least 5 years of service. In such cases, however, the annuity will be reduced by an amount equal to 0.5% of the annuity multiplied by the number of months and fraction of a month in the period from the beginning date of the annuity to the date the member would become 60 or 65, respectively.

April 24

April 24

222 Taxation - refund of ton-mile and passenger-mile taxes. Establishes a 3-year period after the date of payment of ton-mile or passenger-mile taxes within which a taxpayer must file a claim for refund or credit.

April 14

July 1

228 Elections - recounts. Provides that the county clerk in the case of a candidate for county or precinct office, or the secretary of state in the case of a candidate for congressional, state, or district office, shall order a recount when the candidate fails to be nominated in a primary election by 2% or less, instead of less than 2%, of the highest vote cast for a candidate of his party for that office, or fails to be elected in a general election by 0.5% or less, instead of less than 0.5%, of the highest vote cast for a candidate for that office. Establishes procedure for recounts at the losing candidate's request and at his expense if he fails to be nominated or elected by more than the number of votes provided for a mandatory recount.

April 24

April 24

230 Health - family planning. Sets forth the policy and authority of the state, its political subdivisions, and its departments and institutions with respect to contraceptive procedures,

Senate Bills

<u>No.</u>	<u>Subject</u>
230 cont.	<p>supplies, and information, including the following: All acceptable contraceptive procedures, supplies, and information shall be readily and practically available, without discrimination, to all who desire them; no hospital, clinic, medical center, institution, or pharmacy shall impose any prerequisite for contraceptive procedures, supplies, or information except referral to a physician, nor shall any such agency interfere with the doctor-patient relationship or with a doctor or patient wishing to use contraceptive procedures, supplies, or information; contraceptive procedures; including permanent sterilization, are consistent with state policy, but no unmarried person under 18 may consent to permanent sterilization without his parent's consent; dissemination of contraceptive information at schools, state and county health and welfare departments, institutions of higher education, and other state agencies is consistent with state policy; and no physician or institution is prohibited from refusing to provide contraceptive procedures, supplies, or information for medical, religious, or other conscientious reasons.</p>

Authorizes department of health to receive and disburse family planning funds to public and private organizations.

Provides that a physician may furnish contraceptive procedures, supplies, and information to a minor who is pregnant, a parent, or married, or who has a parent's consent, or who was referred for such services, or who requests and is in need of such services.

April 30 April 30

232	<p><u>Soil conservation districts - audits.</u> Replaces specific requirements pertaining to audits of soil conservation districts with a provision directing the board of supervisors to cause annual audits to be made in accordance with the "Colorado Local Government Audit Law".</p>
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April 14 April 14

236	<p><u>Guardians - mentally retarded persons.</u> Authorizes a district or probate court to appoint a guardian of the person, the property, or both, of a mentally retarded person on petition of both parents, a surviving parent, or other interested person. The guardianship does not terminate upon the mentally retarded person's reaching majority or upon his marriage, but only when terminated by the court. A guardian appointed under this act has all the powers and duties of a conservator with respect to the property of the mentally retarded person, and all the powers and duties of a guardian with respect to his person.</p>
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Senate Bills

No.

Subject

236 Provides for 2 special types of guardianships of mentally
cont. retarded persons: A limited guardianship, where the guardian
has power only over that portion of the property of the
mentally retarded person which exceeds his earnings; and a
standby guardianship, which takes effect on the death or
incapacity of the parents or other guardians of the mentally
retarded person.

Authorizes a parent to appoint a guardian for his
mentally retarded child by will.

April 14

April 14

237 Social services - eligibility - blind and needy disabled.
Creates a rebuttable presumption that certain assignments and
transfers of property, made within 5 years prior to applying
for aid to the blind or aid to the needy disabled, were made
for purposes of becoming eligible for such aid. See H.B. 1053,
which concerns eligibility for old age pensions, for statement
of the same presumption and exceptions thereto.

April 24

July 1

238 Public welfare - child welfare services. Clarifies definition
of "child welfare services" by referring to services to or for
children who are or are likely to become "delinquent",
"dependent and neglected", or "in need of supervision", as such
terms are defined in the "Colorado Children's Code". Requires
the state board of social services to adopt a fee schedule,
based on ability to pay, for the payment by those legally
responsible for the child of all or a portion of the cost of
child welfare services.

April 24

July 1

240 Administrative code - criminal justice planning. Creates the
division of criminal justice in the department of local
affairs, and provides that its duties shall include the
following: To collect and disseminate information on crime and
criminal justice; to analyze criminal justice activities and
problems, and to develop comprehensive plans for the
improvement of crime control and criminal justice; to advise
and assist law enforcement agencies; and to act as the state
planning agency under the federal "Omnibus Crime and Control
and Safe Streets Act". Transfers employees of the governor's
council on crime control to the new division, and terminates
the governor's council.

Creates the state council on criminal justice to advise
the division, to review and approve regulations and policies

Senate Bills

- | <u>No.</u> | <u>Subject</u> | | |
|--------------|--|----------|----------|
| 240
cont. | concerning funds available through federal programs, and to review and approve state plans in the field of crime control and criminal justice. | | |
| | Authorizes the development of regional criminal justice plans, and county or municipal plans as necessary. Provides guidelines for distributing funds to local law enforcement agencies. | | |
| | | May 6 | July 1 |
| 242 | <u>Crimes and punishments - fraud in obtaining property or services.</u> Makes it a felony to forge another person's name in connection with a credit transaction knowing that such person has been issued a credit card. Makes it a felony to obtain goods or services under a fictitious name or through fraudulent use of a credit device if the value involved is \$100 or more, and a misdemeanor if the value involved is less than \$100. Increases the penalty for the theft or criminal possession of a credit device to a fine of \$250-\$1,000 or imprisonment for 3-12 months. | | |
| | | June 2 | July 1 |
| 247 | <u>Insurance - investments by companies.</u> Changes somewhat the basis for computing the limitation on investments which domestic insurance companies may show as admitted assets. | | |
| | | April 24 | April 24 |
| 248 | <u>Insurance - assignment of group life insurance policies.</u> Provides that no law is to be construed to prohibit assignment of a group life insurance policy, but any assignment is subject to the terms of the policy and any other agreement of the parties, and an insurer has no duty to the assignee prior to receipt of notice of the assignment. | | |
| | | April 24 | April 24 |
| 249 | <u>Crimes - aiding escape from institutions.</u> Provides that any person who knowingly aids an inmate to escape from the Colorado state hospital, as well as from other state institutions, is guilty of a felony. | | |
| | | May 6 | July 1 |
| 251 | <u>Crimes - bringing harmful items to institutions.</u> Provides that any person who furnishes or attempts to furnish certain harmful items to persons confined in, or who brings such items onto the | | |

Senate Bills

No. Subject

251 premises of, the Colorado state hospital as well as other state
cont. institutions is guilty of a felony.

May 6 July 1

252 Labor - eight-hour day for women. Repeals the law which provided that women could not be employed in laundries, hotels, restaurants, or manufacturing, mechanical, or mercantile establishments for more than 8 hours in any calendar day, unless the employer secured a relaxation permit and paid wages of 1 1/2 times the regularly rate.

June 2 July 1

255 Dangerous drugs. Amends dangerous drug act so as to include tranquilizers (meprobamates) in the category of dangerous drugs, also adds several drugs to the list of those defined as hallucinogenic. Makes it unlawful to attempt to obtain a dangerous drug by fraud or misrepresentation, and provides that a second offense involving stimulant or hallucinogenic drugs is a felony. Updates terminology referring to federal drug act, and extends jurisdiction over drug cases to county courts.

June 2 June 2

257 Insurance - investment in loans on life insurance policies. Changes the limit imposed on domestic life insurance companies for investing in loans on their policies or contracts, from the total cash value of the policy to the amount of the reserve thereon.

April 24 April 24

258 Criminal procedures - witness statements - admissibility. A prior statement by a witness who testified in a criminal proceeding may be admitted into evidence when it conflicts with the testimony of such witness at trial, if the witness has not been previously excused from further testifying or if he is given a chance to explain or deny the prior statement, and if the prior statement concerns matters of the witness' own knowledge and is otherwise admissible.

June 4 June 4

262 Colorado criminal code. Completely recodifies the criminal laws contained in chapter 40, C.R.S. 1963.

Crimes or offenses are defined as being either felonies, misdemeanors, or petty offenses. Each offense falls into 1 of

Senate Bills

<u>No.</u>	<u>Subject</u>
262 cont.	10 classes: 5 classes of felonies, 3 classes of misdemeanors, and 2 classes of petty offenses, with different penalties attaching to each class. Penalty assessment procedures are available for the payment of fines in class 2 petty offense cases.

Culpability involving mens rea or its equivalent and the specific mental states which must be present in order for conduct to be considered criminal are defined. Circumstances are established where a person legally liable for the behavior of another person may be held accountable for an offense committed by such other person.

Significant changes are made as to crimes involving homicide, and the procedures to be followed in murder trials; crimes of sexual misbehavior; obscenity and pornography; public disorders, riots, and campus disturbances, and the powers of law enforcement agencies in such situations. Criminal harrassment is defined, and conspiracy is redefined to require the commission of an overt act. Numerous outmoded sections of law are omitted and others consolidated.

Some significant areas of law involving crimes and penalties are not covered in this act including, among others, motor vehicle operation, violations of health and safety laws, liquor code violations, water and mineral law violations, and criminal commercial activities. Due to the extensive nature of the changes in the criminal law made by this act, it cannot be adequately digested, and the act itself should be consulted upon any specific point.

June 2 July 1, 1972

267	<u>Supplemental appropriation - Colorado commission on higher education.</u> \$133,956, allocated as follows: Colorado state university, alterations to Alysworth Hall, \$35,000; Colorado state university, rent of Alysworth Hall, \$47,439; Lamar community college, state support or auxiliary enterprises, \$34,144; Otero community college, state support of auxiliary enterprises, \$17,373.
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April 24 April 24

275	<u>Towns and cities - indebtedness.</u> Implements the amendment to article XI, section 6, of the state constitution adopted at the 1970 general election. Replaces the list of specific purposes for which a town or city may contract indebtedness with a statement that a town or city may contract indebtedness for any public purpose. Raises the maximum total indebtedness allowed
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Senate Bills

No.

Subject

275 cont. by providing that the 3% limitation is based upon the actual value of taxable property in the city or town rather than upon the valuation for assessment of such property. Removes the 12-mill limit on levies for the purpose of paying indebtedness, and provides that taxes shall be levied such that the proceeds thereof, together with other pledged revenue, assets, or funds, are sufficient to pay the debt within the time provided. Removes the minimum term for municipal indebtedness, and increases the maximum term from 15 to 30 years. Eliminates the dual ballot provisions for bond elections enacted in 1970, and provides that all registered qualified electors of a city or town may vote.

May 26

January 1, 1972

276 Intoxicating liquors - election days. Removes the prohibition on the sale, service, or distribution of malt, vinous, or spirituous liquors on municipal election days, and provides that the prohibition shall not apply on any election day except primary and general election days.

April 24

July 1

287 Supplemental appropriation - department of revenue. \$143,573, out of the highway users tax fund, for general purposes; and \$25,000, out of the capital construction fund, for building improvements in the automated data processing facilities.

May 6

May 6

289 Schools - vocational education - financial stability. Amends "The Proprietary School Act of 1966" in various respects, the principal change being in the requirements of proof of financial stability and bond or alternative requirements to secure such stability. Other changes include procedures relating to revocation of permits and certificates, and extending the definition of a proprietary school to include one doing business in the state, whether or not the school is located within the state. Responsibility of the surety on the school's bond is broadened to protect the student's sponsor, and the bond is applicable to loss of fees paid as well as tuition. If a school ceases operation and does not refund unearned tuition and fees, the board is to assist students in making claims, may make demand on the surety on behalf of such students as it can reasonably identify, and may settle or compromise with the surety on all such claims and give the surety a release and discharge on the bond. Failing settlement, the board is to thereupon sue on the bond.

Senate Bills

<u>No.</u>	<u>Subject</u>		
289 cont.	Requirements for a certificate of approval now include, one or more of the following: Certified financial statements showing adequate capital structure; surety bond in an amount dependent upon unearned tuition totals, from \$2,000 to \$20,000, plus 50% of such tuition over \$20,000; escrow agreements involving 75% of unearned tuition, or combinations of escrow, surety bond, and net worth. The \$100 limit on board expense in investigating a school for accreditation is removed. The state board is to have one member representing proprietary schools.	June 4	July 1
290	<u>Insurance - list of nonadmitted reinsurers.</u> Provides that the commissioner of insurance shall apply the standards specified by law for the admission and licensing of insurance companies in approving nonadmitted reinsurers. Requires the commissioner to prepare a list of qualified nonadmitted reinsurers. A nonadmitted reinsurer may apply for inclusion on such list and must file an annual financial statement. The annual fee for filing the financial statement is \$50; the annual fee for inclusion on the list is \$25.	June 2	July 1
291	<u>Insurance - reinsurance.</u> New article on reinsurance supplements existing statutory provisions on the subject and is applicable in cases where any insurer, in other than the ordinary course of business, seeks to reinsure all or any portion of its risks so as to transfer its liability thereon to another company. Where applicable, the following provisions must be met: A petition for approval must be filed with the insurance commissioner for any such plan involving all or a substantial part of the company's risks; a public hearing may be called; and the commissioner may approve or disapprove according to the best interests of policyholders and public, or he may require modifications for approval, including, if the reinsurer is a foreign company, the filing of complete information on policies being reinsured and the deposit of securities equal in value to the reserves required by such policies, subject to gradual release thereof as the obligations are satisfied. Commissioner approval is also required on all other reinsurance transactions to which the article applies, and is likewise required on any further reinsurance of reinsured risks with an unlicensed insurer. Acts prohibited include: No person connected with the insurer being reinsured for one year prior to the reinsurance transaction may receive any compensation for his part in carrying out the transaction; no licensed insurer may withdraw from business in the state without having reinsured all risks with a licensed insurer.	April 24	July 1

- | <u>No.</u> | <u>Subject</u> | | |
|------------|--|----------|----------|
| 292 | <u>Insurance - remuneration of insurance company officials.</u>
Raises from \$5,000 to \$20,000 the amount of annual compensation which may be paid to an insurance company official without authorization by the company's board of directors. | April 24 | April 24 |
| 293 | <u>Insurance - approval of forms.</u> Includes forms for endorsements, riders, and applications which become part of an insurance contract in the category of forms for which the approval of the commissioner of insurance is required. Clarifies the provisions governing the use of forms by providing that no form may be used until a 30-day period has expired after the filing of the form, unless the commissioner has given his approval, and that the commissioner shall notify the insurer in writing of disapproval, specifying the reasons therefor. Approval may be denied on the grounds that the form contains deceptive or misleading provisions. Authorizes the commissioner to withdraw his approval of a form by a written order, which may be based on the grounds that the form does not comply with law, that it contains deceptive or misleading provisions, or that it is being solicited by deceptive or misleading advertising. | April 24 | July 1 |
| 294 | <u>Insurance - valuation of insurance company investments.</u>
Provides that common stocks held by insurance companies shall be valued as presently required by law, and that if market value cannot be ascertained from trading on a public market, value shall be based on the pro rata share of the issuing company's net worth. Changes method of valuing preferred stocks by adopting valuation procedures promulgated by the valuations committee of the national association of insurance commissioners.

Provides that when property acquired in satisfaction of a debt is valued at the amount of the debt, interest on the debt shall not be included and taxes shall be capitalized. | April 24 | April 24 |
| 295 | <u>Insurance - certificate of authority - fee.</u> Establishes a \$5 fee for filing by an insurance company of an amended application for a certificate of authority. | April 24 | July 1 |
| 296 | <u>Insurance - companies' vouchers for disbursements.</u> Extends | | |

Senate Bills

- | <u>No.</u> | <u>Subject</u> | | |
|--------------|---|----------|----------|
| 296
cont. | requirement that disbursements by an insurance company be evidenced by vouchers from disbursements of \$100 or more to disbursements in any amount, and abolishes the requirement that vouchers be signed by the recipient of the money. | April 24 | April 24 |
| 297 | <u>State lands - exchange.</u> Authorizes the state board of land commissioners to exchange described lands in Pueblo and El Paso counties for other described lands, to enable the U.S. department of transportation to establish a testing facility. Directs the board to reserve mineral rights in the exchanged lands and to make the conveyance subject to existing easements and rights-of-way. | June 2 | June 2 |
| 298 | <u>Water pollution control - financial assistance to political subdivisions.</u> Makes miscellaneous changes in the law concerning assistance to political subdivisions for the construction of sewage treatment works. Provides that a project may be eligible for assistance if it is eligible under the federal water pollution control act, and removes the requirement that a municipality, to be eligible for assistance, must lack sufficient assessed valuation to raise the necessary funds by taxation. Adds metropolitan sewage disposal districts, service authorities, and Indian tribes or tribal organizations to the list of those who may be eligible for assistance. Directs, rather than permits, the water pollution control commission to contract with municipalities for assistance, but limits such contracts to the amount of appropriated state funds. Changes the provisions concerning the state's share of the cost of projects from a maximum of 30% to a minimum of 25%. Eliminates detailed provisions governing determination of reasonable and actual cost, and provides that cost will be determined by the federal environmental protection agency. Removes the commission's authority to limit the percent of appropriations allotted to any one municipality. | May 6 | May 6 |
| 301 | <u>Special districts - underground conversion of utilities.</u> Authorizes the governing body of a city, town, or county to create local improvement districts for the conversion of existing overhead electric or communication facilities to underground locations. Provides that creation of such districts shall be initiated by resolution of the governing body, on its own initiative or upon petition of a majority of the property owners owning at least a majority of the taxable | | |

Senate Bills

No.

Subject

301
cont.

property in the proposed district, declaring that the district is in the public interest. The resolution must include a request for a cost and feasibility study by each public utility serving the proposed district and a preliminary determination as to the method of assessing each parcel of land in the district. All assessments are to be based on the proportion of benefits accruing to each parcel of land. The governing body is required to consider the utility's reports and recommendations and may amend the district's boundaries if necessary.

Requires the governing body to pass a second resolution declaring its intention to create the district and to give notice of a public hearing, which notice must include the boundaries of the district, the estimated cost of the improvements, and the proposed means of apportioning costs among the property owners. Next, a proposed assessment list is prepared; a hearing on the list is held, at which property owners may object to the amount of the assessment; and finally, a third resolution, which embodies the assessments, is adopted. Assessments may be paid in installments over a period not to exceed 20 years. The assessment constitutes a lien on the property, and delinquencies are treated in the same manner as delinquent property taxes. The governing body may issue bonds, without submitting the question at an election, for terms not to exceed 20 years.

Sets forth the conversion costs to which public utilities will be entitled, with a reasonable allowance for overhead expenses, and provides that title to the converted facilities, and the duty to maintain, repair, and replace them, will be in the public utility.

Authorizes public utilities to convert to underground the utility facilities located upon each lot or parcel served unless the owner files timely written objection, in which case the owner can have the necessary trenching and backfilling work done himself between his utility service entrance and the point of connection. Such work must meet the utility's requirements, the utility may charge for any costs it incurs in connection therewith, and this and all other costs to the utility become part of the assessment against the property. The owner is responsible for all changes in service entrance equipment which are necessary to receive underground service. If the owner fails to provide for proper underground service connection within 60 days after such service is available, all overhead service to the property may be disconnected after a 20-day notice thereof.

May 6

May 6

Senate Bills

No.

Subject

- 306 State employees - overtime compensation. Increases the rate of compensatory time due state employees when workload varies through the year from equal time to time-and-one-half, with no cash payment permitted and no limit in amount except that it must be taken in the fiscal year when earned and is subject to mutual agreement as to when taken.

June 2

July 1

- 307 Cities and towns - municipal home rule. New article implementing the constitutional provisions adopted in 1970 to facilitate adoption and amendment of municipal home rule charters. Home rule may be initiated by petition of 5% of the electors or by ordinance, followed by an election to form a charter commission and electing members thereto, a commission to total 9, 21, or 35 members depending on municipal population. Members may be from specified districts, at large, or a combination thereof. The commission has the duty, after its formation is approved by the voters, to prepare a proposed charter for submission to the governing authority within 120 days after the election, the proposed charter to be published and voted on not less than 30 nor more than 120 days after publication. If the charter is rejected by the voters, the commission is to prepare a revised proposal, which, if again rejected, results in the dissolution of that commission, and no similar proposal can be initiated for 12 months. A special procedure is provided for the use of new municipalities, authorizing a concurrent vote on incorporation and formation of a charter commission.

Procedures are set forth for amending or repealing a charter and for a new charter convention by petition or ordinance. Except as specified, elections are to be conducted pursuant to the municipal election law. All municipal charters must contain procedures for initiative, referendum, and recall. More than one proposal, whether conflicting or alternative, may be voted on at the same election. A 45-day time limit is imposed on contests of election results.

May 6

January 1, 1972

- 308 Administrative code - communications coordination. Transfers the responsibility for operating communication facilities provided for the Colorado state patrol, and the telephone operators and radio dispatchers performing such operations, from the communications coordinator in the department of administration to the Colorado state patrol. Requires the chief of the patrol or his designee, and representatives from city and county governments, to be appointed to the advisory committee on the state communications system. Directs that the communications system shall be made available to the Colorado

Senate Bills

No. Subject

308 bureau of investigation in addition to previously named state
cont. agencies.

June 2 July 1

309 Towns and cities - power to lease real estate. Authorizes governing bodies of cities and towns to lease their real estate, together with any facilities thereon. Provides that a lease for more than 1 year shall be by ordinance, and that all other leases may be by resolution or ordinance.

June 2 June 2

312 Children - placement - Colorado youth center. Authorizes the executive director of the department of institutions to contract with public agencies for the use of facilities at the Colorado youth center. Provides that children adjudicated as in need of supervision shall be placed in public or private facilities under contract with the executive director, instead of in the Colorado youth center. Authorizes placement of such children in the Lookout Mountain school for boys or the Mount View girls' school if necessary, so long as the committing court gives its approval prior to such disposition, and repeals provisions forbidding such placement. Allows children placed in facilities established by the department of institutions, Lookout Mountain school for boys, Mount View girls' school, or the Colorado youth center, but not children placed in private facilities, to be assigned and transported on a daily basis to any other such facility for educational, treatment, or rehabilitative programs.

June 2 June 2

313 Mentally retarded - state contribution to purchase of services. Removes percentage limits on state's share of contributions for the purchase of services for mentally retarded and seriously handicapped persons by the department of institutions through community incorporated boards, and provides that the state contribution will be divided uniformly among all students in all approved facilities on the basis of average daily enrollment, computed as specified.

June 2 July 1

315 Air pollution control - commission - agreements with other agencies. Provides that the member of the air pollution control commission designated by the state board of health need not be a member of the board and shall be appointed by the governor. Authorizes the department of health to contract with regional and federal air pollution control agencies, but requires that any such agreement involving compliance with

Senate Bills

No. Subject

315 ambient air standards or regulations shall not become effective
cont. until the commission has held a hearing on and adopted such
 standard or regulation.

June 2

June 2

317 Special districts - three lakes water and sanitation district.
Creates the three lakes water and sanitation district by a metes and bounds description covering 59.25 square miles of land in Grand county, which is the area surrounding Grand lake, Shadow Mountain lake, and Granby reservoir. The governor is to appoint 4 members of the first board; the Grand county commissioners, the other 3. Starting in 1974, directors are to be elected. The board is granted general powers comparable to those of a local water and sanitation district. It has a limited right to charge for availability of water or sanitation services and the right to sell or lease and to make successive uses of water. The maximum tax levy allowed for the taxable year 1972 is 5 mills, with a 10 mill levy limit thereafter and a maximum levy limit for deficiencies of an additional 10 mills. Thirty-year revenue bonds and refunding bonds, both with the usual requirements and restrictions, may be issued without an election, but the incurring of indebtedness of the larger of \$25,000 or 1 1/2% of the valuation for assessment of land in the district requires a favorable vote of the electors, who are defined to include any person qualified to vote in Colorado general elections who has resided in the district at least 32 days, or who or whose spouse owns taxable real or personal property within the district. Voter registration is not required, but an affidavit is necessary to vote. Election proceedings are detailed, covering both regular and special elections. Procedures are set forth for the inclusion or exclusion of land, recall of officers, and the filling of vacancies. The board of the district is to submit a master plan for a sanitary sewer system to the Grand county commissioners by the end of 1972; the commissioners must hold hearings in the manner provided in article 18 of chapter 89 concerning service plans; and the district cannot proceed with construction without the commissioners' approval. The act is quite detailed and should be consulted for specific information.

June 2

June 2

319 Water conservancy districts - investment of funds. Authorizes water conservancy districts to invest funds not required for immediate use in any legal investment authorized by statute for political subdivisions of the state, and deletes the provision which specified that such districts may invest in federal or state treasury notes or bonds.

June 2

June 2

Senate Bills

No.

Subject

- 325 Public employees' retirement association - agents of the Colorado bureau of investigation. Extends to agents of the Colorado bureau of investigation vested with the powers of peace officers the same benefits, duties, and responsibilities as are given to officers of the Colorado state patrol, and provides that CBI employer and employee contributions shall be equal to those of the state patrol.

June 2

July 1

- 327 Appropriation - awards to state employees for suggestions. Outstanding suggestions by state employees are found to be worthy of payments over the normal limitation of \$100, and appropriations are made as follows: To Robert R. Greenlee, \$400 out of the game cash fund; to Perry D. Olson, \$2,450 out of the game cash fund; and to Doyle Gray, \$4,900 out of the general fund.

June 2

June 2

- 336 Junior colleges - direct grants - appropriation. Increases amount of the direct grant available to junior college districts for each Colorado resident student from \$525 to \$575, deletes provisions dealing with the method of certification of amounts due each district, and authorizes the state board for community colleges and vocational education to make regulations to govern the procedures for such certification. The board is also to determine payment dates and allocation of grants paid, with the approval of the state treasurer. Appropriates \$250,000 to the state board for such grants.

June 4

July 1

- 339 Water conservancy, conservation, and irrigation districts - elections. Repeals the dual ballot provisions enacted in 1970 for water conservancy districts, thus allowing all electors of a district to vote at its elections. Authorizes any elector of an irrigation district to be elected a director of the district and to vote at its elections. Changes residency requirements for electors of water conservancy districts from 30 to 32 days, to conform to amendments made in 1970.

June 2

June 2

- 340 Insurance - investments in first liens on real property. Specifies that state banks other than industrial banks, Colorado-chartered bank and trust companies, national banks, and combinations thereof are parties with which a domestic insurance company may have common ownership of an obligation secured by a first lien on real estate.

May 6

May 6

Senate Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|---|--------|-----------------|
| 344 | <u>Cities and towns - capital improvements fund.</u> The public works fund which towns and cities are authorized to establish may now be used for the acquisition or improvement of water or sewer facilities or for other public works, rather than only for public buildings, and can be financed through taxes or revenues other than ad valorem levies. Authorizes the accumulation of funds raised by the special improvements levy and the expenditure of such funds in subsequent years. | June 2 | July 1 |
| 347 | <u>Labor - unemployment insurance.</u> Amends employment security law to make it conform to the requirements and procedures of the federal "Employment Security Amendments of 1970", P.L. 91-373. Amendments relate to: Employers covered by the article; the taxable wage base; benefits payable to a claimant taking an approved training program; cancellation of wage credits or total reduction of benefit rights by reason of any one separation from employment; a temporary reduced tax rate for newly covered employers; designation as a "successor employer"; elective coverage by political subdivisions; election by nonprofit employers to reimburse fund for benefits rather than paying tax; establishment of a bonding process for employers electing to reimburse rather than pay tax; and a legal fee determination system. Beginning July 1, 1971, the act allows tax exempt organizations subject to the article before January 1, 1972, to elect to make payments rather than contributions for an 18-month period. The length and complexity of the amendments prohibit a detailed explanation, and if additional information is desired, reference should be to the act itself. | June 7 | January 1, 1972 |
| 351 | <u>Labor - occupational disease benefits.</u> Benefits for occupational diseases resulting in medical expense and disability benefits are increased by the same amounts as workmen's compensation benefits under S.B. 352, except for the maximum payment allowable for temporary partial disability, which continues to be one-half that allowable for the same disability under workmen's compensation. The limitation of liability of the last employer in cases of prior exposure is raised from \$5,000 to \$7,500, and the limitation now applies additionally to poisoning, disease, or malignancy caused by radioactive or fissionable materials. Poisoning by the products of combustion while fire fighting is a new occupational disease. Unpaid amounts for permanent total or partial disabilities are to continue at the regular rate to the dependents of an employee dying from a cause not the proximate result of occupational disease. The director of the division of labor may reopen, on his own motion, any case on grounds of error, mistake, or change in condition, within specified time | | |

Senate Bills

No.

Subject

351 limits and may decrease, increase, or terminate a previous
cont. award.

June 7

July 1

352 Labor - workmen's compensation - employers - benefits -
appropriation. The act basically extends workmen's
compensation coverage to more employees, and increases
benefits.

Coverage. Employers are made subject to the workmen's
compensation act if they hire one or more, rather than 4 or
more, employees and are not otherwise exempt by virtue of the
type of employment. Farm and ranch employers become subject to
the act beginning January 1, 1972, if they have 4 or more
employees for more than 6 months out of 12, not counting those
hired on an hourly or comparable basis to care for perishable
products. In addition to the existing exemption for those
employing private domestic servants, other employers exempted
include those employing 3 or less employees for not more than
10 consecutive days for work around a private home or at a
business not having any other employees subject to workmen's
compensation, and religious or charitable organizations paying
for services only by giving aid or sustenance.

Benefits. The coverage requirement for employers'
medical aid plans, including dental care, is increased from
\$5,000 to \$7,500, and the 6-month time limit thereon is
removed. The maximum weekly death benefit is increased from
\$59.50 to \$64.75, with the overall weekly maximum including
dependent children increased from \$72.10 to \$78.25, and
corresponding totals for the maximum 6-year period of the
weekly payments are increased from \$18,623.50 to \$20,266.75,
and in the case of dependent children, from \$22,567.30 to
\$24,492.25. Other increases in maximum aggregate benefits
include the following: Temporary partial disability, from
\$7,735 to \$8,417.50; permanent partial disability, from \$15,470
to \$16,835; permanent total disability paid in lump sum, from
\$18,623.50 to \$20,266.75.

Miscellaneous. Disability or death caused by heart
attack is not compensable unless the attack was due to unusual
or extraordinary overexertion in the course of employment. An
employer may elect to continue the employment of an employee
who has suffered a permanent partial disability of 5% or less,
with a corresponding credit given the employer or his insurer.
Appropriates \$55,000 to the division of labor to administer the
act.

June 7

July 1

Senate Bills

No.

Subject

- 353 Labor - "Colorado Major Medical Insurance Fund Act". New article establishes a major medical insurance fund to supersede the medical disaster fund created in 1965. The medical disaster fund will remain effective as to claims arising prior to July 1, 1971, but no further taxes on insurance premiums will be imposed for such fund after that date. The principal differences between the new article and the one which it supersedes are as follows: The new tax imposed on net premiums of insurance companies writing workmen's compensation and occupational disease coverages, and imposed on self-insurers on an equivalent basis, is at the rate of 1 1/4% rather than 3/4 of 1 percent, is subject to annual review and adjustment, and has no provision for abatement when the fund reaches a certain limit; no limitation is imposed upon the amount which may be paid on any claim, although the director must review any case in which total medical expenditures have reached \$15,000, and at increments of \$10,000 thereafter; the director may rely on medical information in the case file and need not call in a medical panel unless he wishes; and the employer or insurer is to receive any credit or benefit for a reduction of disability. In other respects the provisions of this act are substantially the same as those of the article creating the disaster fund, including the provision that moneys in the fund are to be devoted solely to defray the cost of medical, surgical, and hospital expenses necessary to effect the recovery, alleviate pain, or reduce the disability of employees who have established their entitlement to benefits under the workmen's compensation or occupational disease laws and have exhausted the medical benefits available thereunder.

June 7

July 1

- 354 Legal governmental investments - insured student loans. Adds, to the list of securities declared to be lawful investments for the state or any political subdivision, loans made by eligible commercial lending institutions to students attending institutions of higher education in the state if such loans are insured by the federal government, are covered by effective certificates of insurance, and have been in effect at least 1 year.

May 6

May 6

- 355 Agriculture - electric fences - specifications. Effective July 1, 1971, any electrical fence device sold or offered for sale or use must be in compliance with specifications established by the department of agriculture which are to be no less stringent than those promulgated by a nationally recognized testing laboratory. Violation is a misdemeanor, with a penalty of up

Senate Bills

No.

Subject

355 to \$1,000, 1 year in jail, or both.
cont.

May 6

July 1

356 Counties - establishment of sewer and water systems. Authorizes counties to establish and maintain sewer and water systems upon action by the board of county commissioners. A board may enter into service contracts with public or private users of water or sewer facilities. Under certain circumstances, property owners are required to connect their premises to the county sewer system and to pay the cost thereof. Allows the county to set rates and charges for services, to issue revenue bonds to pay the cost of facilities without the need for approval at an election, and to refund such bonds. The act is quite detailed and should be consulted for specific information.

June 2

June 2

357 Counties - elections - approval of taxpaying electors not required. Deletes requirement that electors must be taxpayers to vote on any indebtedness for construction contracted for on behalf of a county, any indebtedness of a county public improvement district, or the establishment or dissolution of a law enforcement authority. Also repeals the dual ballot provisions passed in 1970. Changes residency requirement from 30 to 32 days for voting in law enforcement authority and county public improvement district elections to conform with residency requirements in other elections.

June 2

June 2

358 State property - department of institutions authorized to convey property and lease certain facilities. Directs the department of institutions to convey to the Colorado school of mines certain land in Jefferson county which is no longer used by the Lookout Mountain school for boys, and authorizes the public sale of other land in Jefferson county which is no longer used by the school. Also authorizes the department of institutions to lease cottage facilities at the state home and training school at Ridge to nonprofit agencies.

June 4

June 4

359 Insurance - regulation of financial affairs - variable insurance contracts. Amends law relating to variable life insurance contracts and the establishment of separate accounts for investment contract funds. If a separate account is established to provide for life insurance or annuities, and

Senate Bills

No. Subject

359 cont. benefits incidental thereto, all income, gains, and losses must be credited or charged to the separate account without regard to other income, gains, or losses of the company. Reserves for benefits guaranteed as to dollar amount and duration and for funds guaranteed as to principal amount or stated rate of interest may not be maintained in a separate account unless approved by the commissioner of insurance, but other amounts allocated to a separate account and accumulations thereon may be invested without regard to the laws governing insurance company investments. Under ordinary circumstances, any transfer of assets between the separate accounts of a company is prohibited. A company may allow special rights and investment privileges to persons with an interest in separate accounts in order to comply with state or federal laws. The act is applicable to licensed fraternal benefit societies.

June 2

June 2

364 Fiduciary laws - trusts - certain acts prohibited in the administration thereof. In order to preserve the intent of testators and grantors of trusts for charitable, educational, religious, and benevolent purposes and minimize the imposition of federal income and excise taxes on such trusts, certain self-dealings, retention of excess business holdings, and the making of certain investments and taxable expenditures while administering charitable or split interest trusts is prohibited. Requires annual distribution of sufficient amounts to avoid certain federal tax liability on any trust which is a private foundation. Act applies to trusts established after December 31, 1969, and to trusts established before January 1, 1970, both applicability provisions being subject to certain exceptions specified by reference to the federal internal revenue code.

June 2

June 2

365 State property - advisory committee to state agency for surplus property abolished. Abolishes the advisory committee to the state agency for surplus property.

May 6

May 6

367 Motor vehicles - authorized races on unimproved county roads. Provides that a board of county commissioners can authorize the holding of timed endurance contests for motor vehicles on designated portions of unimproved county roads. Such contests are to be conducted in accordance with regulations adopted by the board of county commissioners.

May 27

May 27

Senate Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|---|----------|----------|
| 368 | <u>Supplemental appropriation - lieutenant governor. For personal services and general expenses - \$23,915.</u> | April 30 | April 30 |
| 373 | <u>Schools - qualifications of electors in district elections. Abolishes the dual ballot box requirements enacted in 1970, and eliminates all reference to taxpaying as a requirement to vote in school bond elections or other school elections involving debt questions. Confirms residency requirements for all school elections to the general election law by changing the state and district residency requirements to 3 months and 32 days, respectively. School district bonds, formerly required to be made callable for redemption after their 10th year, must now be callable no later than 11 years from their date. Repeals a provision passed in 1970 prohibiting school districts from authorizing elections for the issuance of bonds under chapter 123 after July 1, 1971.</u> | June 2 | June 2 |
| 375 | <u>Higher education - minority teacher encouragement program - expiration. Extends from June 30, 1971 to June 30, 1973, the expiration date of the minority teacher encouragement program, which requires the commission on higher education and state institutions of higher education to provide scholarship and other assistance to members of minority groups to enable them to become teachers.</u> | May 6 | May 6 |
| 376 | <u>Relief and public welfare - aid to dependent children. Lowers age from 18 to 16 for those children who are classified as dependent for A.D.C. purposes when their legally liable relatives cannot provide adequate care. Also provides that persons who are between 16 and 21 and in school or vocational training may qualify as dependent children if other requirements are met. Former age requirement was between 18 and 21.</u> | June 2 | June 2 |
| 380 | <u>Public utilities - transfer of assets. The public utilities commission must authorize and prescribe the terms and conditions for the sale of any of the assets of a public utility, and not merely its certificates of public convenience and necessity, in the case of any transaction not made in the normal course of the utility's business.</u> | June 4 | July 1 |

Senate Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|---|--------|--------|
| 381 | <u>Special districts - elections.</u> Eliminates the dual ballot provisions enacted in 1970, and provides that any elector of a district, whether or not he pays property taxes, may vote in elections of the district. Changes residency requirements for voting in some districts from 30 to 32 days to conform to amendments made in 1970. | June 2 | June 2 |
| 382 | <u>Motor vehicles - traffic offenses on federal military installations.</u> Requires a military authority which convicts any person of a traffic offense committed on a federal military installation in Colorado to forward records of such conviction to the department of revenue, which may impose points leading to the suspension or revocation of a driver's license. | June 2 | June 2 |
| 386 | <u>Administrative code - controller authorized to pay for loss of uninsured state property.</u> Authorizes the state controller, with approval of the governor, to reimburse contractors up to a maximum amount of \$100,000 for repair or replacement of state property which is lost or destroyed and which is not insured or not fully covered by insurance. | June 2 | June 2 |
| 389 | <u>Savings and loan associations - powers - investments.</u> Authorizes savings and loan associations organized under state law to exercise various powers to the same extent as is permitted for those organized under federal law, including the power to act in a fiduciary capacity, and to invest in securities of corporations engaged in certain businesses or activities. The provision limiting an association to borrowing no more than 50% of its invested capital is removed; it may issue securities, and it may buy and sell loans of the type it is permitted to make directly when done as a part of its other business activities. The requirement of annual examinations of associations without notice by the state commissioner of savings and loan associations is modified to require such examination at such intervals as the commissioner deems necessary. | June 2 | June 2 |
| 392 | <u>County officers - clerk of board of county commissioners.</u> Clarifies that the clerk of a board of county commissioners is not required to sign the board's orders for the payment of money where some law provides differently. | May 6 | May 6 |

Senate Bills

No.

Subject

- 393 Labor and employment - reorganization - division of manpower. Reorganizes a part of the department of labor and employment by abolishing the division of employment and giving its powers and duties to a new state employment service division and a new division of unemployment insurance, and creates a new division of manpower. The division of manpower is established for the purpose of assisting the unemployed and underemployed, especially those whose employment difficulties are related to age, physical condition, educational limitations, inadequate skills, minority status, or lack of work experience. The division of manpower is to operate a manpower service system, within the limitations of state and federal funds which may be available, utilizing available local agencies and establishing regional offices. It is to seek the removal of unnecessary employment barriers in private industry, promote and coordinate in-service training, apprenticeship, and vocational and other training, assist parolees, and cooperate with various schools and other agencies for the training of persons in manpower methods. The division may furnish or procure services such as testing, counseling, instruction, job-finding and placement, and the necessary supporting aid such as health, day-care, bonding, and transportation. A manpower advisory council is created, made up of 12 ex officio members, including various state and city officials having duties related to the general area, and 9 members to be named by the governor for 2-year terms from various interest groups.

VETOED June 7

- 394 Soil conservation - consolidation of districts. Minor amendments to the procedures for the consolidation of soil conservation districts.

June 2

June 2

- 395 Insurance - "Colorado Insurance Guaranty Act". New article creates the nonprofit unincorporated Colorado insurance guaranty association for the purpose of promptly paying legitimate claims against insurance companies becoming insolvent, speeding up the payment of valid claims, and thereby avoiding serious hardship to worthy claimants.

Formation and duties. The association is composed of all insurers doing business in the state, including reciprocals, but does not apply to life, title, surety, disability, credit, mortgage guarantee, or ocean marine insurance, and membership by all companies subject to the article is required as a condition of doing business in the state. The member companies are to select a board of directors and formulate a plan of

Senate Bills

<u>No.</u>	<u>Subject</u>
395 cont.	operation for the association. In the event a member company becomes insolvent, the association steps into the company's shoes for all purposes, including the payment of "covered claims" as defined, and expenses, and acquires all the company's rights against other parties including rights of subrogation on claims paid and the right to moneys due the insolvent insurer in the course of the insolvency proceedings.

Administration of plan. For administration and assessment purposes, three accounts are established; Workmen's compensation, automobile, and all other. Assessments of member companies are limited in any one year to 1% of the insurer's net premium receipts from business in the state, not including reinsurance, and assessments may be deferred for specified reasons. The cost of assessments may be passed on in premium increases to policyholders of the member companies paying them. The commissioner of insurance is to notify the association promptly of any actual insolvency proceeding, and the association is to notify the commissioner of any threatened insolvency of a member company of which it becomes aware and the commissioner may be asked to make an examination. The association may delegate most of its duties to an organization performing similar services in other states. Its functions may be terminated or its duties limited as to any particular type of insurance if the commissioner finds that a satisfactory statutory or voluntary plan is in existence to perform the same duties.

June 2

July 1

396	<u>Insurance - holding company systems.</u> Replaces the section concerning insurance company investments in stock of their wholly owned subsidiaries with a new article regulating insurance holding company systems. Prescribes the kinds of businesses in which a subsidiary organized or acquired by an insurance company may engage. Authorizes a company to invest in common stock, preferred stock, debt obligations, and other securities of its subsidiary under specified conditions relating to the company's surplus as regards policyholders, and provides that such investments in a subsidiary not wholly owned shall be admitted assets. Sets forth the circumstances under which investments in securities of a wholly owned subsidiary are admitted assets.
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Requires the prior approval of the commissioner of insurance for any merger or other acquisition of control over a domestic insurer, and directs certain information about the proposed arrangement to be filed with the commissioner and sent to the insurer's stockholders. Provides that a public hearing

Senate Bills

No.

Subject

396 shall be held on the merger or acquisition of control and that
cont. the commissioner may disapprove on specified grounds, including
the lessening of competition, impaired financial stability, or
unfairness to the insurer's stockholders.

Requires each insurer authorized to do business in Colorado who is a member of an insurance holding company system to register with the commissioner, disclosing certain financial and business information. Authorizes the commissioner to initiate injunctive proceedings against persons violating the act. Prohibits the voting or counting for quorum purposes of any security which is the subject of an arrangement in contravention of the act, and authorizes the seizure or sequestration of any such voting security by court proceedings. Provides criminal penalties for willful violation of the act.

June 2

July 1

397 Counties and cities - public projects. Provides that "public purposes", for which counties and cities may authorize public projects, include public water and sewer services and facilities.

May 6

May 6

403 Labor - employment agencies - licensing - fees chargeable.
Miscellaneous amendments to the article concerning private employment agencies:

Agency licensing fees. Agency license fees, new or renewal, are raised from \$50 to \$150; a branch office of an applicant located within the same municipality can be licensed without such fee if it has a managing personnel counselor who is individually licensed, such license requiring the passage of a test, payment of a \$50 original fee, and annual \$10 renewal fees; an individual licensed as a managing personnel counselor is also a prerequisite to the issuance of a license for the agency itself; persons employed as managing personnel counselors prior to September 1, 1971, may be licensed without testing for a \$10 fee until December 1, 1971, but may be subject to qualification requirements starting in 1973.

Employment fees. A job applicant fee computed on the basis of permanent employment is subject to being reduced to 20% of such fee upon termination of the employment for any reason within 30 days of acceptance. An option for extended payment of the fee must now be tendered every applicant along with the regular contract, the option to allow payment of the fee in 5 installments over 4 months, and upon termination of

Senate Bills

No. Subject

403 such employment without employee fault any installments not yet
cont. due are not collectible. Other payment terms can be agreed upon if the employee declines the option given, but no fee at all can be collected if the option offer is not made.

Miscellaneous. Adds, to the list of acts prohibited, misleading or inaccurate advertising concerning payment of fees, or failure to identify the agency in job ads, and makes violation of any prohibited act a misdemeanor, with fine and imprisonment penalties. Authorizes appointment by the governor of a 7-member advisory board to study the problems of the business and to advise the director of the division of labor.

June 2 September 1

404 County hospitals - mill levy. The maximum annual mill levy for establishing and maintaining a public hospital in a county is increased from one mill to 3 mills.

June 2 June 2

405 Universities and colleges - University of Colorado anticipation warrants. Increases from 2 million to 4 million dollars the maximum amount of anticipation warrants payable from the university research building revolving fund which the regents may request the state treasurer to issue.

June 2 June 2

408 Relief and public welfare - welfare warrants - county officers. County welfare warrants, formerly drawn by the county clerk, are to be drawn by a person appointed by the commissioners for such duty and are to be signed by that person and by one commissioner designated by resolution to do so.

May 6 May 6

409 Counties - information for publication of county expenditures. Requires the county accounting office, or the county clerk if he is acting as the accounting agency, to provide the county commissioners with the necessary material for the required publication of county expenditures, contracts, and the like.

June 2 June 2

411 Buildings - boiler inspection. Makes numerous changes in the article governing inspection of boilers, including the following: Updates references to the boiler code of the American society of mechanical engineers by replacing citations

Senate Bills

No.

Subject

411 cont. to the 1964 edition with citations to the 1968 A.S.M.E. boiler and pressure vessel code; provides that the Colorado boiler and pressure vessel code will include both the revised A.S.M.E. code and the 1970 manual for boiler and pressure vessel inspections published by the national board of boiler and pressure vessel inspectors, rather than the former alone; authorizes the boiler inspection section of the division of labor to adopt definitions, rules, and regulations for the construction, installation, inspection, operation, and repair of boilers; provides a new method of affixing serial numbers assigned by inspectors, which involves a metal tag stamped with the number and attached to the boiler near the manufacturer's identification; reclassifies boilers and establishes a new inspection fee schedule based on the categories of power boilers, heating boilers, hot-water supply boilers, miniature boilers, insured boilers, hydrostatic test when extra trip required, and other pressure vessels and heat exchangers; and authorizes the boiler inspection section, in the event of nonpayment of an inspection or certificate fee, to direct the supplier to discontinue the furnishing of fuel or electric energy.

June 4

July 1

412 Housing - relocation assistance - federally-assisted projects. Requires relocation payments and assistance, and land acquisition policies, which conform to the federal "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970", for all projects of state agencies and political subdivisions of the state for which federal financial assistance will be available to pay all or part of the cost. Relocation payments are patterned after those applicable to displacements for highway projects under present Colorado law, with the following changes: The maximum moving expense allowance is set at \$300 instead of \$200, and the dislocation allowance at \$200 instead of \$100; the allowance for a displaced business or farm, based on average annual net earnings, is subject to a minimum of \$2,500 and a maximum of \$10,000, rather than a \$5,000 maximum only; the maximum payment to an owner of a dwelling for the purchase of replacement housing is increased from \$5,000 to \$15,000 and such owners may be additionally compensated for their increased interest costs according to a formula set forth; and the maximum payment for replacement housing to those not qualifying for the payment to owners is increased from \$1,500 to \$4,000, with some restrictions when the amount is to be used as a downpayment on a dwelling. Any state agency or political subdivision acquiring land for a federally-assisted project must assure that sufficient decent, safe, and sanitary housing will be

Senate Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|--|--------|--------|
| 412 | available to those displaced. | | |
| cont. | Rules and regulations for the administration of the act may be adopted by the department of local affairs. The act sets forth procedures and policies for land acquisition for federally-assisted projects, and requires the acquiring agency to pay certain expenses incident to the transfer of title and, under specified conditions, the expenses of litigation. | May 6 | May 6 |
| 416 | <u>Statutes - publication of 1973 statutes.</u> Modifies the directions given the revisor in the 1970 law as to the publication contract for Colorado Revised Statutes 1973, to authorize the negotiation of a contract in lieu of the remainder of the contract for publication of the 1963 statutes and supplements whereby the state will acquire the rights to statute annotations previously unavailable to it by reason of copyrights. If this contract cannot be made, the lowest and best bid must include all publication work and also the acquisition of such annotations. | June 2 | June 2 |
| 425 | <u>Civil rights - blind, deaf, and other handicapped persons - dogs.</u> Restates the provisions of 1971 Senate Bill 24, with deaf and partially deaf persons named in the list of handicapped persons to which the stated policies and rights apply. Prohibits beating, harassing, or interfering with a dog on a blaze orange leash, or a dog accompanying a person carrying a white or metallic cane, or a dog on a harness normally used by guide dogs, and makes any violation a misdemeanor. Requires non-handicapped pedestrians to stop when necessary to avoid persons accompanied by dogs on blaze orange leashes. Adds blaze orange leashes to the items which are prohibited for use by persons not handicapped. | May 6 | July 1 |
| 434 | <u>Game, fish, and parks - registration of recreational vehicles.</u> Recreational vehicles, defined as self-propelled wheeled or track vehicles primarily for recreational off-highway use and not requiring licenses as motor vehicles, must be registered with the division of game, fish, and parks to lawfully operate in the state on or after January 1, 1972. The original licensing fee for a vehicle is \$5, with a \$1 annual renewal fee. Other provisions concerning registration are substantially the same as for snowmobiles under Senate Bill 64. Special registration provisions apply to dealers and | | |

Senate Bills

No. Subject

434 manufacturers. Government vehicles need not be registered,
 cont. vehicles registered elsewhere may operate for 30 days without
 charge, and vehicles of nonresidents not registered elsewhere
 can be operated for 30 days upon payment of a special permit
 fee of \$1. Operation without the required registration is a
 misdemeanor, carrying a penalty of a fine not to exceed \$100 or
 a penalty assessment of \$25.

June 2 June 2

436 Appropriation - long appropriation act. For expenses of the
 executive and judicial departments of state government, for the
 fiscal year ending June 30, 1972.

Operating budget*	\$793,335,825
Capital construction*	18,772,681
	<u>\$812,108,506</u>

* Includes some supplemental appropriations available on
 passage of the act.

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

(a) To the division of public welfare of the department
 of social services, \$165,571,317 from the general fund and
 federal funds, for the following purposes:

Schools of social work\$ 319,575
Medical care administration	1,515,000
County administration	16,354,000
Aid to families with dependent children.	49,049,600
Work incentive program	3,744,000
Aid to needy disabled.	10,036,621
Child welfare.	4,909,066
Aid to the blind	202,221
Tuberculosis hospitalization	144,960
Day care.	5,405,184
Medical care Title XIX.	73,539,090
State contingency	50,000
County contingency.	146,000
Cuban refugee assistance program	156,000

(b) To the department of education for the public school
 foundation program, \$138,064,347 from the general fund for the
 following purposes:

Minimum equalization\$131,054,347
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Senate Bills

<u>No.</u>	<u>Subject</u>	
436	Small attendance centers	1,260,000
cont.	Public school transportation	5,450,000
	Contingency reserve.	300,000

(c) To the division of game, fish, and parks of the department of natural resources for the fiscal year beginning July 1, 1971, \$7,696,220 from the game cash fund for operating costs of the game and fish functions of the division; \$1,202,084 from the general fund for operating costs of the parks function of the division; \$410,000 from the game cash fund for matching available federal funds apportioned during 1971 and 1972. For capital construction, \$1,967,025 for game and fish purposes, and \$2,838,500 for parks purposes.

June 4 June 4

437 Supplemental appropriation - department of local affairs.
\$179,000, for the expenses of the Colorado olympic commission.

May 6 May 6

442 Game, fish, and parks - raptores. Makes several changes in the law regulating the purchase, transfer, possession, and capture of raptores, which are birds such as falcons, hawks, owls, and eagles. Prohibits the purchase, trade, or transfer of raptores without the written permission of the division of game, fish, and parks. Provides that no raptore may be transported or removed from the state unless the division has issued a permit therefor, and expedites the granting of permits for temporary removal or for the permanent transfer of a species not known to inhabit North America. Exempts approved scientific or educational organizations, and approved breeders of raptores, from the possession limitations applicable to persons licensed to maintain raptores in captivity. Permits periodic inspections of licensees instead of mandatory semiannual inspections, and authorizes the division to confiscate any raptores of a licensee who does not correct deficiencies. Requires any person acquiring a raptore to notify the division within 48 hours after the acquisition, and directs the division permanently to identify any raptore held in captivity. Provides that a violation of the law governing raptores is a misdemeanor and is subject to a fine of \$25 to \$1,000.

May 6 May 6

460 Appropriation - legislative department. Appropriates \$2,888,058 to the legislative department for its expenses for the fiscal year ending June 30, 1972, to be allocated as follows:

Senate Bills

<u>No.</u>	<u>Subject</u>	
460	House of Representatives and Senate.	\$1,206,959
cont.	State Auditor	671,016
	Joint Budget Committee.	190,675
	Legislative Council	287,595
	Research Studies.	143,918
	Legislative Drafting Office	183,090
	Office of Revisor of Statutes	164,825
	Commission on Interstate Cooperation.	34,980
	Commission on Uniform State Laws.	5,000

June 2 June 2

462 Capital construction appropriation - Colorado state university.
\$483,000, out of the capital construction fund, for the
completion of a portion of the 4th floor of the anatomy-zoology
building at Colorado state university.

April 28 April 28

HOUSE BILLS ENACTED AND APPROVED

No. Subject

1002 Labor - "Colorado Youth Employment Opportunity Act".
Replaces "Child Labor Law of 1963" and incorporates the following changes: Amends definition of minor to permit any person who has high school diploma or any person 17 or older who has passed general educational development exam to be treated as adult in regard to employment. Authorizes director of division of labor to grant exemptions from any portion of the act, except the provisions concerning school attendance, but requires him to consider minor's training and knowledge of safety measures when granting an exemption.

 Lowers required age from 12 to 9 for a minor to engage in certain occupations where no power-driven equipment is involved. Lowers required age from 16 to 12 for a minor to engage in gardening and walk cleaning even though power-driven equipment is involved. Permits persons 14 or older to work in certain nonhazardous occupations including warehousing, service station work, elevator operation, retail stores, restaurants, hotels, and motels. Also permits persons 14 or older to engage in hazardous occupations if employment is incidental to or upon completion of an approved apprenticeship program or occupational training program under the auspices of a public or proprietary school, junior college, community and technical college, or federal college, or federal work-training program.

 Changes name of "work permit" to "school release permit", and provides that it shall be valid for a specific period not to exceed 30 days. Requires industrial commission to define prohibited occupations and to prescribe equipment to make an occupation nonhazardous for minors. Provides that all employed minors are included in workmen's compensation coverage.

March 31

March 31

1006 District attorneys - deputies and assistants - compensation.
Authorizes the district attorney of any judicial district, regardless of population, to appoint a chief deputy district attorney. Raises maximum annual salaries of chief deputies from \$15,000 to \$19,000 and of full-time deputies from \$14,000 to \$18,000, and prohibits chief deputies and full-time deputies from engaging in the private practice of law under any circumstances. Raises the maximum annual salary of part-time deputy district attorneys to \$10,000; the maximum was formerly in the range of \$4,000 to \$7,000

House Bills

No.

Subject

1006 depending on the population of the judicial district. Raises
cont. the maximum annual salary of full-time assistant district
attorneys from \$16,000 to \$20,000, and provides that a
full-time assistant may be appointed in any judicial district
regardless of population. Raises the maximum annual salary
of part-time assistants, who may be appointed in districts
having a population of 50,000 or less, to \$12,000; the
maximum was formerly in the range of \$4,500 to \$8,000,
depending on district population.

Prohibits any salaried member of a district attorney's
staff from defending in a prosecution in any Colorado
judicial district. Gives each district attorney the
authority to determine whether his deputies, assistants, and
other employees must file a bond. Repeals the provision
authorizing state payment of \$1,200 of the annual salary of
each district attorney. Directs the legislative council to
appoint a committee to study the compensation of district
attorneys and their deputies and assistants, and to report to
the 2nd regular session of the 48th general assembly.

May 22

July 1

1007 Water rights - administrative and court procedures regarding
water rights applications. Authorizes a division water clerk
to prorate the cost of inclusion on the annual mailing list
of water rights applications at a cost of \$1 a month.
Permits a water judge to augment required publication of
water rights applications through radio and TV broadcasts.
Requires that a water referee prepare a written report on any
consultations concerning water right applications and
objections which he has with a state official or state agency
and submit a copy to the consulted person or agency and file
one copy as a part of the proceedings. The time within which
a water referee has to make a ruling is specified as 60 days
unless extended by the water judge. Deletes requirement that
referee keep separate records and allows him to use records
of water clerk. Allows water judge to use first day of court
term to set dates for hearings during that term. Amends
deadline time for filing protests to a referee's ruling from
20 days after entry of ruling to 20 days after ruling is
mailed. Authorizes judgments and decrees to contain more
than one matter as determined by the water judge. Directs
that the date an application was filed shall be stated in a
judgment or decree for determination of water rights or
conditional water rights.

May 26

May 26

1008 Water - ground water management. Gives state engineer

House Bills

No.

Subject

1008 cont. limited authority to approve permits for small capacity wells, subject to right of management districts to make restrictive rules thereon. Allows ground water commission to delegate some of its functions to state engineer. Requires hearings on application for use of ground water to be held in designated ground water basin, requires evidence of well capacity before final permit is issued, and provides water may be used only on land designated on application. Amends certain publication, hearing, and review procedures. Provides that well permits issued prior to April 21, 1967 for wells outside designated basins expire July 1, 1973, unless, in response to notice from the state engineer, evidence is furnished that water from well is being put to beneficial use.

April 16

April 16

1009 Water rights - administration. Requires that application to water court for a water right which involves well construction must be accompanied by construction permit, evidence of state engineer's denial of a permit, or his refusal to grant or deny such permit within 6 months of application. Requires a finding by state engineer that unappropriated water is available before issuing well construction permit for use outside a designated ground water basin. Extends time to July 1, 1972, that certain well diversions can be considered as exercise of part of surface decree without the well being authorized as an alternate point of diversion.

April 16

April 16

1010 Water - ground water commission - membership. Provides that appointments to the ground water commission, made by the governor after July 1, 1971, shall be made so that the 9 appointed members include 6 who are resident agriculturalists of designated ground water basins, of which no more than 2 members may be from the same ground water basin at any one time; 1 who is a resident agriculturalist from water division 3; and 2 who are Colorado residents, 1 from west of the continental divide, who represent municipal or industrial water users of the state. The appointed members of the commission holding office on July 1, 1971, shall continue in office for the terms for which they were appointed and until their successors are appointed.

Replaces the natural resources coordinator, an ex officio voting member of the commission, with the executive director of the department of natural resources.

April 16

April 16

House Bills

No.

Subject

- 1011 Water - duties of water clerk. Provides that a person desiring a determination of a water right or a conditional water right, and the amount and priority thereof, or desiring to oppose an application for such a determination, shall file the application or statement of opposition with the water clerk in quadruplicate. Requires the water clerk to send a copy of the application or statement of opposition to the state engineer and the appropriate division engineer.

March 2

March 2

- 1012 Public employees' social security. Updates terminology regarding state and federal agencies. Authorizes division of employment to impose additional penalties for failure of a political subdivision to make timely reports or contribution payments. Authorizes division to establish a contingency account from interest and other charges accruing to the social security contribution fund for the purpose of paying amounts due the U.S. secretary of treasury but which have not yet been paid into the division by local political subdivisions. Also allows the division to establish an account within the social security contribution fund from accruing interest and charges from which administrative expenses of the division may be paid directly to the division or to the state department of treasury. All moneys expended by the division from the social security contribution fund must be appropriated by the general assembly.

May 19

July 1

- 1019 Disclaimer of succession - testamentary and nontestamentary instruments. Clarifies the law concerning disclaimers of succession to property. Provides that a grantee, donee, heir, next of kin, devisee, legatee, person succeeding to a disclaimed interest, beneficiary under a testamentary or nontestamentary instrument, or person designated to take pursuant to a power of appointment may disclaim the succession to property by filing a written instrument describing the property and declaring the disclaimer. The disclaimer must be filed within 6 months after the date on which the instrument transferring the property takes effect, or within 6 months after the taker of the property is finally ascertained and his interest is indefeasibly fixed. The effect of the disclaimer is to provide for the distribution of the property as if the disclaimant predeceased the maker of a testamentary instrument or died prior to the effective date of a nontestamentary instrument. The act specifies certain acts with respect to the property which bar the right to disclaim.

April 24

July 1

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|---|-------------|-------------|
| 1024 | <u>Schools - recertification of teachers.</u> Permits teachers to earn up to 3 of the 6 semester hours of credit required for recertification through in-service education programs approved by the state board of education. Requires the state board of education to establish criteria to assure that each approved in-service education program demonstrates that the need for the program has been assessed by school personnel in cooperation with other agencies or organizations; provides for planned activities which meet the need; provides for local support of the program; includes an evaluation plan; indicates its relation to long-range plans; and evidences cooperation with institutions of higher education and the department of education. | February 16 | February 16 |
| 1025 | <u>Public education - dismissal of tenure teacher - procedure.</u> Provides that if the 2 members of a review panel concerning the dismissal of a tenure teacher cannot agree on the selection of a third member within 10 days after a hearing is requested, then the lieutenant governor shall appoint such member. If the statutory deadlines for hearings, findings, and recommendations by the board of education cannot be met for good cause shown, the proceedings shall not be invalidated. | May 19 | May 19 |
| 1027 | <u>Towns and cities - consolidation, dissolution and annexation - school board approval.</u> Adds school board approval as one of the requisites for the consolidation of contiguous cities or incorporated towns, and for the dissolution of a town or city organized under general law and its annexation to a special charter city, in any case where such consolidation or annexation would result in territory being transferred to another school district. Approval of the proposal must be by resolution of the board of the school district to which such territory will be attached. The school district losing such territory is entitled to compensation for any school buildings located therein and for the real property on which the buildings are located, the amount to be set by agreement of the boards or through applicable eminent domain proceedings. The act applies to any consolidation or dissolution and annexation proceedings not completed prior to its effective date. | May 22 | May 22 |
| 1030 | <u>Motor vehicle special fuel taxes - collection procedures.</u> Eases the reporting requirements on special fuel purchases and payments by owners of diesel-powered private passenger | | |

House Bills

No. Subject

1030 vehicles, removing requirements for users' licenses for such
cont. owners and allowing annual instead of monthly reports. Also
 allows non-resident owners of such vehicles to purchase a
 special permit for \$1 which allows owner to purchase diesel
 fuel without payment of tax thereon.

 April 14 July 1

1031 Motor vehicle operation - implied consent to chemical tests
for alcohol. Makes several changes of substance in the
 implied consent law passed in 1967, broadening its
 applicability to include impaired driving, and other changes
 including the following:

 (a) The law now applies to any driver arrested for any
 misdemeanor allegedly committed while driving under the
 influence of, or impaired by, alcohol, rather than only to
 persons charged with driving while intoxicated.

 (b) The notice of rights given when a driver is asked
 to submit to a test must now include the arresting officer's
 grounds for believing the person was under the influence of
 or impaired by alcohol.

 (c) The implied consent of any person whose condition
 makes him incapable of refusing a test is deemed to authorize
 the test, and in the case of dead persons, tests in addition
 to that for alcohol are specified.

 (d) The act repeals a provision which required
 immediate reinstatement of a license which had been revoked
 for refusal to consent to the test, if the person refusing
 the test was found not guilty of a charge of driving under
 the influence, or if the charge was dismissed.

 (e) A provision is repealed which required an officer
 to permit the accused to secure his own timely test for
 intoxication, and made the results of the official test
 inadmissible if the officer refused to permit such alternate
 test.

 March 2 July 1

1033 Race courses - excluding undesirables. Authorizes the racing
 commission to exclude from licensed race courses known or
 reputed bookmakers, loiterers, fugitives, persons whose
 conduct at a race course has been unlawful, and persons
 convicted of a crime involving moral turpitude; also
 prohibits their entry, and requires their ejection upon
 discovery.

 March 4 July 1

House Bills

No.

Subject

1037 State warrants - period for which valid - requirements for duplicates. Warrants drawn upon the state treasurer are to show on their face that they are void after six months, but the controller may prescribe procedures to validate such warrants for an additional 30 days from date of presentment. Provision is also made for the issuance of duplicate warrants for originals lost or destroyed.

April 12

April 12

1038 Public utilities commission - regulation of towing carriers. Gives the public utilities commission the duty to regulate all towing carriers, defined as one having as its primary or one of its primary functions the commercial towing of vehicles by means of equipment designed for that purpose. Such vehicles have been specifically exempt from regulation as common, commercial, or contract carriers, and are differentiated in this article from such other carriers by being declared not to be public utilities. Permits are not transferrable. Commencing in January, 1972, towing carriers must have a permit from the P.U.C. to operate a towing vehicle on public ways, the permits being available upon application, a \$10 fee, and proof of insurance or bond to protect the public. Conditions may be attached to a permit, and the commission is to establish requirements for vehicle identification, vehicle storage facilities, liability for property, necessary consent of vehicle owners, and rates charged. Permits may be revoked, suspended, altered, or amended, and operating without one is a misdemeanor. The article does not apply to such vehicles if regulated in interstate commerce, nor to those owned by a government agency, and rate regulation does not apply to motor clubs or towing carriers while towing for such clubs.

May 19

May 19

1040 Income taxation - credit for property taxes paid by the elderly. Provides that Colorado residents 65 years of age or older during the entire taxable year may claim a credit or refund against state income taxes for property taxes paid or tax-equivalent payments made during the year with respect to a residence occupied by the claimant. The credit or refund is 50% of general property taxes or 10% of actual rent paid, and it may not exceed \$200. The amount of the credit or refund must be reduced by 10% of income over \$500 in the case of an individual taxpayer, and by 10% of income over \$1,800 in the case of married taxpayers. Additional qualifications are that the taxpayer is not claimed as an exemption by any other person; that he has a net worth of less than \$20,000; and that his income, as defined for this purpose, is less than \$2,400 for a single taxpayer and less than \$3,700 for

House Bills

No. Subject

1040 married taxpayers. The credit is first applied against
cont. income taxes due, and any excess over taxes due is refunded.
When 2 persons not husband and wife are entitled to the
credit or refund, either may take it or it may split as they
elect. First applicability of the act is to property taxes
levied in 1970 paid in 1971 and reported on the 1971 income
tax return, but the amount of the credit or refund is cut in
half for the first year.

May 22 July 1

1041 Courts - number of judges in fourth judicial district.
Authorizes two additional judges for the fourth judicial
district, one as of July 1, 1971, and the second as of
January 1, 1973, which will make a total of eight in the
district.

April 24 April 24

1043 Fermented malt beverages - hearings by local licensing
authorities. At public hearings on applications to sell
fermented malt beverages, local licensing authorities are
required to permit parties in interest to present evidence
and to cross-examine witnesses. A party in interest includes
the applicant, or residents of or owners and managers of
businesses in the affected neighborhood. The authority may
limit presentation of evidence and cross-examination to
prevent cumulative or repetitive evidence or examination.

February 16 July 1

1044 Elections - write-in candidate requirements - voting machine
control. Votes cast for write-in candidates must reasonably
identify the person for whom the vote is intended by his
given name, initial, or nickname, and his last name, all
spelled reasonably correct. No write-in vote is to be
counted for a person in any primary, general, or special
election, unless an affidavit has been filed at least 5 days
before such election with the secretary of state for a state
or district office or with the county clerk for a county
office, declaring that the person wants the office and is
qualified to hold it. In counties over 100,000, it is made
unlawful for any elected official or candidate for elective
office to physically touch a voting machine, though he can
supervise others in the handling of such machines, and he is
permitted to vote.

May 22 July 1

1047 State funds - local funds - limitations on governmental
immunity. New article sets forth limitations on the doctrine

House Bills

No.

Subject

1047 of sovereign immunity from liability for injury suffered by
cont. private persons, and makes it applicable to all public
entities including the state and all its political
subdivisions, instrumentalities, and agencies.

Extent of waiver. Sovereign immunity is waived only as to claims for injury to person or property based upon: Dangerous conditions caused by defects in the physical condition of public buildings, roads, utilities, and swimming facilities constituting a danger to the safety of persons or property and which condition was known or should have been known to the public entity in the exercise of reasonable care; operations, including acts or omissions, not willful or wanton, of public employees in the course of their employment relating to the operation of motor vehicles, hospitals, various penal institutions, utilities, and swimming facilities, but not including any failure to do an act not authorized by law nor failure to make inspections or making faulty inspections; any injury, if the liability of the public entity therefor is insured, but only to the extent of such insurance if the defense of sovereign immunity would otherwise be available.

Procedures. Written notice containing specified information must be given of a claim for injury to property or person within 90 days of the discovery of injury, and lack of notice is a complete defense to a claim. Notice of claims against the state go to the attorney general, and against any other public entity to the governing body thereof. Regular statutes of limitation apply to the time for bringing suit. Public employees are to be defended at the cost of the public entity employer except for acts outside their course of employment and for willful or wanton conduct, and judgments and settlements in such cases will likewise be paid by the public entity if the entity had notice of the claim and the opportunity to control the defense against it.

Funds for payment. Payments made under the article may come from self-insurance reserve funds, unrestricted excess funds available, appropriations for such purpose, or insurance. If such sources are inadequate, the public entity must levy a tax, up to 10 mills, as necessary to satisfy final judgments. Payments made by a public entity from its own funds may not exceed \$100,000 for injury to one person from one occurrence, nor more than \$300,000 for all injuries from one occurrence, but higher recoveries are permitted to the extent available from commercial insurance proceeds. No recovery of punitive or exemplary damages is permitted. The state must obtain insurance, and any public entity may insure itself against liability by purchasing insurance, by creating self-insurance reserves by means of mill levies not over 10

No.

Subject

1047 mills, or by both methods. No execution or attachment is
cont. permitted against a public entity for collection of a
judgment. Various other statutes are amended to conform with
the new article's provisions.

May 22

July 1, 1972

1049 Intoxicating liquors - production of wine for family use.
Permits the head of a household, without the payment of state
taxes or the procurement of any state license, to produce for
family use and not for sale the amount of vinous liquor
exempt from federal excise tax on such liquor when produced
by the head of a household for family use and not for sale.
Such production is to be in conformity with federal law and
rules and regulations.

March 22

July 1

1053 Old age pensions - eligibility - real property transfers.
Creates a rebuttable presumption that a voluntary assignment
or transfer of property, without fair and valuable
consideration and effected within 5 years prior to
application for an old age pension, is done for the purpose
of qualifying for a pension. An exception is made to provide
that assignment of real property owned and used as a
residence may be made in such 5-year period if: The transfer
or assignment is made for reasons other than to qualify for a
pension; the primary purpose of the transfer or assignment is
not to gain moneys or profit, but is for some other purpose,
such as estate planning; or the transferor retains the
exclusive right of possession of, and the net income from,
the property transferred.

March 22

July 1

1054 Racing - regulation. Directs the Colorado racing commission
to make rules for identification of license applicants and
licensees and to announce, in addition to time, place, and
duration, the number of races per day in race meets for which
license fees will be charged. Deletes specific references to
types of work on race tracks which will be licensed, and
provides that all persons working on race track premises,
other than commission members and employees, spectators, and
bettors, must be licensed. Authorizes the commission to take
samples of any body fluid, not just saliva or urine samples,
or to take biopsy or necropsy specimens, from selected
animals to determine compliance with commission regulations.

May 22

July 1

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|---|----------|--------|
| 1055 | <u>Regional transportation district - change in boundaries.</u>
Removes part of Weld county from the regional transportation district by inserting in the law a legal description of that part of Weld county which is to be left in the district. | May 22 | July 1 |
| 1057 | <u>Income tax - extension of time to file returns for persons abroad and servicemen.</u> Provides that state residents who are traveling or temporarily residing outside of the United States are granted an automatic extension of time in which to file income tax returns. The extension lasts until the 15th day of the 6th month after the close of the taxpayer's taxable year.

The time of service spent by servicemen and others in combat zones, plus 180 days after such period of service, is to be disregarded under the tax laws in determining tax liability, including penalties and interest, whether any act required of or permitted by any such person or the state, with respect to income tax liability, was performed within the time prescribed therefor. | April 24 | July 1 |
| 1058 | <u>Motor vehicles - safety of passengers - riding on outside.</u> Places a duty on the driver of a motor vehicle not to drive if he knows any passenger is riding in a manner which endangers his own safety or that of others. Prohibits hanging on the outside of a moving vehicle, or attaching one's self to any portion of the vehicle other than that enclosed for passengers or cargo, and forbids a driver knowingly to permit a person to hang on or attach himself to a moving vehicle; but provides that these prohibitions do not apply to authorized parades or exhibitions, or to government vehicles or regulated commercial vehicles if persons in performing their duties are required to sit or stand on the outside of a vehicle which is properly equipped. | May 22 | July 1 |
| 1059 | <u>Schools - vacancies on school boards.</u> Act completely rewrites the law concerning vacancies on school boards. Prior law provided that all vacancies were to be filled by appointment for the unexpired term. This act provides as follows: (a) If the vacancy occurs more than 20 days prior to the next regular biennial school election, and the unexpired term is for more than 2 years, the appointee serves until the next such election, when his successor for the remainder of the term is elected and has qualified; (b) If the vacancy occurs within the 20-day period prior to any such | | |

No.

Subject

1059 school election and the unexpired term is for more than 4
cont. years, an appointee serves until the next succeeding school
election at which a candidate for the office of school
director may file a lawful notice of intention to run for
office, when the appointee's successor is elected and shall
have qualified; (c) In all other situations, appointments
to fill vacancies are for the unexpired term.

March 2

July 1

1064 Juries - maximum number of jurors. Provides that the maximum
number of jurors in a civil trial shall be 6. Repeals the
former provision of the law that the jury in a civil trial
could be increased to 12 persons upon the payment of a \$25
fee. Act applies only to actions commenced on or after July
1.

April 24

July 1

1067 Damages - minor's consent to treatment for drug use absolves
physician. Provides that a physician may examine, prescribe
for, and treat a minor patient for addiction to or use of
drugs, with the minor's consent, and without the consent of
or notification to the minor's parents or other legal
custodian. Absolves the physician and persons acting under
his direction from civil and criminal liability which might
arise by reason of rendering such treatment, except for
negligent acts or omissions.

March 4

March 4

1068 Mentally retarded - school district assistance to programs.
Programs established by community incorporated boards for
mentally retarded and seriously handicapped persons are to be
financially aided by the school district of residence of each
such person who would be attending school if not so retarded
or disabled, such support for each such person to be at least
equal to the amount raised per pupil in average daily
attendance entitlement by the school district general fund
levy, although persons in the program are not to be counted
as enrolled students under the "Public School Foundation Act
of 1969".

May 26

January 1, 1972

1069 Mental health - department of institutions - purchase of
services. Changes the funding formula for purchase of mental
health services. Provides that the general assembly shall
make two separate appropriations: One for clinics, which
remain on a per capita funding basis, and one for community
mental health centers and other agencies providing

House Bills

No.

Subject

1069 specialized services which do not serve defined catchment
cont. areas. Gives the executive director of the department of
institutions authority to distribute appropriated funds to
centers and other agencies on the basis of need and according
to services provided, and removes the provision prohibiting
funding in excess of 90% of the cost of services. Retains
the existing provision for a contingency fund, but provides
that it shall consist of 10% of the appropriation for centers
and other agencies. Authorizes the general assembly to
appropriate a specified additional amount to be used by the
executive director for impoverished areas and crisis
situations. Requires the executive director to specify
levels and types of services and expenditures for community
mental health centers and to establish minimum standards for
center programs supported by state funds.

May 22

July 1, 1972

1070 Taxation - repeal obsolete state property tax levies. Mainly
a "housekeeping" act which repeals obsolete provisions of the
law which levied a state property tax for the support of
various state institutions. Provides that after the repeal
of any law levying a property tax for the state or state
purposes, delinquent taxes collected by county treasurers as
a result of any such levy shall, when received by the state
treasurer, be credited to the state capital construction
fund.

April 12

April 12

1074 Military forces of state - status and benefits.
Miscellaneous amendments applicable to members of the
military forces of the state including the following:
Members, while engaged in active duty on behalf of the state,
are now included as employees under the workmen's
compensation law, and are entitled, unless similar benefits
are payable under federal law, to benefits at the maximum
rate allowed under workmen's compensation. Formerly only
survivors of such personnel received any benefits and were
paid out of a military fund. Qualifications for appointment
as adjutant general are changed somewhat, and provisions
concerning tenure of the state staff and other officers are
deleted. Each unit of the national guard may have a unit
fund for contributions and appropriations, the state
appropriation thereto not to exceed \$5 per person per annum,
the fund to be expended per applicable federal and adjutant
general regulations. Pay for all members while in service
ordered by the governor is to match regular federal pay for
equivalent rank and service, but is not to be less than \$20
per day.

May 26

July 1

House Bills

No.

Subject

1076

Uniform consumer credit code - appropriation. A comprehensive act providing for the regulation of consumer sales, leases, and loans, modifications thereof, and consumer related sales and loans made within the state. It requires uniformity in the methods and terms used to disclose the cost of interest and other service charges in connection with consumer sales, loans, and leases, including revolving loan and charge accounts. The act prescribes maximum charges for all creditors extending consumer credit and displaces the personal property installment sales act, the retail motor vehicle installment sales act, the 1913 loan act (loans over \$1,500), the consumer finance act (loans of \$1,500 or less), and the interest provisions of the industrial bank act. Minimum standards are specified regarding the advertising of consumer credit and the disclosure of credit terms in sales and loan agreements. Certain disclosure requirements apply to sales made by mail or telephone.

The act prohibits referral sales, confessions of judgment, irrevocable assignments of earnings, garnishment proceedings prior to judgment, and the use of multiple agreements to avoid disclosure requirements. Limitations are placed on the use of balloon payments. Buyers are allowed to cancel a home solicitation sale within 3 days after the agreement is signed. Deficiency judgments are prohibited after goods have been repossessed if the original price of the goods was \$500 or less. Limits are set on charges which can be made for defaults of payment, attorney's fees which can be collected from debtors, and the amount of a debtor's earnings subject to garnishment. Certain limits and refund requirements are provided for consumer credit insurance.

The "holder in due course" doctrine is abolished by allowing a buyer or lessee to assert any claim or defense which he may have against a seller or lessor against the assignee of the rights of the seller or lessor. Criteria is established by which a court may determine that an agreement is unconscionable and unenforceable in whole or in part.

The act is designed to permit the exemption of Colorado from federal jurisdiction under the federal truth-in-lending act and regulation "Z" by enacting substantially similar legislation and providing for enforcement of the act by a state administrator who is to be an assistant attorney general appointed by the attorney general with the consent of the commission on consumer credit. The administrator is given broad investigatory and enforcement powers to discover, prevent, and abate violations of the act, including the authority to bring class actions on behalf of debtors and sue

House Bills

No.

Subject

1076 for civil penalties up to \$5,000 for violations of the act.
cont. Unless a person is a supervised financial organization he must obtain a license from the administrator to engage in making supervised loans where the loan finance charge exceeds 12%. Persons licensed under the 1913 loan act or the consumer finance act are automatically licensed to make such supervised loans.

A 9 member council of advisors on consumer credit is established to advise the administrator, with such council to be appointed by the governor. A 3 member commission on consumer credit is established with power to review and modify any regulations promulgated by the administrator. The attorney general is 1 member of the commission, and 1 member is to be appointed to represent business and 1 member to represent the consumer.

A uniform consumer credit code cash fund is created and \$170,000 is appropriated for administration and enforcement of the act.

Provisions of the act relating to supervised loans and administration of the act take effect July 1, 1971, with all other provisions taking effect on October 1, 1971.

June 4

July 1

1080 Children - exchange of information among law enforcement agencies. Provides that fingerprints, photographs, names, addresses, or other information concerning the identity of child taken into custody or issued a summons under the "Colorado Children's Code" may be transmitted to local law enforcement agencies when necessary to assist in apprehension or to conduct a current investigation. Under prior law, such information could be transmitted to law enforcement agencies only when a court ordered a child held for criminal proceedings involving felonies.

March 22

March 22

1081 Marriage - applications for licenses - disease tests. An applicant for a marriage license who is female and under 55 years of age must, in addition to the regular test showing freedom from active syphilis or other venereal disease, undergo a test of her blood for rubella immunity, and must receive from a physician a certificate showing the test was made and that she was informed of the results thereof and their significance. The serological test of blood samples is to include information on blood group, including RH type.

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|--|----------|----------|
| 1081
cont. | All such examinations and tests can be waived by a county or district judge of the county involved upon satisfactory proof to him that such examination or tests are contrary to the religious creed of the applicant, if the public health and welfare is not injuriously affected by such waiver. | June 8 | July 1 |
| 1082 | <u>Elections - arrangement of names on voting machine ballots. Requires the arrangement of candidates' names on voting machines having such names in vertical columns to be the same as for machines having candidates' names in horizontal lines.</u> | April 14 | April 14 |
| 1086 | <u>Deceptive trade practices - telephone and door-to-door solicitation.</u> Declares that it is a deceptive trade practice to solicit by telephone or door-to-door unless the seller, within 30 seconds after beginning the conversation, identifies himself, whom he represents, and the purpose of the call. | April 30 | April 30 |
| 1092 | <u>Colorado 1976 centennial - bicentennial commission established - appropriation.</u> Creates a 9-man unpaid commission to provide for appropriate observance of the state's centennial year, 1976, and also for the observance, as appropriate, of the 200th anniversary of American independence in the same year. The governor is to appoint the members, including 2 from each house of the general assembly, for 6-year terms. The commission is directed to prepare an overall program emphasizing the state's heritage, hospitality, and horizons. It is authorized to adopt official emblems for the state centennial which may be copyrighted, or leased with legislative approval. The commission is to submit annual reports to the governor and general assembly, including requests for legislation and funds, and is to terminate June 30, 1977, with all property acquired to be then transferred to the state historical society and all records to state archives. Appropriates \$25,000 to the commission for the act's purposes. | May 19 | May 19 |
| 1094 | <u>Regional transportation district - powers.</u> Amends the "Regional Transportation District Act" passed in 1969, the changes including giving the district authority to establish, maintain, and operate a mass transit system going beyond | | |

House Bills

No.

Subject

1094 district boundaries but limits operations outside the
cont. district to such special charter services as may be obtained
in the acquisition of other facilities, and requires rates
charged to match common carriers rendering similar service.
Revenues are no longer required to cover all district
operations and maintenance expenses, and the district's
authority to levy up to one-half mill (in addition to levies
for the payment of debt or of any deficit) is broadened
somewhat as to purpose, allowing it to be used for all other
expenses of the district, rather than limiting it to
planning, election, and dissolution expenses. The district
is specifically authorized to deal with the state and its
political subdivisions.

May 19

May 19

1095 Colorado olympics commission established - appropriation. As
the state's agency in organizing for the 1976 Winter
Olympics, an 11-man unpaid commission is created in the
office of the governor, the governor's appointments to
include 3 members of the general assembly, 1 from the
executive branch of state government, and 1 or more from the
board of the Denver organizing committee. The committee is
to look after the state's interests and funds, be the
contracting agency for state funds, coordinate with various
agencies involved, including the centennial commission, and
have the duty of endeavoring to induce wise choices in the
use or building of facilities and the elimination of the
bobsled event from the 1976 olympics. The commission is to
make periodic reports to the governor and general assembly at
least every 6 months.

The act expires January 1, 1978. Appropriates \$15,000
for implementation of the act.

June 4

July 1

1096 Supplemental appropriation - judicial department. \$285,785
for general purposes, of which \$218,714 is from state funds
and \$67,071 from federal funds.

March 22

March 22

1097 Crimes relating to flags. Repeals and reenacts section of
criminal law to state in somewhat changed form the unlawful
acts relating to flags of the United States and Colorado, or
representations thereof, making it a misdemeanor to knowingly
or willfully do specified acts of damage to a flag in public,
or to display in public a flag so damaged, when the intent is

House Bills

<u>No.</u>	<u>Subject</u>		
1097 cont.	to cause a breach of the peace or to cast contempt or ridicule on the flag, or when circumstances exist in which the act may cause a breach of peace or incite a riot. Has a severability clause.	May 19	May 19
1100	<u>Reservoirs - water rights and irrigation.</u> Minor amendments to the article on reservoirs, giving the state engineer authority with respect to reservoirs which is similar to his authority in other areas of the administration of the state's water supplies.	March 22	March 22
1101	<u>Motor vehicles - requirements for tire safety.</u> Prohibits driving on highway any motor vehicle having unsafe tires. A tire is unsafe if it has a bump, bulge, or break, or has less than 2/32 inch tread depth measured as specified, or suffers from some other defect reasonable demonstrated to make it unsafe. No tire designed for off-highway use can be used on the highway, and markings indicating such restricted use are not to be obliterated. Sale of a vehicle having any unsafe tire is prohibited.	April 24	July 1
1104	<u>State emblems - gemstone.</u> Designates the aquamarine as the state gemstone of Colorado.	April 30	April 30
1110	<u>Safety glazing materials - use in hazardous locations.</u> Requires the use of safety glazing materials in hazardous locations. Such materials are defined to be materials such as tempered glass, laminated glass, wire glass, or rigid plastic which meet certain test standards specified in the act or which may be adopted by the industrial commission. Generally, hazardous locations are defined to be framed or unframed glass entrance doors in public or commercial buildings, sliding glass doors, storm doors, shower doors, and bathtub enclosures, or any other area which might be mistaken as a means of ingress or egress. Glazing materials used in hazardous locations in this state are required to be permanently labeled by such means as etching or sandblasting, and the label must set forth the name of the labeler of the material, whether manufacturer, fabricator, or installer, the thickness and type of material, and a statement that the material meets the test standards of the act.		

House Bills

<u>No.</u>	<u>Subject</u>		
1110 cont.	The division of labor is to enforce the act with respect to certain commercial buildings and places of public assemblage, and the building inspection authorities in other political subdivisions are to enforce the act with respect to buildings not inspected by the division of labor. The governing bodies of cities, cities and counties, towns, and counties are required to adopt standards governing the use of safety glazing materials in hazardous locations in their jurisdictions, which are to be at least as strict as the standards specified in the act, and building permits are not to be issued for construction, reconstruction, or alteration involving the use of safety glazing material in hazardous locations, unless such standards are met.	April 12	July 1
1111	<u>Agriculture - public livestock markets - cancellation of license.</u> As an additional ground for the cancellation of a license to operate a public livestock market, there is added the licensee's issuance of a company account of purchase which establishes the ownership of or transfers the title to cattle, horses, or mules which have not been inspected for brands and ownership by a brand inspector immediately prior to, or on, the licensee's market day designated by the state board of stock inspection commissions.	March 31	March 31
1112	<u>Schools - qualifications for school district retirement fund benefits.</u> Lowers minimum age requirements for retirement benefits for male teachers from age 60 to age 55, the same as for female teachers.	March 22	July 1
1117	<u>Engineers - regulation of practice.</u> Makes miscellaneous changes in the law concerning the regulation of the practice of engineering, including the following: Changes terminology with respect to engineers-in-training from "registration" to "enrollment" with the state board of registration for professional engineers and land surveyors; provides in greater detail for the practice of engineering by partnerships, joint stock associations, and corporations, but allows only an individual to be registered; provides that investigations of complaints and enforcement of the engineering law will be done by the board through its executive secretary; reduces the number of examinations given per year from 3 to 2, and provides that the board may		

House Bills

No.

Subject

1117 prescribe their location, which was formerly limited to
cont. Denver; requires 3 of the 5 references submitted by an
applicant for a professional engineer's license to be
professional engineers; raises the experience requirement for
engineer's licenses from 4 to 8 years; provides for
registration without examination of a person holding a
certificate of qualifications issued by the national council
of engineering examiners, and replaces the provision
concerning registration of an "eminent engineer" with a
provision stating that a person may be registered without
examination if he has graduated from an approved engineering
curriculum, has 20 years' experience of which 10 years were in
responsible charge of engineering work, and holds a valid
license issued by another state or country prior to July 1,
1965; raises fee for license renewal from \$5 to \$6, lowers
fee for replacement of an engineer-in-training certificate
from \$5 to \$3, sets fees for the new types of registration
without examination at \$25, and establishes a \$10 fee for
transfer of engineer-in-training qualifications.

May 22

July 1

1119 Motor vehicles - lighting requirements. Changes time
requirements for having motor vehicle lamps lighted. Lights
are now required between sunset and sunrise rather than
one-half hour after sunset and before sunrise, and lights are
now required anytime visibility is not adequate to reveal an
object at a distance of 1000 feet, rather than 500 feet.

March 31

July 1

1132 Employment - coal mines - females. Eliminates differences
based on sex with respect to employment in coal mines or
beehive coke ovens, by allowing females 18 or over to be
employed in any position relating to such employment, rather
than only office work.

March 22

March 22

1133 Children - custody and detention - penalties - facilities.
Amendments to various articles in the "Colorado Children's
Code", including the following: When a child is taken into
temporary custody, necessary notifications may be given to
either parent, or to a person with whom the child is
residing; statement of the child is admissible in evidence if
an attorney was present at his interrogation, whether or not
a parent, guardian, or legal custodian was present;
concerning disposition of cases, the section on modification
of orders and decrees is repealed, the maximum length of a

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|--|----------|----------|
| 1133
cont. | supervised work program for a child in need of supervision is increased from 90 to 180 days, and the maximum fine which may be imposed is raised from \$50 to \$300; the age limit of 18 years for care at the Lookout Mountain and Mount View institutional facilities has been removed; time factors involved in adoption proceedings are changed somewhat, and costs may be assessed in the court's orders concerning adoption; in child abuse cases, immunity is granted from civil or criminal liability to persons reporting or otherwise participating, except for malicious falsehood. | March 31 | July 1 |
| 1137 | <u>State property - passenger cars - price.</u> Reduces from \$2,500 to \$2,300 the maximum price which may be paid by the state for a passenger car whose major use is within 50 miles of its base of operations, and raises such maximum from \$2,500 to \$3,500 for all other passenger cars, including cars for the Colorado state patrol. Applicability of the act is limited to the period from its effective date to July 1, 1973. | May 22 | May 22 |
| 1138 | <u>Highways - outdoor advertising - Independence Pass.</u> Designates state highway 82 for 16 miles on both sides of Independence Pass as a scenic area highway, and prohibits the erection of any advertising device which would be visible from the scenic area highway. Requires the removal of any existing advertising device along the scenic area highway within 5 years after the effective date of the act. | April 12 | July 1 |
| 1139 | <u>Supplemental appropriation - department of health.</u> For personal services - \$6,119. | March 22 | March 22 |
| 1141 | <u>Supplemental appropriation - Colorado commission on higher education.</u> For general purposes, from federal funds received by the state for arts and humanities purposes - \$96,377. The appropriation is not to be construed as a commitment by the state to assume these projects if federal funds are withdrawn. | March 31 | March 31 |
| 1142 | <u>Local improvement and service districts - file in division of local government.</u> Requires the division of local government | | |

House Bills

No.

Subject

1142 cont. to add to its file of local improvement and service districts the names, dates of incorporation, and changes in the boundaries of all such districts in the state organized under statutory provisions other than those in chapter 89, C.R.S. 1963. Also requires that the names and addresses of members of boards of directors of all the districts listed be included in the file.

March 22

July 1

1144 Game, fish, and parks - recreational trails - appropriation. Authorizes the division of game, fish, and parks to undertake the establishment of a statewide system of trails of various types such as scenic, historical, and the like. Trails may be for motorized travel or not, but the act requires separate trails for motor vehicles wherever feasible. Authorizes the acquisition by the division of rights-of-way and easements, and consultation and cooperation with state and federal agencies which control land which may be available for trail purposes and who may aid in establishing trails and uniform marking systems. The division is to designate the system of trails with the advice of a 7-man recreational trails committee to be appointed by the governor, and the committee is to ascertain the best possibilities for trails, including coordinating local governmental efforts therein. Appropriates \$15,000 for the division to proceed with initial planning and recommendations.

May 22

May 22

1145 Motor vehicles - operators' licenses - minor operators - judicial review of license actions. Provides that any licensed minor operator may be granted chauffeur privileges if his job requires; formerly such privileges could be granted only if the minor was 17. Provides that venue for an action to review a denial, cancellation, suspension, or revocation of an operator's license shall be in the county of residence of the plaintiff, and that the district attorney, on the attorney general's request, shall represent the department of revenue in such an action.

May 22

July 1

1153 Metropolitan sewage disposal districts - directors. The board of directors of a metropolitan sewage disposal district may delegate to an executive committee thereof such powers as the district's bylaws, as well as resolutions, provide; board members must be persons qualified to vote at general elections; an executive committee must act by resolution on

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|---|----------|-----------------|
| 1160
cont. | watering, domestic, and other purposes to exempt the following: (a) Wells producing not more than 15 gallons per minute used for household purposes, fire protection, animal watering on farms and ranches, and irrigation of gardens and lawns not exceeding 1 acre or 3 one-family dwellings; (b) Wells producing not more than 15 gallons per minute used for drinking and sanitary facilities in commercial businesses; (c) Wells used exclusively for fire-fighting; and (d) Wells producing not more than 50 gallons per minute which are in production on the effective date of the act and are used for the purposes specified in (a) above. Directs the state engineer to issue permits to construct the wells specified, without regard to the provisions of the article governing underground water, upon application therefor and payment of a \$5 fee. | May 22 | May 22 |
| 1162 | <u>Intoxicating liquors - local licensing authority.</u> The city council, town trustees, or county commissioners no longer need act as the local licensing authority for the sale of liquor if another licensing authority is designated by city charter or ordinance, or by county charter or resolution. | March 31 | April 1 |
| 1165 | <u>Taxation - assessment of agricultural lands.</u> Requires that agricultural land, to be assessed by considering the capitalized value of its productive capacity, must have been used during the 2 previous years for the primary purpose of obtaining a profit through crops, livestock, poultry, fur-bearing animals, bees, or dairying, must have been classified as agricultural land during the 10 years preceding the year of assessment, and must continue to have agricultural use. If agricultural land was not assessed as such because of a change in use, it may be reclassified and reassessed upon restoration of title to the prior grantor if the specified conditions are met. | May 22 | January 1, 1972 |
| 1167 | <u>Estates - final settlement.</u> Simplifies closing of estates by allowing court to approve the fiduciary's accounts on final settlement based upon the approval of such accounts by all persons in interest, when none are under legal disability. Requires estate to be closed even though a beneficiary's share cannot be delivered to him for any reason, and requires such share to be delivered promptly after final settlement or after such share becomes eligible for distribution, to the | | |

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|--|----------|----------|
| 1167
cont. | state treasurer, who may invest same, with all interest and increments thereon to go to the general fund, although the principal remaining unclaimed after 21 years still goes to the public school fund. | April 12 | July 1 |
| 1168 | <u>Wills and estates - liability of successor trustee.</u> Provides that no trustee is liable for the act or omission of any predecessor fiduciary in the absence of actual knowledge thereof or of circumstances reasonably requiring further inquiry thereon. Applicability of the act varies according to date of creation of trust and the type thereof. | May 6 | May 6 |
| 1170 | <u>Wills, estates, and heirship - estates of \$10,000 or less - distribution without administration.</u> Provides that a petition for distribution of the estate of a ward without administration may include a statement that the ward has a chose in action within the county which must be conserved, and the description and value of each such chose in action. In addition to the persons presently eligible to receive distribution of any surplus in a ward's estate, the act authorizes the court to order the distribution of any such surplus to the conservator of the ward, if any, or as is otherwise provided by law for the distribution of property to persons under legal disability. Permits the court, if distribution is to be made to a next friend, to impose such conditions regarding bond, reports, and otherwise, as it deems proper. Changes the period within which a petition may be filed for revocation of an order distributing the estate of a decedent or a ward without administration from 6 months to 1 month after the making of the order. | | |
| | Establishes new procedures for the disposition of a ward's estate where a next friend is named to enter into a settlement of a ward's claim for injury to his person or property, and such procedures are available in any case where the net value of the estate, after expenses of settlement, is \$10,000 or less. | | |
| | | April 12 | April 12 |
| 1171 | <u>Trustees - liability</u> Provides that when a trust instrument excludes a trustee or trustees from exercising authority with respect to the making or retention of any investment, and reserves such authority in any other person or persons, the excluded trustee or trustees are relieved of liability for | | |

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|---|----------|----------|
| 1171
cont. | loss resulting from the exercise of the reserved authority. | April 12 | April 12 |
| 1172 | <u>Wills and estates - bonds of personal representatives.</u>
Allows court to dispense with surety on bond of personal representative of estate for estate assets deposited with the court clerk or a federally insured depository upon both the personal representative and the depository agreeing that such assets will be released only on court order. Temporary letters of authority for up to 10 days may be issued to the personal representative pending completion of such arrangements. | May 6 | May 6 |
| 1174 | <u>Supplemental appropriation - department of regulatory agencies.</u> \$98,274, from the funds and for the purposes noted, to be allocated among agencies in the department as follows: Office of executive director - \$25,160, of which \$16,440 is for personal services and \$8,720 is for operating expenses (\$5,571 from the general fund, and \$19,589 from departmental cash funds); Banking division - \$9,476, of which \$8,986 is for personal services and \$490 is for operating expenses (from the general fund); Securities division - \$5,073, for personal services (from the general fund); Accountancy board - \$5,723, for additional examination expenses (from the state board of accountancy fund); Electrical board - \$11,745, for personal services (from the electricians' fund); Optometric board - \$1,706, for board members and examination expenses (from the state board of optometric examiners' fund); Real estate commission - \$39,391, of which \$23,351 is for personal services and \$16,040 is for operating expenses (from the real estate license fund). | March 31 | March 31 |
| 1175 | <u>Agriculture - frozen food provisioners.</u> Abolishes the frozen food provisioner board and transfers the board's powers, duties, and functions to the department of agriculture. Individual cuts of meat or meat products, which have been prepared for display and sale at retail, and processors selling to retailers are made subject to the law dealing with frozen food provisioners. Separate licenses are required for each processing establishment. Changes in license fees are as follows: Locker plants and processors, from \$25 to \$50; food plan operators, from \$25 to \$100. | March 31 | July 1 |

House Bills

<u>No.</u>	<u>Subject</u>		
1176	<u>Agriculture - slaughtering livestock.</u> The licensing of butchers and slaughterers of livestock is transferred from the state board of stock inspection commissioners to the department of agriculture. The biennial license fee of \$5 is abolished and is replaced by an annual license, the fee for which is based on the number of livestock annually slaughtered. The fee ranges from \$50 to \$100. The amount of the surety bond required of butchers and slaughterers is increased from \$1000 to \$2000. Generally, the law which was formerly restricted to the butchering and slaughtering of neat cattle, and inspections with regard thereto, is expanded to include all types of cattle, plus horses.	March 31	July 1
1178	<u>Insurance - services under sickness and accident policies.</u> When a sickness or accident insurance policy provides for reimbursement for services which may lawfully be performed by a licensed optometrist, in addition to previously named practitioners of the healing arts, such reimbursement may not be denied if the service is in fact performed by a licensee, regardless of policy provisions to the contrary. Authorizes an insurance company to set different fee schedules for services by different professions. Applies, with respect to optometrists, to individual policies issued after July 1, 1971, and, as to optometry and other services, to blanket and group policies issued, renewed, or reinstated on or after such date.	June 4	July 1
1184	<u>Labor and employment - unemployment compensation eligibility.</u> Terminating employment by reason of returning to school no longer qualifies a person for a special award of unemployment compensation, and is now grounds for a finding of no award of such benefits.	May 6	July 1
1187	<u>Vocational education - designation of state agency for federal programs.</u> Designates the state board for community colleges and occupational education as the state approving agency for the receipt and administration of federal funds for programs of vocational education for veterans and war orphans and widows.	April 12	April 12

House Bills

No.

Subject

1189 Schools - "Public School Foundation Act of 1969" - distributions to school districts. Provides that distributions of state equalization support will be made monthly instead of quarterly. Requires the state board of education to certify the amount payable to each eligible school district to the state treasurer no later than the 15th day of each month, and requires the state treasurer to pay such amounts no later than the 25th day of such month. Makes adjustments in the provision governing overpayment which are necessitated by the change in distribution dates.

April 24

July 1

1194 Marriage - "Uniform Marriage Act". Rewrites the law on marriage, the major changes being as follows: Authorizes the department of health to prescribe the forms for application, license, certificate, and consent, rather than setting forth statutory forms; increases license fee from \$5 to \$7; adds tests for rubella and blood type to existing health examination requirements, substantially as in H.B. 1081, and provides that the test for syphilis must be given at least 10 days before application is made for the marriage license; oaths and affidavits are not required to prove eligibility for a marriage license; parental consent is required for females under 21 years, rather than under 18; no marriage ceremony may be performed within 10 days of certificate issuance (which, added to the 10-day requirement relating to syphilis tests, imposes a 20-day waiting period); the circumstances under which a district or juvenile court may order a marriage certificate issued are somewhat changed, and a court may authorize a marriage by proxy if a person requested to solemnize such a marriage refuses to do so; marriage between persons having close blood or adoptive relationships is declared prohibited, including ancestor-descendant, brother-sister, uncle-niece, and aunt-nephew; a person cohabiting in the mistaken belief that he is lawfully married, referred to as a putative spouse, is declared to have the rights of a legal spouse with respect to the period during which such good faith belief continues, but common law marriages contracted after January 1, 1975, are declared to be invalid.

VETOED June 8

1197 Labor - employee safety facilities. Changes requirements for lighting of fire exits in places of employment or of public assemblage to require conformity with national electric code standards, and applies the requirements for screened stair steps applicable to all employees, not just female, when necessary to insure employee safety.

March 31

July 1

House Bills

<u>No.</u>	<u>Subject</u>
1205	<p><u>Water - regulations of the state engineer - procedures.</u> <u>Declares legislative intent to be that ground water withdrawal should not deprive senior surface rights of water, and that ground water diversions should not be curtailed for the benefit of surface rights, even if the surface rights are senior, when water would not be available for diversion by surface rights in the absence of ground water withdrawal. In adopting regulations for water, the state engineer must recognize and consider the following: That each water basin and each aquifer may be different; particular aquifer qualities and conditions; relative water priorities and quantities and peak demand periods; and ownership of surface and subsurface rights by the same person. Authorizes regulations to be changed within the same aquifer as conditions and knowledge change. Provides for publication of proposed rules and for protest thereof with a hearing before the water judge.</u></p>

Requires a referee to make a written summary of his consultation with the division engineer on pending and future applications for water rights and statements of opposition thereto only at the request of the water judge in cases when no ruling has been entered, or when a referee's ruling is being contested.

June 4 June 4

1207	<p><u>Urban drainage and flood control district - boundaries.</u> <u>Excludes that portion of St. Vrain and Left Hand water conservancy district located in Boulder county from the urban drainage and flood control district.</u></p>
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April 30 December 31

1208	<p><u>Motor vehicles - operators' licenses - financial responsibility.</u> Provides that a person who drives without a license is guilty of a misdemeanor, and imposes a penalty of not less than \$50 nor more than \$5000, or imprisonment not to exceed 6 months, or both. Raises the minimum fine for second or subsequent convictions from \$50 to \$100. Establishes a mandatory penalty of imprisonment in the county jail for driving while a license is suspended or revoked, such penalty to be not less than 5 days nor more than 6 months. The minimum sentence need not be served on consecutive days, but may be served during a 30-day period. Provides that a plea of nolo contendere in a traffic case shall be considered a conviction for all purposes related to the drivers' license law.</p>
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House Bills

No.

Subject

1208
cont.

Requires the revocation of the driver's license of a person who must maintain proof of financial responsibility under the "Motor Vehicle Financial Responsibility Act" and who, at the time of a conviction for any motor vehicle offense, was not maintaining such proof. Provides that insurance policies or bonds submitted as proof of financial responsibility must have terms of at least 12 months, and that the license issued upon submission of such proof expires automatically on the expiration of the policy or bond. Reduces from 60 to 10 the number of days after receiving an accident report within which the department of revenue must commence proceedings under the "Motor Vehicle Financial Responsibility Act", and increases from 20 to 40 the number of days after the department's notice is mailed within which a licensee may request a hearing.

VETOED June 7

1211

Counties - home rule. Provides enabling legislation for county home rule as authorized by the constitutional amendment adopted at the 1970 general election. Proceedings are commenced by resolution by the board of county commissioners or upon petition of not less than 5% of the registered qualified electors of the county calling for an election to determine whether or not a home rule charter commission should be established. At the same election 11 charter commissioners are to be elected in counties with a population of less than 50,000; or 21 commissioners are to be elected in counties with a population of 50,000 or more. Any qualified elector of the county may be nominated to serve on the charter commission by 25 registered qualified electors. If the proposal is approved, the commissioners elected take office and conduct a comprehensive study of county government, hold public hearings in connection therewith, and must present a proposed charter to the county commissioners for referral to the county electors within the time specified or be dissolved. If a charter is rejected the commission may submit one revised charter. Action to amend a charter may be initiated by a resolution of the county commissioners or by petition of at least 5% of the registered qualified electors. Action to repeal a charter or to form a new charter commission may be initiated by petition of at least 15% of the registered qualified electors. Each home rule charter must contain procedures for the initiative and referendum of measures and for the recall of elected officers. A charter is also to provide for the terms of county officers and whether such officers are to be appointed or elected.

May 6

January 1, 1972

House Bills

No.

Subject

- 1212 Municipalities - officers' terms of office. Implements the 1970 amendments to section 12 of article XIV of the constitution by authorizing cities and towns to provide by ordinance for 4-year terms for aldermen, councilmen, or trustees, as well as for mayor and other city officers. By ordinance, a municipality can revert back to 2-year terms later, if desired. Any ordinance changing terms of office must be enacted at least 180 days before the next municipal election, and is subject to the provisions for referendum.

March 31

January 1, 1972

- 1219 Interstate rendition of juveniles alleged to be delinquent. Amends interstate compact on juveniles by adding new article authorizing Colorado to obtain custody of juvenile who is in another state and against whom charges have been filed in Colorado.

April 30

April 30

- 1223 Insurance - rate regulation. Declaring its purpose to be the promotion of rate competition among insurers and to improve the availability and reliability of insurance, the act eliminates, in certain cases and as to certain types of insurance, the need for prior filing of rates with and approval of such rates by the commissioner of insurance, under articles 11 and 12 of chapter 72, although the commissioner can require any type of insurance to be regulated as before if he finds, after hearings, that competition is insufficient to control rates, or is having detrimental or destructive effects. Persons claiming to be aggrieved by any rate or plan can request the insurer to review it, and can, if dissatisfied with the results, request a hearing by the commissioner who must act thereon if he finds the complaint valid. He may, on such complaint, or for other good cause, privately request an insurer or group to discontinue conduct not in compliance with the article, and if not voluntarily discontinued he may, after public hearings, issue such orders of prohibition, suspension, or revocation as he finds necessary, all being subject to judicial review. Various types of anticompetitive conduct are prohibited, primarily dealing with collusive rate-setting practices or those restraining an insurer from acting independently of others. All rates and forms are to be filed with the commissioner and kept current. The commissioner is generally to supervise trade practices, and may issue temporary orders suspending rates; may, after hearing, order that a rate be disapproved and premiums refunded; and may

House Bills

No. Subject

1223 prescribe monetary penalties for violations of his orders.
cont. The commissioner is to make evaluation reports to the
 governor and general assembly concerning the new system,
 including a final report by March 1, 1975.

June 4

January 1, 1972

1224 Public employees' retirement association. Amends public
 employees' retirement association law to allow all elected
 officials of a municipality whose other employees are covered
 to become members of the association. Formerly, only elected
 city council or board members could be members.

April 30

April 30

1225 Department of the treasury. Consolidates provisions
 concerning the collection, investment, and disbursement of
 state moneys, and makes the following changes, among others:
 Allows state agencies to make direct deposits in banks upon
 authorization by the state treasurer, under procedures to be
 established jointly by him and the state controller; requires
 all moneys received by the state treasury to be deposited in
 state or national banks as checking accounts or time
 deposits, or at interest in savings and loan association
 accounts, all with adequate security thereon; allows funds
 not subject to immediate disbursement to be invested in
 short-term interest-bearing securities, including U.S.
 treasury bills and notes and commercial paper of prime
 quality; allows advances and loans to state agencies under
 certain circumstances; authorizes state agencies to withdraw
 amounts for use as imprest case accounts on approval of the
 state controller; abolishes special requirements for deposit
 of moneys by public offices located in Denver; increases
 interest rate on warrants not paid upon presentment from 4%
 to 6%; and provides that the premium on a surety bond or
 escrow fees for custody of collateral security, required of
 depositories of state funds, may be paid from appropriations
 to the treasury department.

April 24

April 24

1226 State officers - state treasurer. Consolidates provisions
 concerning the powers and duties of the state treasurer, with
 the following changes: Adds provision on authority of state
 treasurer to accept gifts, legacies, and devises in the name
 of the state, with the governor's approval and subject to
 disposition by the general assembly in accordance with the
 giver's directions; inserts a general provision requiring the
 state treasurer to exercise diligence and care in keeping all

House Bills

<u>No.</u>	<u>Subject</u>		
1226 cont.	books and records pertaining to his office and in the safekeeping of all securities of which he is official custodian; and directs the state treasurer to make a quarterly report to the governor on the condition of the state treasury and to furnish information to the governor or either house of the general assembly upon request. See also H.B. 1225.	April 24	April 24
1227	<u>Special districts - deposit of moneys.</u> Requires any moneys of special districts organized under chapter 89, C.R.S. 1963, deposited in state or national banks to be secured by a surety bond or pledge of collateral security in the manner and to the extent required for deposit of state moneys by the state treasurer.	May 19	May 19
1229	<u>Weights and measures.</u> Provides that regulations promulgated by the commissioner of agriculture may include packaging and labeling requirements.	April 24	July 1
1230	<u>Landlord and tenant - security deposits.</u> Requires landlord to return full security deposit within 1 month after residential premises are surrendered or lease is terminated, unless lease states otherwise, but not to exceed 60 days. No part of security deposit can be retained for normal wear and tear to rental unit. If the landlord retains any part of a security deposit, he must provide the tenant with a written statement giving specific reasons. Landlord is liable for treble the amount wrongfully withheld, plus attorney's fees and costs. Upon transfer of his interest in a dwelling unit, a landlord must return any security deposits less allowable deductions or transfer security deposit funds to his successor in interest and notify the tenant by mail of such transfer.	May 6	July 1
1232	<u>Irrigation districts - approval of contracts.</u> Provides that all contracts entered into by an irrigation district involving a consideration of \$50,000 to \$75,000 must be authorized and ratified in writing by 1/3 of legal electors of such district; former law stipulated a range of \$10,000 to \$25,000. Provides that contracts involving more than \$75,000 must be ratified in manner provided for authorization of		

House Bills

No. Subject
1232 bonds; former law stipulated that such approval was necessary
cont. for contracts involving more than \$25,000.

May 6 May 6

1233 Dentistry - dental hygiene - board of examiners - duties.
Miscellaneous amendments to the article concerning regulation
of practice of dentistry and dental hygiene, including the
following: Creates a new category of persons engaged in
performing dental tasks or procedures, called dental
auxiliaries, which includes everyone, other than dentists, so
engaged; makes more specific the tasks which may be performed
by a hygienist or other auxiliary; removes limitation on
number of auxiliaries a dentist can have; allows exams given
by accredited schools on theoretical subjects to be accepted
in lieu of state examination for dentists and auxiliaries;
changes license renewal date from March 1 to January 1;
details board's duties with respect to rules and regulations,
examinations, and licensing.

April 24 July 1

1236 Chiropody and podiatry - professional service corporations.
Authorizes the practice of chiropody or podiatry by
professional service corporations whose sole stockholders are
licensed chiropodists or podiatrists. Subjects such
corporations to the same requirements as apply to
professional service corporations for the practice of
medicine.

April 24 July 1

1242 Public education - teacher tenure. Amends teacher tenure law
to provide that a teacher shall have tenure only during
efficiency, good behavior, and continuous employment. But
the required continuous employment is not to be deemed
interrupted by temporary illness, a military leave of
absence, or a leave of absence approved by the board of
education.

June 4 June 4

1244 State central storeroom - supervision. Provides that
executive director of department of administration rather
than purchasing agent has primary responsibility for
operation of state central storeroom.

April 24 April 24

House Bills

No. Subject

1245 State board of parole - appointment of members. Provides that the members of the state board of parole will be appointed by the governor, and removes them from the state personnel system pursuant to the amendment to the state constitution adopted at the 1970 general election. Prescribes qualifications for parole board members, including knowledge of correctional administration and the criminal justice system and 5 years' education or experience, or a combination thereof, in specified fields. Establishes staggered terms of 6 years.

May 22

July 1

1246 State personnel system - department of personnel - appropriation. Implements the amendment to article XII, sections 13 and 14, of the state constitution, adopted at the 1970 general election. The major provisions are as follows:

Department of personnel. Creates the department of personnel, to which are transferred the powers, duties, and functions of the civil service commission which is abolished. Allocates administrative duties to the state personnel director, who is the executive head of the new department, and powers over policy, rule-making, and administrative appeals to the state personnel board. Creates the 5-member state personnel board, of which 3 members are to be appointed by the governor and 2 members are to be elected by certified persons in the state personnel system.

State personnel system. Defines the constitutional exemption from the state personnel system for administrators in educational institutions. Makes provision for accumulated leave, longevity, and other benefit status of persons brought into the state personnel system and for return to the personnel system by persons presently holding positions which are newly exempted. Enacts the "rule of three", whereby appointments to positions in the personnel system may be made from the 3 persons ranking highest on the eligible list, rather than only the highest ranking person. Abolishes provisional appointments, and provides that probationary periods not to exceed 12 months may be established. Authorizes temporary appointments for periods not to exceed 6 months upon approval of the state personnel director and, in emergencies, for up to 15 days without such approval. Authorizes establishment of a uniform grievance procedure by rule of the board, and provides in greater detail for disciplinary proceedings.

Miscellaneous. Reduces mandatory retirement age for

House Bills

No.

Subject

1246 employees in the state personnel system from 68 to 65, the
cont. reduction to take place in annual steps with full reduction
taking effect July 1, 1974. Authorizes the board to make
exceptions if the state would benefit from continued
employment of the individual. Directs a 14-member committee
to begin immediately to study the compensation of state
employees, which committee is to be composed of legislators,
members of the executive branch, and representatives of the
Colorado association of public employees. Appropriates
\$100,000 for the expense of the committee. The act is
repealed on June 30, 1972.

May 22

July 1

1247 Administrative code - appointment of department and division
heads. Pursuant to the 1970 constitutional amendments
authorizing the governor to appoint and dismiss the heads of
principal departments of state government, the appointment of
heads of the following 9 departments is authorized, subject
to the consent of the state senate: Revenue, institutions,
regulatory agencies, health, social services, labor and
employment, local affairs, highways, and agriculture. The
executive director of each department is to appoint employees
of his immediate office and the head of each division in the
department, and each division director is to appoint division
employees. All appointments except those by the governor
must be in conformity with civil service requirements. The
chief engineer, head of the division of highways, is no
longer ex officio head of the department of highways; the
executive director of the department of health is not ex
officio head of the division of administration within that
department; and the executive director of the department of
labor and employment is not ex officio the director of the
division of labor.

May 19

July 1

1248 Elections. Miscellaneous amendments, some of the more
important being as follows: Provides that persons between
ages 18 and 21 may vote for presidential and vice-presidential
electors, U.S. senators, and U.S. representatives. Changes
residency requirement from 1 year to 3 months to vote in
primary, general, municipal, school, and special elections.
Reduces required age from 21 to 18 and required residency
from 1 year to 3 months to vote in party caucus, assembly, or
convention. Requires nominating petitions for independent
candidates, and initiative and referendum petitions, to be
signed by registered electors. Repeals provision for
election clerks and allows more than 3 election judges in

House Bills

No. Subject

1248 certain precincts. Provides candidates for school director
cont. must file notice of intent at least 32 days before election,
with this section of bill effective May 5, 1971.

April 17 April 17

1255 Evidence - civil actions - degree of proof. Provides that
the plaintiff in a civil action shall be required to prove
his case by a preponderance of the evidence. Provides that
exemplary damages against a defendant or execution against
the body of a defendant shall be awarded only when the
plaintiff proves the requisite elements beyond a reasonable
doubt.

The act applies only to civil actions accruing on or
after July 1, 1971.

April 24 July 1

1258 Agriculture - structural pest control - licensing. Imposes
licensing requirements, to be administered by the
commissioner of agriculture, on those who engage in
structural pest control activities for hire. Each applicant
for a license must present evidence of actual experience or
education, or a combination thereof, in the structural pest
control field. The act provides for the licensing of more
than one individual employed by a business when one person
cannot be responsible for all pest control recommendations,
soliciting, and application of pesticides, and requires that
a qualified officer or technician, who will be responsible
for such pest control operations, take the examination when
the applicant is not an individual. Requires applicants to
furnish evidence of minimum liability insurance.

Provides that a license will be issued upon passage of
the examination and payment of a \$50 fee. Annual renewal of
the license costs \$50. All fees are to be credited to the
general fund.

Requires licensees to keep records and make quarterly
reports to the department of agriculture. Provides that
injuries requiring medical treatment, caused by pesticides
applied by a licensee, shall be reported to the commissioner
within 48 hours after the licensee learns of the injury.

Requires each federal or state agency and each unit of
local government which engages in structural pest control
activities on and after January 1, 1972, to obtain a
certificate of registration from the commissioner. Such

House Bills

No.

Subject

1258 cont. bodies politic must designate employees to be responsible for their structural pest control activities and to meet the qualifications and examination requirements.

Directs the commissioner to appoint an advisory committee to assist in preparing examinations and in formulating rules and regulations. Provides that persons in the business of structural pest control on January 1, 1971, may be issued a license without an examination upon presenting evidence of qualifications and payment of the license fee.

Prohibits certain activities by or on behalf of persons or bodies politic not licensed or registered under the act; prohibits pest control activities which create hazardous conditions; prohibits certain deceptive practices; and prohibits interference with the enforcement of the act and the failure to keep records and file reports.

April 24

January 1, 1972

1259 Motion picture and television advisory commission - permanent agency. Makes motion picture and television advisory commission a permanent state commission.

April 30

June 30

1266 Planning and zoning - boards of adjustment - review. Provides that a decision by a county board of adjustment shall be reviewed by the county commissioners if request for review is filed by either party within 20 days after a decision by the board. Unless the municipal charter or ordinance provides otherwise, a decision by a municipal board of adjustment shall be reviewed by the legislative body of the municipality on a similar request for review. Decisions on appeal are subject to review in district court for abuse of discretion or for being in excess of jurisdiction. Either party may prosecute an appeal from the district court's decision. Provision for certiorari review of decision by municipal board of adjustment is repealed.

VETOED June 4

1267 Electricians. In addition to other requirements, an applicant for a journeyman electrician's license must establish that he had had at least 2 years' experience in commercial or industrial work. Establishes two new classifications: "Residential wireman" and "trainee". Residential wiremen must be licensed by the state electrical

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|--|----------|-------------|
| 1267
cont. | board and are persons who have the necessary qualifications to do electrical wiring for 1 to 4 family dwellings, including at least 2 years' practical experience. Allows the state electrical board to grant temporary permits for residential wiremen and to waive written exams in certain circumstances. Any person may work as a trainee but shall not do any wiring unless under the direct supervision of a licensed electrician or residential wireman. Provides that all electrical apprentices and trainees working at the trade for electrical contractors must register with the board within 30 days of actual employment and notify the board of any change of employer. Residential wireman's examination fee is \$10 and a license, permit, or renewal is \$5. | May 7 | July 1 |
| 1268 | <u>Taxation - collection of property taxes on fractional interests.</u> In the case of oil, gas, and other hydrocarbon wells or fields belonging to multiple owners and operated as a unit, the unit operator thereof who does not disburse payments to owners of fractional interests therein may request the first purchaser to collect the taxes due from such owners and remit to the unit operator for payment to the county treasurer. The first purchaser means either the first buyer of oil and gas from a new well, or the current buyer from a producing well. Eliminates the penalty imposed upon a unit operator who fails to collect and remit the taxes due. | April 24 | September 1 |
| 1269 | <u>Taxation - valueless safe deposit boxes exempt for inheritance tax release requirements.</u> If examiner determines that safe deposit box of decedent contains nothing of value then it is not a security or asset and free access may be had thereto. | April 30 | April 30 |
| 1272 | <u>Limitation of actions - suits relating to health care.</u> The 2-year period for bringing suits in tort or for breach of contract against any health care facility or licensed practitioner of the healing arts, which formerly ran from the date the cause of action accrued, is now measured from the date the claimant discovers, or in the exercise of reasonable diligence should have discovered, the seriousness and character of the injury and the claimed negligence or breach. In all cases except those based on the wrongful leaving of a foreign object in the claimant's body, the act imposes an outside limit of 6 years after the date of the | | |

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|--|--------|--------|
| 1272
cont. | alleged act or omission for bringing suit. | May 22 | May 22 |
| 1273 | <u>Motor vehicle laws - violation - authority of arresting officer.</u> Provides that when a person is arrested for a traffic violation which is punishable as a misdemeanor and the law does not otherwise require the person to be taken before a county judge, the arresting officer, in his discretion, shall either give the person a written notice or summons to appear in court, or if such person does not furnish satisfactory identification or if the officer has reasonable grounds to believe such person will disregard a written notice to appear in court, he shall take such person before a county judge without unnecessary delay. See also H.B. 1286. | May 6 | July 1 |
| 1275 | <u>Interstate compacts - interstate corrections compact.</u> Enacts the interstate corrections compact providing enabling legislation for the cooperative care, treatment, and rehabilitation of offenders sentenced to or confined in prisons or other correctional institutions, including mental institutions, in Colorado and such other states and jurisdictions as ratify the compact. The appropriate Colorado officials may contract with other party states for the confinement, supervision, and treatment of certain prisoners or inmates although the sending state still retains jurisdiction over the inmates and the receiving state acts solely as an agent. Each receiving state must provide regular reports regarding inmates under jurisdiction of the sending state. Any hearings to which an inmate may be entitled by the laws of the sending state may be had before the appropriate officials of the receiving state. If a hearing is conducted in a receiving state, it is to be governed by the laws of the sending state. A receiving state may not review decisions of the sending state, but the receiving state may retain an inmate sought to be removed by the sending state if the inmate is charged with a crime committed in the receiving state or if a criminal charge is pending in such state. Extradition of an inmate who escapes to a state other than the sending or receiving state is the responsibility of the sending state. | May 6 | July 1 |
| 1277 | <u>Income taxation - reports and payment of amounts withheld.</u> Monthly and quarterly reports and payment of income taxes | | |

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|---|----------|----------|
| 1277
cont. | withheld by employers are made due by the 20th day of the designated months rather than the last day of those months. | April 14 | April 14 |
| 1280 | <u>Courts - reimbursement of judges assigned out of county. Increases the maximum reimbursement of expenses for judges serving outside their home counties, and for retired judges assigned to judicial duties, from \$20 to \$30 per day, subject to supreme court rule and to procedures established by the state court administrator.</u> | April 14 | July 1 |
| 1281 | <u>Court of appeals - objections to court's jurisdiction. Time for filing objections to the jurisdiction of the court of appeals in any case is now 20 days after the date the record of the case is filed with the court clerk, rather than from the date of service of notice of appeal.</u> | April 14 | April 14 |
| 1282 | <u>Public employees' retirement association - miscellaneous provisions. Monthly deduction from highway patrolmen's salary for retirement fund which would have been effective July 1, 1971, is changed from 10 to 9 1/2 %. Deletes provision that county treasurer is to deduct monthly retirement payments from salaries of certain judges. Permits judge to ask for refund of retirement moneys even though serving more than 5 years. Amends length of time on which a judge's survivor annuity payments are based. Repeals provision that state pay certain amount to retirement fund from delinquent tax interest and penalties.</u> | April 30 | April 30 |
| 1283 | <u>Public employees retirement systems - additional benefits extended. Authorizes additional retirement benefits of 1% per year of credited service over 20 years to persons who leave covered service after 5 years or more and do not take a refund of their prior contributions, thereby extending to such persons the additional benefits granted by 1969 law to employees who do not leave state service prior to retirement. Extends same provision to recipients of survivors' benefits, and also makes the redetermination of benefits provision, passed in 1969, applicable to survivors' benefits, starting in 1971.</u> | April 30 | April 30 |

House Bills

<u>No.</u>	<u>Subject</u>		
1285	<u>Motor vehicles - violations of registration requirements - penalties.</u> Makes any violation of the provisions of the article on motor vehicle registration and specific ownership taxes for which no other penalty is provided a misdemeanor, subject to a fine of \$10 to \$500, 10 days to 6 months imprisonment, or both.	May 26	July 1
1286	<u>Motor vehicle laws - violation - penalty assessment notice.</u> Provides a \$10 fine for anyone operating a motor vehicle without a valid operator's or chauffeur's license. If an arresting officer offers a penalty assessment notice in connection with a traffic law violation and the arrested person fails to produce satisfactory identification or the officer has reason to believe the person will disregard a written promise to pay the fine, the officer is to take such person to the nearest post office facility to make remittance of the fine. A refusal or inability to make such remittance constitutes a refusal to accept the penalty assessment notice. The officer is to advise the arrested person of the number of points he will be assessed for the violation. See also H.B. 1273.	June 7	July 1
1289	<u>Insurance - assigned risks.</u> Deletes requirement that only motor vehicle liability insurers must be consulted and participate in an assigned risk insurance program, thereby authorizing the commissioner of insurance to establish an assigned risk insurance plan involving insurers writing any type of motor vehicle coverage.	May 6	July 1
1290	<u>Insurance - commissioner of insurance - duties.</u> Requires the commissioner of insurance to supervise the insurance business to assure it is conducted in accordance with state law and in a manner to protect the policyholders and the general public. Also makes it the duty of the commissioner to examine all applications by insurance companies for certificates of authority and authorizes him to refuse to issue a certificate of authority until he is reasonably satisfied that the insurer is able to meet the necessary qualifications.	May 6	May 6
1293	<u>Securities - salesmen's license - expiration date.</u> Provides		

House Bills

No.

Subject

1293 cont. that a securities salesman's license expires, unless renewed, upon the expiration date of the license of the broker-dealer or issuer-dealer he represents, rather than continuing in effect for 1 year from its effective date as previously provided.

May 6

July 1

1295 Schools - educational achievement program - appropriation. Repeals a provision for the termination on June 30, 1971, of the "Educational Achievement Act of Colorado" which was passed in 1969. Sets forth the type of students the act is designed to assist in terms of reading deficiencies measured by specified grade levels of performance below the various grades. Appropriates \$750,000 to the state board of education for the program in grades 1 through 6, and an additional \$250,000 for the program in grades 7 through 12.

May 22

May 22

1299 Divorce, separate maintenance, and annulment - "Uniform Dissolution of Marriage Act". Rewrites the law concerning divorce, separate maintenance, and annulment.

Dissolution - legal separation. Abolishes present grounds for divorce and provides that a marriage may be dissolved if the marriage is irretrievably broken; if one of the parties has been a resident of this state, or a member of the armed forces stationed in this state, for at least 90 days before the proceeding was initiated; and if provision has been made, to the extent the court has jurisdiction to do so, for disposition of marital property, maintenance of either spouse, and child custody and support. Abolishes present defenses to divorce and legal separation, e.g. condonation and connivance. Requires the court, upon a petition for dissolution of marriage, to hold a hearing; if both parties state that the marriage is irretrievably broken, the court must so find unless the evidence shows otherwise, but no decree may be entered until 90 days after service of process. If one party denies that the marriage is irretrievably broken, the court may find an irretrievable breakdown or may continue the matter and make its finding later. The act authorizes the court to make temporary orders for support and maintenance and to issue temporary injunctions in a proceeding for dissolution or legal separation, which ordinarily terminate upon issuance of a final decree. Either party may request a decree of legal separation, which is granted, may be converted to a decree of dissolution upon motion of either party after 6 months.

House Bills

No.

Subject

1299 Invalidity. Provides for a declaration of invalidity
cont. of a marriage on the same grounds as may be the basis for
annulment in present law. Sets specific time limits within
which petitions for declaration of invalidity must be filed,
and prescribes who may file such petitions. Treats
proceedings for declaration of invalidity like proceedings
for dissolution for purposes of property rights, maintenance,
and child support and custody.

Property and support. Provides that separation
agreements by the parties to a marriage, except as to child
custody, support, and visitation, are binding on the court
unless it finds, after considering economic and other
relevant circumstances, that the agreement is unconscionable;
terms of the agreement set forth in a decree can be enforced
in the same manner as any judgment.

Requires that all determinations concerning disposition
of marital property, child support, and maintenance be made
without regard to marital misconduct. Provides that the
court in ordering maintenance of a spouse or child support
must consider, among other things, the financial resources
and needs of the spouse who must make such payments.

Child custody. Requires custody to be determined in
accordance with the best interests of the child. Provides
that visitation by the noncustodial parent may not be denied,
and that changes in the custody order may generally not be
made, unless the child's physical health is endangered or his
emotional development significantly impaired. Authorizes the
court to consult professional personnel, a probation
department, or a county or district welfare department in
custody proceedings.

June 2

January 1, 1972

1303 Courts - special associate county judges. Creates the
position of special associate county judge and provides that
such judges shall have the same qualifications and the same
powers, and shall receive the same expense allowances, as
associate and assistant county judges. Provides that a
special associate county judge will receive a salary of 3/4
that of the county judge. Replaces the associate county
judge for Garfield county, with headquarters at Rifle, with a
special associate county judge.

May 26

July 1

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|---|----------|----------|
| 1304 | <u>Medicine - physical therapy - professional corporations - fees.</u> Authorizes persons licensed to practice physical therapy to form professional service corporations organized solely for the purpose of conducting the practice of physical therapy only through licensed physical therapists, the required contents of the articles of incorporation being substantially the same as those applicable to professional corporations for the practice of medicine and various other professions. The act substantially increases license and renewal fees and creates some additional fees. | May 22 | May 22 |
| 1310 | <u>Statutes - 1969 supplement confirmed and validated.</u> Declares that the printing, publication, certification, and deposit of the 1969 supplement to Colorado Revised Statutes 1963 was done in full compliance with all legal requirements, and further declares that the supplement is in full force and effect as of June 1, 1970. | April 14 | April 14 |
| 1311 | <u>Damages - contributory negligence not a bar to recovery - determination of comparative negligence.</u> Provides that contributory negligence shall not bar recovery in any action to recover damages for negligence resulting in death or in injury to persons or property, but any damages allowed must be diminished in proportion to the amount of negligence attributable to the person for whose injury, damage, or death recovery is made. Court or jury must determine damages as if there had been no contributory negligence and the degree of negligence of each party, expressed as a percentage. The court then reduces the amount of verdict proportionately unless such proportion is equal to or greater than the negligence of the person against whom recovery is sought, in which case judgment is to be entered for the defendant. Act applies only to events which occur on or after effective date. | June 8 | July 1 |
| 1312 | <u>Inheritance tax - deductions allowed.</u> In determining the value of property subject to inheritance taxes, a transfer of joint tenancy property by death is now to be subject to all deductions from value which would be allowable if the property had been transferred by will or intestate laws. | May 26 | May 26 |

House Bills

No.

Subject

- 1314 Special districts - hospitals district directors - finances. Sets forth procedures for increasing the membership of a hospital district board from 5 to 7. Prohibits any board member or candidate therefor from being an employee of the district, receiving any compensation except as a board member, or having any personal interest in any transaction of the district. Raises limitation on bonded indebtedness for hospital districts having assessed valuation of over \$15,000,000 from 3% to 5% of such valuation. Deletes authorization to deposit district moneys with secretary-treasurer of the board, and allows district funds to be placed in depositories or invested in securities which are lawful investments for political subdivisions.

May 22

May 22

- 1322 Agriculture - inedible meat rendering and processing. Fees for licensing plants engaged in processing dead animal carcasses for products not for human consumption are increased to \$100, and fees for each vehicle inspection related thereto are increased to \$15. The fee for each vehicle in transportation service related to such processing is increased to \$10 and the inspection fee thereon to \$15. Additional requirements are specified for record keeping and for processing and labeling of products in such business.

April 24

July 1

- 1324 PERA - employees of game, fish, and parks division. Employees of the game, fish, and parks division having sheriff's powers who were employed prior to July 1, 1971 and are thus subject to the special provisions of section 111-1-27 as to coverage under public employees' retirement may at their option continue thereunder, although new employees will be covered under the general provisions applicable to most state employees concerning contributions and benefits. For those who choose to remain under the special provisions the contribution of the employee will be increased from 10 1/2% of salary to 11 1/2%, and the division will pay 13 1/2%, and such employees will be entitled to retirement benefits somewhat earlier than under the regular provisions. The division is to pay over a lump sum to cover its liability for those employees choosing to retain such coverage, while those employees choosing to transfer to the general contribution and benefit provisions will be entitled to some refund for the higher contributions they have previously made. Additional benefits now in the general provisions are added to the special provisions for the game, fish, and parks employees.

April 30

July 1

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|---|--------|--------|
| 1332 | <u>Insurance - premium taxes - penalties.</u> Changes the fine of \$100 for each day on which insurance premium taxes or estimated taxes, or on which annual reports concerning such taxes, are delinquent to a penalty of up to \$100 for each such day. Authorizes the commissioner of insurance to charge interest of 1% per month on the unpaid amount, plus a penalty of up to 25% of such amount. Removes the provision requiring the commissioner to revoke the certificate of authority of a delinquent company until the penalty is paid, and provides that the commissioner is authorized to suspend the certificate under such circumstances. | May 19 | May 19 |
| 1336 | <u>Liens on personal property.</u> Amends lien law to provide that the keeper of an auto or trailer court or a motel has a lien on the personal property, excluding motor vehicles, of transient guests for the unpaid amount due for lodging and boarding. Exempts certain personal effects from the personal property lien which a landlord has against tenants for non-payment of rent and makes lien inapplicable to unearned rent. Allows a landlord to peaceably assert his lien against personal property while a tenant still occupies the premises, but prohibits a landlord from denying a vacated tenant access to the premises in order to remove property not covered by the lien. Provides that if a lien held by the keeper of a hotel, motel, or boarding house is not foreclosed by sale within 180 days the lien is terminated. | June 7 | July 1 |
| 1343 | <u>Insurance - placement of surplus line insurance.</u> Increases the required minimum total of capital and surplus for insurers from \$250,000 to \$1,000,000 before a surplus line broker may place surplus line insurance with such company. Requires commissioner of insurance to approve such insurers and to maintain a list of all insurers so approved. Certain alien surplus line insurers are to be placed on list and other qualified insurers may be placed on list for annual fee of \$25. Authorizes commissioner to approve the placement of surplus line insurance in insurance pools, underwriting associations, or under other specific programs on an individual case basis. | May 6 | July 1 |
| 1344 | <u>Insurance - commissioner of insurance authorized to refund certain overpayments.</u> Authorizes commissioner of insurance to refund overpayment of taxes, fees, or other charges paid | | |

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|--|--------|-----------------|
| 1344
cont. | to him under the insurance laws, but such refund is limited to amounts paid within one year preceding the date of discovery of such overpayment. All such amounts may be refunded by applying them toward the payment of taxes, fees, or other charges owed by the insurer or person making such overpayment, or by cash, in the commissioner's discretion. | May 6 | May 6 |
| 1345 | <u>Bail bondsmen.</u> Does away with the special category of "runners" who assist professional bondsmen in seeing that a defendant remains subject to the jurisdiction of the court, and combines them with the present category of "soliciting agents". Repeals provision against securing a bond with real property located outside the state. Updates terminology relating to the division of insurance. | May 21 | July 1 |
| 1346 | <u>Insurance - licensing of adjusters.</u> Provides for the examination and licensing of insurance adjusters by the commissioner of insurance. Adjusters representing insurers are to be licensed as insurance adjusters; adjusters representing the interests of insured persons are to be licensed as public adjusters, with a \$2,500 bond required for public adjusters. All licenses must be renewed annually, and the commissioner has power to suspend, deny, or revoke a license. | May 22 | January 1, 1972 |
| 1347 | <u>Insurance - prohibiting the payment and acceptance of certain reimbursements in connection with the solicitation and sale of insurance contracts.</u> Prohibits any insurer or insurance agent from paying a commission to any person or agency for services connected with the solicitation or sale of insurance and prohibits the acceptance of such commissions or consideration. Act does not apply to renewal or other deferred commissions, nor does it affect payment of salaries to employees of a licensee who are not directly engaged in the solicitation and sale of insurance. Repeals provisions concerning relationship of a licensed agent or broker to a corporation, partnership, or association of which he is an officer, partner, or employee, when the corporation, partnership, or association is regularly engaged in the insurance business. | May 6 | May 6 |

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|--|--------|--------|
| 1348 | <u>Insurance - activities which create status of agent or non-agent.</u> Excludes licensed solicitors from definition of insurance agent. Provides that any person who does not solicit or negotiate insurance and who merely performs administrative and clerical services for an insurance agent, broker, or agency or in connection with group insurance without receiving a commission is not to be considered as an insurance agent nor required to be licensed as such. Also excludes from the definition of an insurance agent all attorneys, adjusters, company officials, and others acting in the ordinary course of business with regard to the settlement of insurance claims. | May 21 | May 21 |
| 1349 | <u>Insurance - licensing of employees of agents.</u> Requires that any licensed employees of an insurance agent must work at the agent's usual place of business and must be under his direct personal supervision. Such employees must not be engaged in the solicitation and sale of insurance but may solicit and place occasional insurance contracts in the agent's name when he is unable to do so himself. Excluded from such licensing provisions are employees of the agent who do not solicit insurance but merely perform administrative and clerical services. | May 21 | May 21 |
| 1350 | <u>Insurance - broker licensing.</u> Changes the term "disability" to "health and accident" with respect to the kinds of insurance for which brokers may be licensed. | May 21 | May 21 |
| 1351 | <u>Insurance - agents and brokers - penalties for violation of insurance laws.</u> Provides that the license of an insurance agent or broker may be suspended on the same grounds as may form the basis for revoking such license. Authorizes the commissioner of insurance to impose a penalty of up to \$500 in lieu of suspension, revocation, or refusal to renew or continue any insurance license, and provides that such license may be automatically revoked or suspended upon the licensee's failure to pay the penalty within a period to be fixed by the commissioner, not to exceed 30 days. | May 21 | May 21 |
| 1353 | <u>Insurance - who must obtain license.</u> Broadens category of persons who must obtain insurance licenses from those who | | |

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|--|----------|----------|
| 1353
cont. | merely solicit insurance to all those engaging in the insurance business. Changes terminology from "certificate of authority" to "license", for insurance agencies, brokers, and agents. | May 21 | May 21 |
| 1354 | <u>Motor vehicles - traffic controls - vehicles and pedestrians.</u> Provides for adoption and publication by the department of highways of a manual and specifications for a uniform system of traffic control devices, correlating and conforming to federal specifications. Rewrites the traffic control signal legend, itemizing the types of signal lights, including the various colored arrows and "X's". Also rewrites the provisions concerning pedestrians' right-of-way, listing the duties of pedestrians with respect to various pedestrian "walk" and "don't walk" signals. Authorized highway guide signs are delineated. The requirements of vehicle operation at railroad grade crossings are detailed, requiring a motorist to stop not more than 15 (rather than 10) feet from the nearest track rail, in addition to the situations set forth in existing law, when a crossing gate is lowered, a flagman signals, a whistle is heard from a train rapidly approaching within 1500 feet, or the train itself is clearly visible in hazardous proximity. An exception is created to the provision that commercial passenger buses, school buses, and heavy equipment must stop at all railroad crossings, and such vehicles need not stop at any crossing posted by highway authorities as an "exempt crossing" where no trains are in operation during certain periods or seasons. | May 26 | July 1 |
| 1360 | <u>Higher education - work-study programs.</u> The Colorado commission on higher education is directed to establish work-study programs in all institutions of higher education in the state which are supported in whole or in part by state funds, not just state institutions of higher education. | April 30 | April 30 |
| 1368 | <u>Game, fish, and parks - state liability for damage by wildlife.</u> Limits state liability for orchard and crop damage caused by wildlife to damage done by big game animals only. | April 24 | April 24 |
| 1374 | <u>Motor vehicles - definitions.</u> Contains several new definitions applicable to the operation of motor vehicles, | | |

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|---|--------|--------|
| 1374
cont. | including "alley", "divided highway", "lane", "markings", and "stop line"; the bicycle definition is changed from a 20 inch wheel diameter to a diameter of more than 14 inches. | May 6 | July 1 |
| 1375 | <u>Motor vehicles - operation of motorcycles.</u> Provides that <u>motorcycles shall not be driven more than 2 abreast in a single traffic lane, and that a motorcycle is entitled to full use of a traffic lane.</u> Requires passenger footrests on certain motorcycles. Requires motorcycle drivers and passengers to observe certain safety standards while cycle is in operation. | May 22 | July 1 |
| 1378 | <u>Motor vehicles - regulation and licensing of dealers - appropriation.</u> Repeals and reenacts law dealing with the <u>licensing and regulation of motor vehicle dealers.</u> Changes include: Increasing dealer licensing board from 5 to 9 members with all appointments to be made by the governor; requiring the board to conduct written exams to test the knowledge of first-time license applicants regarding motor vehicle laws; authorizing the board to issue temporary motor vehicle salesman's licenses; increasing license fees; enumeration of acts which may result in denial, suspension, or revocation of a license; requiring manufacturers to file copies of all motor vehicle warranties and changes therein with the executive director of the department of revenue; and allowing persons who are damaged by certain unlawful acts to proceed against the manufacturer, distributor, or factory or distributor branch or representative. The portion of the act which provides for testing of licensees does not take effect until July 1, 1972. Appropriates \$35,000 to dealer licensing board for general purposes. | June 4 | July 1 |
| 1381 | <u>Motor vehicles - operation - length - suspension systems - authority of local governments - obstruction of view - driveways.</u> Transfers authority to designate emergency vehicles from local officials to the state motor vehicle licensing agency. Prohibits operating a motor vehicle with the suspension system altered from the manufacturer's original design. Requires local authorities to enforce traffic and parking restrictions on streets which are state highways. Prohibits local authorities from enacting any ordinance which would alter the meaning of the state "rules of the road" and which would apply to a street which is also | | |

House Bills

No.

Subject

1381 a state highway. Declares that no local ordinance may apply
cont. to a state highway until approved by the state department of
highways. Authorizes local authorities to adopt by reference
all or part of a model municipal traffic code. Increases
from 3 to 4 the number of vehicle units which may be coupled
together, and allows certain vehicle loads to project beyond
the ends of the vehicle. Requires the state department of
highways and local authorities to enter into agreements for
the establishment and signing of detour routes. Requires a
property owner to remove any trees or shrubbery which
interfere with the view of traffic. Authorizes the
department to adopt standards for the construction and
maintenance of driveways leading to state highways. Requires
vehicles designed to be operated at less than 25 m.p.h. to
display a triangular slow-moving vehicle emblem on the rear.
Allows a recreation district or metropolitan recreation
district to designate certain areas where the operation of
motor vehicles is prohibited.

May 22

July 1

1385 Motor vehicle registration - radio and TV special license
plates. Holders of FCC licenses for standard or FM radio, or
TV, may purchase special license plates bearing the call sign
letters assigned to the station for up to 10 cars, or trucks
under 5000 pounds, by paying an additional registration fee
of \$5 per vehicle. Licensed amateur radio operators can
continue to purchase such special plates for one vehicle, and
the fee therefor is reduced from \$5 to \$2.

April 30

July 1

1387 State officers - designation of agencies - federal programs.
When no state agency is designated by law, the governor may
designate a state agency to administer federal programs, and
to disburse federal funds subject to appropriation thereof by
the general assembly.

VETOED May 3

1390 Taxation - property tax appeals. Requires that appeal
decisions of the board of assessment appeals be rendered
within 30 days after the hearing or by the last day of the
calendar year, whichever is earlier. Removes authority to
delay a decision or its effect until the next taxable year,
but provides that if judicial review of a decision delays its
finality, valuation shall be established in the same manner
as was authorized in cases of a delayed decision. Requires
final decisions of the board to be rendered by a majority
thereof.

May 21

May 21

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|--|----------|----------|
| 1393 | <u>Game, fish, and parks - regulating outfitters and guides. Miscellaneous changes concerning outfitters and their employers, including the following: Assistant guides may perform their duties with an outfitter or guide in the immediate area, rather than accompanying the assistant; names of outfitter's unlicensed camp personnel are to be available and reported annually to the division, and such personnel may be issued cards furnished by the division; minimum age for outfitters is lowered to 18; the division must issue licenses to successful applicants within 30 days or explain why not; allows licensed persons to carry arms; and eliminates additional fee charged an outfitter having over 2 guides.</u> | April 30 | April 30 |
| 1395 | <u>Courts - time limitations on court actions. When a court action is commenced within the time allowed by the applicable statute of limitations and is terminated by involuntary nonsuit based upon lack of jurisdiction or improper venue, a new action may be commenced on the same claim within one year of such termination, or within the remaining time allowed by the applicable statute, whichever is later.</u> | April 24 | April 24 |
| 1397 | <u>Motor vehicles - safety inspections - denial of certificate - appropriation. Requires the department of revenue to make regulations whereby safety inspection stations must mark a vehicle so as to give notice that an inspection certificate has been denied the vehicle due to some defect. The time for correcting vehicle defects without additional charge or penalty is increased from 5 to 7 days. Funds received by the department from the sale of inspection certificates are to be deposited in a special account in the highway users tax fund for administration and enforcement of the inspection laws, and \$155,500 is appropriated to the department out of such special account for such purposes.</u> | May 22 | July 1 |
| 1398 | <u>Supplemental appropriation - department of administration. Out of highway users tax fund and other cash funds, \$157,521 for salary adjustment purposes.</u> | April 30 | April 30 |
| 1400 | <u>Agriculture - commercial fertilizers and soil conditioners. "The Commercial Fertilizer Law of 1949", as amended, is repealed and reenacted as the "Commercial Fertilizer and Soil</u> | | |

House Bills

No.

Subject

1400 Conditioner Act of 1971". Definitions are considerably more
cont. detailed, particularly as to chemical analysis. Registration
fees remain the same, as do manipulator and applicator permit
fees. Labeling requirements are more detailed. Inspection
fees are changed somewhat on specialty fertilizers. Reports
of sales by suppliers to non-registrants may now be filed
monthly with the agriculture commissioner, and all
registrants must continue to make reports covering
transactions in the previous 6 months. Sampling and analysis
provisions are clarified, violations and penalties involving
chemical content, misbranding, adulteration, and short weight
are set forth in more detail, and monetary penalties are
based on commercial values as found by the commissioner.
Minimum penalties for misdemeanor violations are established
at \$25 for a first violation and \$100 for each subsequent
violation within 3 years of first.

May 6

July 1

1402 Medicine - practice of chiropody. Fee for taking examination
for license to practice chiropody is increased from \$25 to
\$50. Advertising the cure or prevention of diseases of the
toe or foot is prohibited, but podiatrists are permitted to
identify themselves in telephone books by occupation,
address, and phone number, and by office signs not exceeding
specified sizes. The Colorado chiropody board members are to
receive \$30 per day while on board business, but not more
than \$600 per year. Renewal of chiropody license requires
satisfactory evidence of completion of 14 clock hours of
approved post graduate study in podiatry. Renewal of a
license delinquent for over 2 years also requires proof of
good moral character and professional competence.

June 4

July 1

1411 Motor vehicles - aircraft - blood tests of deceased pilots,
drivers, pedestrians. The department of health is to
establish procedures to be followed by all law enforcement
officers to obtain blood or other samples from all aircraft
pilots, motor vehicle operators, and pedestrians who die
within 4 hours after a collision involving any such person,
such blood samples to be tested at the department or other
designated laboratory for alcohol and other substances
specified by the department. The test results will available
to parties involved in a civil or criminal action arising out
of the particular collision. The act is to "self-destruct"
July 1, 1973.

May 26

July 1

House Bills

No. Subject

1413 Insurance - definition of "insurance", "insurer", and "transactions". Amends general definitions section to clarify definition of "insurance" and "insurer"; establishes a definition for insurance-related "transactions" as meaning the preliminary negotiations, solicitation, inducement, and execution of an insurance contract as well as transactions arising out of the contract obligations.

May 21

July 1

1415 Health - "Recreation Land Preservation Act of 1971". Makes it unlawful to: Deposit refuse or untreated sewage on public lands or in public waters except in specified areas or receptacles; mutilate, deface, or destroy any rocks, trees, shrubbery, or flowers in state recreation areas; build fires or store flammable liquids at a campground or recreation area unless in compliance with regulations of the state board of health; or, use any cleansing agent in waters of the state or dispose of water containing such agent on the ground surface within 50 feet of any waters of the state. Requires the operator of a campground, whether such operator is a government agency or private individual, to maintain facilities for the disposal of refuse and sewage. Requires any group of 25 or more persons who assemble in a campground or recreation area for more than 10 hours to provide for sewage and refuse disposal in accordance with the regulations of the board of health. Department of health is to furnish consulting services to governmental agencies and private landowners regarding toilet facilities and procedures for refuse collection and disposal. Limits campers at a recreation area campsite to a 2 week stay. Department of health is directed to administer rules promulgated by the board of health to effectuate the article. Authorizes a private citizen to initiate a complaint for a violation of the article.

May 26

May 26

1417 Juries and jurors - uniform jury selection and service act. Repeals present provisions relating to the qualifications and selection of jurors, and enacts the "Uniform Jury Selection and Service Act". Major provisions include: Establishment of an electronic or mechanical wheel system for the storage and selection of the names of prospective jurors; in counties of less than 50,000 population, designation of the clerk of the district court as jury commissioner; in counties of 50,000 or more, provision for a jury commission consisting of the clerk of the district court and 1 jury commissioner appointed by the chief judge of the judicial district;

House Bills

<u>No.</u>	<u>Subject</u>		
1417 cont.	requirement that a jury commission maintain a master list of prospective jurors consisting of all voter registration lists and supplemented by other sources as the supreme court may designate; excuse of persons from jury service on an individual basis and only in cases of demonstrated need, rather than exemptions of certain classes of persons; establishment of procedures for challenges to the selection process; placement of a limitation on the time a person is required to serve on a jury; prohibition of employers' depriving an employee of his employment because of jury service; and authorizing the supreme court to make rules not inconsistent with the article.	May 26	January 1, 1972
1422	<u>Insurance - regulation of interinsurance.</u> Imposes additional requirements for certificates of authority issued to subscribers who exchange indemnities by reciprocal or interinsurance contracts with each other, including a new requirement of unencumbered surplus of \$300,000, but gives those currently certified 5 years of equal annual surplus increases to reach that figure. Also increases fees and taxes on such organizations, raising the annual filing fee from \$15 to \$50, and the annual fee for certificate of authority from \$5 to \$100, but provides that \$75 of the \$100 can be applied against the premium tax, which is raised from 2% to 2 1/4% of net premiums or deposits.	May 21	July 1
1424	<u>Electricians - electrical inspections of vehicles.</u> Requires state electrical inspectors to inspect all new mobile homes, travel trailers, modular homes, and campers at their place of manufacture or at a dealer's premises prior to retail sale, either the manufacturer or the retailer being obligated to request inspection and to pay the fees.	May 26	July 1
1425	<u>Electricians - electrical inspector qualifications.</u> Requires electrical inspectors hired by any county or municipality to possess the same qualifications as state inspectors, and to be registered with the state electrical board. Inspectors are no longer required to be men.	May 26	May 26
1426	<u>Electricians - electrical inspection fees.</u> Fees for inspection by state electrical inspectors are changed as		

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|--|----------|----------|
| 1426
cont. | follows: Fees based upon the value of the material and labor involved, formerly set at \$4 for valuation of work up to \$50 and \$5 for work valued between \$50 and \$300, are replaced with a fee of \$6 for any work whose value does not exceed \$300, and a new fee of \$5 per space, not based upon value of work, is authorized in mobile home and travel trailer parks. The inspection fee may be doubled if application for inspection is not filed before an installation is begun or before a mobile home, trailer, modular home, or camper is sold. | May 22 | July 1 |
| 1427 | <u>Electricians - inspection requirements.</u> Imposes additional inspection requirements as to any electrical work done by a property owner on his own property which is rented to others or is generally open to the public. | May 26 | May 26 |
| 1429 | <u>Health - regulations concerning sale of glasses.</u> Prohibits the sale, after July 1, 1972, of any eyeglasses or sunglasses having flammable frames or made of other than specified impact resistant materials, unless prescribed by a physician or optometrist. The department of health is given authority to make regulations and to enforce the act by inspection and by seizure of noncomplying merchandise. Misdemeanor penalties attach to violations, including any refusal to permit inspection, or interference with enforcement. A recipient of such merchandise who in good faith relied upon a warranty of compliance is protected. | June 4 | July 1 |
| 1430 | <u>Supplemental appropriation - Colorado state patrol.</u> Out of highway users tax fund, \$130,620, for purchase of up to 195 patrol cars. | April 30 | April 30 |
| 1432 | <u>Insurance - licensing of agencies.</u> Requires insurance agencies, as distinct from individual agents, to be approved and licensed by the commissioner of insurance for a \$10 annual fee, such agencies including any partnership, association, corporation, or individual using a trade name and engaging in the transaction of insurance business. An agency license will cover all lines for which the individual or individuals who are agents of the business entity are licensed. | May 21 | July 1 |

House Bills

No. Subject
1433 Health - air pollution control - vegetation burning.
Restates in more detailed form the requirements for imposition of regulations concerning open burning of undesirable vegetation in agricultural operations, and requires the commission to make specific findings on several aspects of such regulations.

VETOED June 15

1437 Intoxicating liquors - special event permits. Authorizes the state licensing authority to issue special event permits for the sale by certain organizations of either malt beverages or liquor by the drink at special events of the organization or at public celebrations. Such permits are available only to nonprofit fraternal, philanthropic, or religious type organizations, locally incorporated or nationally chartered, who must show that a special event requires the use of facilities or locations other than its own or other than existing available facilities, that the proposed event and its location will not be injurious to public welfare, and that the location proposed has not been subject to denial of an application for a regular liquor license within 2 years on grounds of adequacy of outlets. Fees for such permits are \$10 per day for malt beverage and \$25 per day for liquor. Hours of sale are limited, and a limit of 2 consecutive days per permit and 8 days per calendar year for any applicant is imposed. A local licensing authority, which may charge additional fees equal to the state fees, must approve the application before the state authority acts on it.

May 21 July 1

1438 Counties - allowance of accounts. Eliminates the requirement that bills submitted to the county for payment must be sworn to, although the board can still require such proof of accounts as it deems necessary.

May 22 May 22

1440 Schools - powers of boards of education - district property. Provides that when a board of education sells and conveys district property to a state agency or a political subdivision of the state, it need not make a finding that the property may not be needed in the foreseeable future, which finding was previously necessary for all conveyances of district property.

May 21 May 21

House Bills

No. Subject

1448 Bingo and raffles - lawful purposes - regulation. Provides that purposes for which the proceeds of a game of chance may be used include the provision of legal assistance to peace officers or firemen for the defense of civil or criminal suits arising out of the performance of their duties. Repeals provisions forbidding the conduct of any game other than bingo on an occasion when bingo is played, and prohibits the raffle of prizes valued in excess of \$15,000 in any year. Narrows the definition of "premises" on which games of chance are conducted to include only the room, hall, enclosure, or outdoor area used, not an entire building.

May 6

July 1

1452 Universities and colleges - Fort Lewis college - Indian tuition. Rewrites the article concerning Fort Lewis college, the primary change being to make Indian students subject to the statutes classifying college students as in-state or out-of-state, and to limit free tuition, formerly available to all Indian pupils, to qualified in-state Indian pupils who are not otherwise able to pay tuition. Special programs, subject to the same tuition provisions, may be offered to assist Indian pupils to prepare for, begin, or continue their education at Fort Lewis, subject to available facilities, revenues, and appropriations. All proceeds from the leasing or other use of the original Fort Lewis school land and earnings thereon are to be credited to the "Hesperus account" for use by the state board of agriculture as appropriated, to be first applied to tuition waivers for qualified Indian pupils not otherwise able to pay tuition.

June 4

July 1

1454 Motor vehicles - registration fees and taxes. Miscellaneous amendments relating to motor vehicle registration fees and taxes, including the following: Vehicles exempt from registration include public utility machinery and equipment not operated on the highways which is subject to the special tax provisions for utilities, machinery and equipment operated solely upon the property of its owner which is listed by the owner on ad valorem personal property tax schedules, and a truck owned by a qualified disabled veteran in lieu of an automobile and not used to haul for compensation; as of the date of the passage of the act, in order to be exempt from specific ownership tax, a mobile home or trailer coach must have a permanent foundation with the vehicle's axles and wheels detached, and although its owner need not own the real property upon which it is located, it must be so located as to be an improvement upon such

House Bills

No.

Subject

1454 cont. property; such exemption also continues for coaches and mobile homes on which the owner has previously elected to pay ad valorem taxes by surrendering his certificate of title to the county clerk, although the provision granting such option is repealed by the act; mounted equipment permanently attached to a vehicle no longer automatically takes the same specific ownership tax classification as the vehicle to which it is attached; a minimum specific ownership tax of \$1.50 is applicable for any part of a year; fees for additional dealer plates for motorcycles and similar vehicles are \$7.50 each for up to 5 plates and \$10 each for additional plates; certain mobile machinery and equipment, including self-propelled construction equipment, not registered for highway use is subject to a special annual fee of \$1.50.

May 22

January 1, 1972

1455 Motor vehicles - specific ownership taxes - fees for collection. Raises from 30 cents to 50 cents the fee which may be retained out of each specific ownership tax collected by county clerks and recorders and the manager of revenue in the city and county of Denver.

May 21

May 21

1460 Motor vehicles - relating to vehicle equipment. Modernizes the language of several sections concerning motor vehicle equipment requirements and safety inspections to conform to the present allocation of functions between the department of revenue and the state department of highways. Makes requirements concerning brake equipment for certain vehicles applicable to all vehicles instead of only new ones.

May 22

May 22

1464 Game, fish, and parks - control of predatory animals. Adds to the list of furbearing or nongame mammals which may be taken at night, the coyote, bobcat, skunk, and fox. Eliminates season restrictions on all such mammals when hunted to protect livestock on private property, and allows use of certain otherwise prohibited lights and devices in such case. Prescribed hunting garments are not required in hunting such predators except during big game season. Authorizes the department of agriculture in cooperation with the division of game, fish, and parks to issue permits for the use of poisons in the control of predatory animals on the property of the livestock owner.

June 7

July 1

House Bills

No.

Subject

1467 Agriculture - produce - inspection and grading. Extends the law on inspection and grading, and the authority of the commissioner of agriculture with respect thereto, from fruits and vegetables to all agricultural products. States that its purpose is to provide the means whereby producers, shippers, buyers, and sellers of such products as may be mutually agreed upon may be promptly and efficiently inspected. Abolishes mandatory inspection of fruits or vegetables for which minimum standards had been prescribed, and makes inspection and grading mandatory only for shipments of potatoes or peaches over 1,000 pounds; all other inspection and grading is permissive. Requires fees for state inspection of agricultural products to be set on the basis of the service rendered and not by product. Also removes the \$12 per carlot maximum fee. Provides that fees may not exceed 10 cents per 100 pounds unless a hundredweight basis is not appropriate to the service rendered. Repeals specific standards for particular fruits and vegetables, and deletes the following as being duplicative of other laws: Provisions governing reuse of containers bearing grade or quality markings; requirements for shippers' licenses; and provisions on packaging and deceptive labeling.

May 26

July 1

1471 Motor vehicles - definitions. Amends certain definitions in the chapter concerning motor vehicles, as follows: Provides that a "trailer coach or mobile home" must be a single self-contained unit; removes the requirement that an "implement of husbandry" must be exclusively used by its owner, and deletes specific provisions concerning his method of operations; excludes from the definition of "motor-driven cycle" trail bikes, mini-bikes, go-carts, golf carts, and similar vehicles not designed or approved for use on public roads.

May 26

May 26

1488 Motor vehicles - certificate of title - purchaser's duties. Extends from 10 to 20 days the time within which a motor vehicle purchaser must apply for a new certificate of title, and makes it a misdemeanor for a purchaser to fail to do so or for a seller to fail to properly transfer title. Also repeals a section specifying the method by which the holder of a junior encumbrance on a motor vehicle may require that such interest be shown on a certificate of title.

May 22

May 22

House Bills

No.

Subject

- 1489 Game, fish, and parks - use of aircraft in hunting. Places more restrictions on the use of aircraft, now specifically including helicopters, in connection with hunting. Makes it unlawful to use aircraft to locate wildlife and communicate such location to persons on the ground; also forbids such persons to act on such information. Unless permitted by the division or in an emergency, it is unlawful to transport hunters, equipment, or wildlife by air except to regularly established public or private airfields or heliports.

May 22

July 1

- 1508 Coal mining - qualifications for positions - coordination with federal law. Requires certificates of competency for mine electricians, as well as for a fire boss and the various foremen named in prior law. Sets forth the qualifications for certificates and reduces the experience requirement for underground mine foreman and assistant mine foreman from 5 to 3 years. Provides that a strip pit foreman, an assistant strip pit foreman, and a fire boss must also have 3 years' experience to qualify. Requires a mine electrician to have 1 year's experience in underground coal mines and to be qualified to perform electrical work. Provides that all applicants for certificates must demonstrate their knowledge of the coal mine safety laws.

Directs the chief inspector of coal mines, together with the district inspectors and the board of examiners, to cooperate with the United States to achieve the purposes of the "Federal Coal Mine Health and Safety Act of 1969", and authorizes the chief inspector to expand education and training programs for miners and to provide technical assistance to mine operators in complying with state and federal requirements. Attempts to eliminate duplication of state and federal filing and approval requirements with respect to maps, roof control plans, ventilation plans, records, inspection and accident reports, and electrical installations.

May 26

May 26

- 1529 Motor vehicles - ton-mile tax - vehicles excepted. Provides that the gross ton-mile tax shall not be assessed on operator-owned vehicles transporting operator-owned race horses to and from the stud or to and from a racing meet in Colorado, or on veterinary mobile truck units.

June 8

June 8

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|------------|---|--------|-----------------|
| 1536 | <u>Roads and highways - federal - aid - urban system.</u>
Authorizes the state highway commission to designate any public highway, road, or street as a part of the federal-aid urban system to qualify such roads for the expenditure of federal aid funds under section 106 of the "Federal-Aid Highway Act of 1970". | May 26 | May 26 |
| 1544 | <u>Sales tax - exemptions - fuel or power used in construction.</u>
Provides that sales and purchases of electricity, coal, gas, fuel oil, and coke are deemed wholesale sales and thus exempt from sales taxation when made for use in any construction, not just building construction. | May 21 | July 1 |
| 1559 | <u>Legal publications - maximum rates increased.</u> The maximum rates for publishing all legal notices and advertisements are increased from 18¢ to 23¢ per line for the first insertion, and from 14¢ to 16¢ for subsequent insertions. | May 22 | January 1, 1972 |
| 1560 | <u>Schools - employed teachers - retirement benefits.</u> Provides an alternative to the existing maximum of 10 days per month for which a retired teacher may be employed by a school district without losing benefits for that month under a district retirement system, the alternative maximum being 70 hours per month of such employment. | May 21 | July 1 |
| 1567 | <u>Public trustees - trust deeds - releases - foreclosures.</u> Miscellaneous amendments including the following: Whereas a public trustee was formerly authorized to accept a certified resolution of indemnity only from a "banking institution", he may now accept the resolution of a licensed savings and loan association, as well as that of a bank other than an industrial bank, when such resolution is tendered in lieu of a missing promissory note; the acceptable forms of payment to a public trustee at a foreclosure sale are specified as cash, certified check, or the cashier's check of a banking institution licensed to do business in the state; unless the person satisfying indebtedness secured by a lien on real property requires the immediate delivery of all documents to him upon such satisfaction, a bank or other lender is required to procure a release of record and may collect its | | |

House Bills

- | <u>No.</u> | <u>Subject</u> | | |
|---------------|--|--------|--------|
| 1567
cont. | costs therefor, and the debtor, upon payment, is entitled to the return of all his papers and personal property. | May 22 | July 1 |
| 1568 | <u>Public trustee salaries.</u> Increases maximum public trustee salaries (payable only out of fees collected) from \$6,250 to \$10,000 in first and second class counties. | May 21 | July 1 |
| 1570 | <u>Universities and colleges - non-resident tuition for certain community colleges.</u> Amends a portion of 1971 Senate Bill 436 (the Long bill) which sets forth legislative intent concerning tuition levels as follows: Increases nonresident tuition at Lamar community college from \$980 to \$1,507; and increases nonresident tuition at Otero community college from \$1,015 to \$1,562. | | |

VETOED June 4

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H indicates House Bills

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