

FILE COPY

DIGEST OF BILLS

Enacted by The

FIFTY-FOURTH GENERAL ASSEMBLY

1983 First Regular Session



COLORADO

LEGISLATIVE DRAFTING OFFICE

30 State Capitol Bldg.
Denver, Colorado 80203

July, 1983

DIGEST
 OF
 SENATE AND HOUSE BILLS ENACTED
 BY THE
 FIFTY-FOURTH GENERAL ASSEMBLY
 OF THE
 STATE OF COLORADO
 (1983 - First Regular Session)

* * * * *

Includes all bills passed by the General
 Assembly as of June 22, 1983

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For grouping of bills by general subject matter,
 see pages i and ii.

Detailed subject index appears at end of digest,
 together with index by bill number.

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Compiled by the
 Legislative Drafting Office
 and the
 Office of Revisor of Statutes
 State Capitol Building
 Denver

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The first date appearing after the act is the date on which it was approved by the Governor or, if noted, became law without his signature; the second date is the effective date of the act. Vetoed bills are digested and marked "VETOED".

1 House Bill and 1 Senate Bill became law without the Governor's signature. These totals are included in the totals below.

This digest is intended to direct the user to the text of specific bills and does not purport to be exhaustive.

	<u>Introduced</u>	<u>Passed</u>	<u>Vetoed</u>	<u>Became law</u>
HOUSE	573	283	10	273
SENATE	<u>411</u>	<u>220</u>	<u>7</u>	<u>213</u>
TOTALS	984	503	17	486

HEADINGS DIGESTED

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ADMINISTRATIVE RULE REVIEW

- S.B. 114 Continuation of 1982 rules of executive agencies.
Extends the rules and regulations of executive agencies which were adopted or amended during 1982, except for specified rules and regulations which shall expire as scheduled on June 1, 1983. Does not provide for the continuation of any 1982 rule of the departments of higher education, agriculture, highways, or revenue, which rules are the subject of separate acts.

Rules which are not continued include: The rules of the department of health which provide for limited access to birth records for purposes of a voluntary adoption registry; the rules of the department of health concerning the handicapped children's program; the rules of the department of institutions concerning voluntary application for mental health services on behalf of a minor; the rule of the state board of medical examiners which rescinded continuing medical education requirements; specified rules of the department of social services concerning the appeal mechanism for providers of services under the medical assistance program; and the "3 + 3" affirmative action rules of the department of personnel.

Became law without the Governor's signature
June 1 June 1

- S.B. 115 Continuation of rules of the department of higher education. Extends the rules and regulations of the department of higher education which were adopted before January 1, 1983, and which were scheduled to expire July 1, 1983.

May 25 May 25

- S.B. 116 Continuation of rules of the department of agriculture. Extends the rules and regulations of the department of agriculture which were adopted before January 1, 1983, with specified exceptions. The rules which are not so continued, and which thereby expire on July 1, 1983, are rules of the animal industry division which relate to the labeling and sale of ice milk, to the preparation of frozen dessert mixes, and to milk, cream, and other dairy products.

May 20 May 20

S.B. 117 Continuation of rules of the department of revenue. Extends the rules and regulations of the department of revenue which were adopted before January 1, 1983, with specified exceptions. Rules which are not so continued, and which thereby expire on July 1, 1983 (June 1, 1983, in the case of rules adopted or amended in 1982), include: Specified rules concerning the rate of interest applicable to tax refunds, overdue taxes, and overpayment of taxes; specified rules concerning commercial driving schools and commercial driving instructors; specified rules concerning the classification of driver's licenses; and a rule of the Colorado lottery commission concerning the inapplicability of disclosure requirements to electronic or non-printed advertising for a specific lottery game.

June 1 June 1

S.B. 118 Continuation of rules of the state department of highways. Extends the rules and regulations of the state department of highways which were adopted before January 1, 1983, and which were scheduled to expire July 1, 1983, with the exception of rules relating to federally assisted small urban and rural public transportation projects under the federal "Urban Mass Transportation Act of 1964".

May 26 May 26

AGRICULTURE

- S.B. 62 Pesticide applicators - regulation - licensure.
Authorizes the commissioner of agriculture to promulgate and enforce rules and regulations relating to pesticide applicators. Provides for the testing of and the collection of fees from applicants who wish to become licensed or certified commercial applicators. Requires each applicant for certification as a commercial applicator not for hire to pay a certification fee of \$50. Sets up procedures for the suspension, denial, revocation, or renewal of a license or certificate.

Repeals article 11 of title 35, Colorado Revised Statutes 1973, relating to structural pest control service and the licensing requirements of persons who wish to be engaged in such practices and merges some of the provisions of such article into this act.

Repeals provisions regulating the application of pesticides effective July 1, 1985.

June 16

June 16

- S.B. 124 Pesticides - federal references - rules and regulations.
Amends the "Pesticide Act" by changing existing references to the United States department of agriculture to the United State environmental protection agency, which is the new federal agency regulating pesticides. Clarifies that it is the commissioner of agriculture who shall promulgate rules and regulations for the department of agriculture with regard to pesticides. Removes references to "restricted use pesticides" in order to remedy current confusion over use of the same term by the federal government.

May 10

May 10

- S.B. 146 "Measurements Standards Act of 1983" - revisions.
Rewrites and revises the laws concerning weights and measures.

Codifies various provisions previously established by rule or regulation, including: Establishing specifications, tolerances, and other technical requirements for commercial weighing and measuring devices; requiring the use of identification seals which indicate condition or license status of a weighing or measuring device; requiring device servicemen and salesmen to be licensed and weighers to be certified;

providing for the regulation of public scales and prohibiting the commercial use of household-type scales; requiring proper fill and labeling of prepacked packages; and defining the functions of the department of agriculture's metrology laboratory and setting forth fees for its services.

Permits the metric system to be an optional method of sale and provides for the proper use of the system to prevent the perpetration of fraud. Permits the use of unit pricing and defines the method of its use. Allows the adoption of rules and regulations on marking requirements for cents-off and introductory offer promotions. Provides for testing of grain moisture testing devices, and eliminates the requirements for testing of farm milk tanks.

May 25

July 1

S.B. 193 Livestock - predatory animal control programs - sheep promotion program. Replaces the statewide tax on goats and sheep for predatory animal control with an assessment fee on sheep for such control. Sets forth the method the Colorado wool and sheep board shall use in determining such fee and limits such fee to 25¢ per head. Provides for the collection of such fee in the same manner as county personal property taxes.

Changes the method of determining the number of sheep subject to the countywide predatory animal control license fee and the Colorado sheep and wool board operational assessment fee. Currently, the county assessor makes such determination in the course of his property tax assessment duties. Under this bill, such determination would be made based upon the receipt of sheep producer payments from the federal government as contained in the agricultural stabilization and conservation service list, supplied to the county assessor by the Colorado sheep and wool board.

VETOED May 26

S.B. 278 Beekeepers - miscellaneous provisions. Defines hobbyist beekeepers. Increases license fees for beekeepers, exempts hobbyist beekeepers from such fees, and requires the doubling of any license fee which is not paid on the due date.

Requires any person who requests an inspection for interstate movement to pay the inspector's labor costs.

Repeals an exemption from beekeeping and honey-producing requirements for persons having 25 or less hives.

June 1 June 1

S.B. 297 State agricultural commission - represented areas.
Moves the counties of Adams, Arapahoe, Douglas, and Jefferson from the second district to the first district, which formerly contained only Denver, for the purposes of representation on the state agricultural commission.

May 26 May 26

H.B. 1027 Commercial feed - inspection fees. States that the inspection fee on commercial feed shall be based upon the amount of feed consumed or sold for consumption rather than upon the amount of feed produced and that such fee be paid by the distributor.

May 4 May 4

H.B. 1171 Blowing soil - recourse for damages caused thereby.
Amends provisions of the statutes relating to damages caused by blowing soil to provide that an owner or occupier of land, including a governmental entity, who sustains damage to his property may recover damages against another owner or occupier. States that complying with a citation of a board of county commissioners specifying treatment for a blowing soil emergency is not an admission of tort liability.

Makes further amendments to such statutes relating to actions of the board of county commissioners, assessments against land which is treated, judicial review of assessments, and cooperative agreements with regard to erosion control.

May 12 May 12

H.B. 1192 "Pesticide Act" - scope and enforcement. Limits the authority of agents of the department of agriculture to enter premises for purposes of enforcing the "Pesticide Act" to business premises. Empowers the department to seek injunctive relief to enforce the "Pesticide Act". Eliminates the need to obtain a pesticide dealer license

under such act.

April 21 April 21

H.B. 1242 Nurseries - licensure - plant diseases - agent for service of process. Prohibits any person from selling or offering for sale nursery stock which is dead or in a dying condition, infested with insect pests, or infected with plant diseases. Requires a person receiving a stop-sale order to remove from sale the affected stock. Directs the commissioner of agriculture to establish a minimum charge for each inspection made. Specifies that the maximum charge for each inspection shall be \$50 and that a charge other than the minimum or maximum shall be related to the actual costs incurred in making an inspection. Provides that an out-of-state nursery which advertises and sells nursery stock in Colorado, and which does not have a duly appointed resident agent for service of process, shall be deemed to have appointed the secretary of state as its agent upon whom service of process may be made.

June 15 July 1

H.B. 1247 Pest control districts. Requires the state board of land commissioners to control pests on land it supervises. Grants lessees of land under the supervision of the state board of land commissioners the same rights, privileges, and responsibilities as landowners in forming, joining, voting on, and paying for pest control districts and programs. Changes the time limits for the formation, consolidation, or addition of landowners or lessees to a pest control district. Provides pest control districts with the authority and means to collect expenses for pest control work done by the district. Repeals the requirement that at least 66% of the land in the district be represented by the ballots cast for a grasshopper or range caterpillar control district. Standardizes the procedures for forming any pest control district by requiring that 50% of the land in the district be represented by the ballots cast for such district. Removes the requirement that the department of agriculture pay for pests controlled on lands under the supervision of the state board of land commissioners. Authorizes the commissioner of the department of agriculture to collect the landowner's or lessee's projected share of the cost to control grasshoppers and range caterpillars in advance of such a control project. Allows the commissioner to spend funds collected from landowners and lessees for the

administration of grasshopper or range caterpillar control projects.

May 10

May 10

H.B. 1268 Cruelty to animals - animal protection agents - penalty.
Requires a nonprofit corporation which has an employee who is an animal protection agent appointed by the director of the division of animal industry to furnish proof of liability insurance in the amount of \$100,000. Declares that the state is not liable for the actions of such agents.

Provides that anyone convicted of cruelty to animals commits a class 1 misdemeanor.

June 10

July 1

APPROPRIATIONS

S.B. 240 Supplemental appropriation - department of administration. Amends the 1982 general appropriation bill to increase the appropriation to the department.

March 23 March 23

S.B. 241 Supplemental appropriation - department of agriculture. Amends the 1982 general appropriation bill to decrease the appropriation to the department.

March 23 March 23

S.B. 242 Supplemental appropriation - department of corrections. Amends the 1982 general appropriation bill to decrease the appropriation to the department.

March 17 March 17

S.B. 243 Supplemental appropriation - department of education. Amends the 1982 general appropriation bill to decrease the appropriation to the department. Amends the 1981 general appropriation bill to decrease the appropriation to the department.

March 23 March 23

S.B. 244 Supplemental appropriation - department of health. Amends the 1982 general appropriation bill to decrease the appropriation to the department.

PORTIONS VETOED March 17 March 17

S.B. 245 Supplemental appropriation - department of higher education. Amends the 1982 general appropriation bill to decrease the appropriation to the department.

March 23 March 23

S.B. 246 Supplemental appropriation - state department of highways. Amends the 1982 general appropriation bill to

decrease the appropriation to the department.

March 23 March 23

S.B. 247 Supplemental appropriation - department of institutions.
Amends the 1982 general appropriation bill to decrease
the appropriation to the department.

March 23 March 23

S.B. 248 Supplemental appropriation - judicial department.
Amends the 1982 general appropriation bill to decrease
the appropriation to the department.

March 17 March 17

S.B. 249 Supplemental appropriation - department of labor and
employment. Amends the 1982 general appropriation bill
to increase the appropriation to the department.

PORTIONS VETOED March 17 March 17

S.B. 250 Supplemental appropriation - department of law. Amends
the 1982 general appropriation bill to increase the
appropriation to the department.

March 23 March 23

S.B. 251 Supplemental appropriation - legislative department.
Amends the 1982 general appropriation bill to decrease
the appropriation to the department.

March 17 March 17

S.B. 252 Supplemental appropriation - department of local
affairs. Amends the 1982 general appropriation bill to
decrease the appropriation to the department.

March 23 March 23

S.B. 253 Supplemental appropriation - department of military

affairs. Amends the 1982 general appropriation bill to decrease the appropriation to the department.

PORTIONS VETOED March 17 March 17

S.B. 254 Supplemental appropriation - department of natural resources. Amends the 1982 general appropriation bill to decrease the appropriation to the department.

March 23 March 23

S.B. 255 Supplemental appropriation - department of personnel. Amends the 1982 general appropriation bill to decrease the appropriation to the department.

March 17 March 17

S.B. 256 Supplemental appropriation - office of state planning and budgeting. Amends the 1982 general appropriation bill to decrease the appropriation to the office.

March 17 March 17

S.B. 257 Supplemental appropriation - department of regulatory agencies. Amends the 1982 general appropriation bill to decrease the appropriation to the department.

March 17 March 17

S.B. 258 Supplemental appropriation - department of revenue. Amends the 1982 general appropriation bill to decrease the appropriation to the department. Amends the 1981 general appropriation bill, as amended by the 1982 general appropriation bill to reallocate the source of funds.

March 23 March 23

S.B. 259 Supplemental appropriation - department of social services. Amends the 1982 general appropriation bill to

decrease the appropriation to the department.

March 23 March 23

S.B. 260 Supplemental appropriation - department of state.
Amends the 1982 general appropriation bill to decrease
the appropriation to the department.

March 17 March 17

S.B. 261 Supplemental appropriation - department of the treasury.
Amends the 1982 general appropriation bill to decrease
the appropriation to the department.

March 17 March 17

S.B. 262 Supplemental appropriation - capital construction.
Amends the 1974, 1979, 1980, 1981, and 1982 general
appropriation bills to decrease the appropriations for
capital construction.

PORTIONS VETOED March 17 March 17

S.B. 263 Supplemental appropriation - department of
administration. Amends the 1982 general appropriation
bill to increase the appropriation to the department.

March 30 March 30

S.B. 264 Supplemental appropriation - department of agriculture.
Amends the 1982 general appropriation bill to increase
the appropriation to the department.

March 30 March 30

S.B. 265 Supplemental appropriation - department of corrections.
Amends the 1982 general appropriation bill to increase
the appropriation to the department.

March 30 March 30

S.B. 266 Supplemental appropriation - office of the governor.
Amends the 1982 general appropriation bill to increase
the appropriation to the office.

April 1 April 1

S.B. 267 Supplemental appropriation - department of higher
education. Amends the 1982 general appropriation bill
to increase the appropriation to the department.

March 30 March 30

S.B. 268 Supplemental appropriation - state department of
highways. Amends the 1982 general appropriation bill to
increase the appropriation to the department.

March 30 March 30

S.B. 269 Supplemental appropriation - department of institutions.
Amends the 1982 general appropriation bill to increase
the appropriation to the department.

March 30 March 30

S.B. 270 Supplemental appropriation - judicial department.
Amends the 1982 general appropriation bill to increase
the appropriation to the department.

March 30 March 30

S.B. 271 Supplemental appropriation - department of health.
Amends the 1982 general appropriation bill to increase
the appropriation to the department.

PORTIONS VETOED March 30 March 30

S.B. 272 Supplemental appropriation - department of regulatory
agencies. Amends the 1982 general appropriation bill to
increase the appropriation to the department.

March 30 March 30

S.B. 273 Supplemental appropriation - department of social services. Amends the 1982 general appropriation bill to increase the appropriation to the department. Amends the 1981 general appropriation bill to decrease the appropriation to the department.

March 25 March 25

S.B. 274 Supplemental appropriation - department of state. Amends the 1982 general appropriation bill to increase the appropriation to the department.

March 25 March 25

S.B. 401 General appropriation - "long bill". Appropriates for the expenses of the executive, legislative, and judicial departments of state government for the fiscal year commencing July 1, 1983, the grand total of the operating budget is \$3,289,371,298 (\$69,410,073 of which is for the judicial department), of which \$1,669,686,706 is from the general fund, \$869,903,419 is from cash funds, and \$749,781,173 is from federal funds. Appropriates a total of \$50,109,965, for capital construction of which \$26,127,118 is from the capital construction fund, \$16,006,347 is from cash funds, and \$7,976,500 is from federal funds. Transfers to the capital construction fund \$19,459,704 from the general fund and \$15,500,000 from the lottery fund.

PORTIONS VETOED June 12 June 12

S.B. 406 Appropriation - legislative department. Appropriates \$13,358,021 to the legislative department for its expenses for the fiscal year beginning July 1, 1983.

June 10 June 10

H.B. 1150 Acquisition of water for John Martin Reservoir by division of wildlife - appropriation. Authorizes the division of wildlife to acquire water for the permanent pool in John Martin Reservoir for wildlife purposes.

Appropriates \$100,000 from the wildlife cash fund for implementation of the act.

June 15 June 15

H.B. 1573 "Public School Finance Act of 1973" - appropriations - restriction on use of funds. Amends the 1982-83 general appropriation bill to decrease the appropriation to the department of education for minimum equalization \$51,161,285. States that such decrease is not subject to transfer and shall be used solely for the prevention of a deficit in the 1982-83 fiscal year. Makes a supplemental appropriation to the department of education in the amount of the decrease for the fiscal year beginning July 1, 1983.

June 30

June 30

CHILDREN AND DOMESTIC MATTERS

- S.B. 51 Wage assignment to collect support payments. Enables the obligee of a support order to file a motion for a wage assignment if a support payment is 30 days or more overdue. Requires that the obligor be given notice and the right to a hearing if he objects that the payment is not due or was paid when it became due. Provides that the amount of the wage assignment is subject to exemption restrictions.

June 1 June 1

- S.B. 70 Emergency protection orders - inclusion of stepchildren. Clarifies that emergency protection orders which are issued to prevent domestic abuse may restrain a party from threatening, molesting, or injuring the minor children of either of the parties, in order to include stepchildren as well as children of both of the parties.

April 29 April 29

- S.B. 129 Children placed out of the home - vocational training. Requires plans for treatment programs and services for delinquent or dependent and neglected children or children needing oversight to contain, when practicable, a vocational component to assist older children in their transition from school into the work force.

May 20 May 20

- S.B. 286 Joint custody of a child under "Uniform Dissolution of Marriage Act" - best interests of child - modification. Establishes joint custody as an alternative for parties seeking an order for temporary or permanent child custody under the "Uniform Dissolution of Marriage Act". Defines "joint custody" as an order awarding legal custody of the minor child to both parties and which provides that all decisions regarding the health, education, and general welfare of the child shall be made jointly. Requires parties seeking joint custody to submit a plan for the court's approval which will address the issues arising in the implementation of joint custody.

Provides procedures for modification or termination of joint custody, and sets the burden of proof on the party seeking a change by a preponderance

of the evidence. Provides that an order for sole custody may be modified to joint custody. Adds additional factors to be considered in determining the best interests of the child. Provides that any provisions of the act relating to joint custody shall apply only to an order of joint custody entered on or after July 1, 1983.

June 10 June 10

- H.B. 1001 Restraining orders and emergency protection orders to protect a child against an unlawful sexual offense. Authorizes juvenile and district court judges to issue restraining orders to prevent an unlawful sexual offense on a child. Provides procedures for issuance of emergency protection orders when the court is otherwise closed for judicial business. Establishes that such orders may be requested by the local law enforcement agency, county department of social services, or a responsible person upon assertion that there are reasonable grounds to believe that a child is in danger in the reasonably foreseeable future of being the victim of an unlawful sexual offense, and that such assertion shall be based upon an allegation of a recent actual unlawful sexual offense or threat of the same. Provides that an emergency protection order shall expire not later than the close of judicial business on the next day of judicial business following the day of issue, unless otherwise continued by the court.

March 22 March 22

- H.B. 1014 Penalty for failure to report child abuse or neglect - immunity from liability for reporting. Increases the penalty for failure to report child abuse or neglect from a class 2 petty offense to a class 3 misdemeanor. Provides that a reporting individual shall not be subject to termination of employment as a result of making such report.

April 27 April 27

- H.B. 1100 Invalidity of marriage - temporary order or temporary injunction. Clarifies that a court may enter temporary orders in a proceeding for declaration of invalidity of a marriage (annulment) in the same manner as it may in

proceedings for divorce, separation, or child custody.

April 26 April 26

H.B. 1233 "Colorado Children's Code" - jurisdiction - right to jury trial - advisement of rights - adjudicatory hearing - adult cases. Gives the juvenile court jurisdiction over an adult who induces, aids, or encourages a child to violate a county ordinance or a court order.

Limits the right to a jury trial in adjudicatory hearings when commitment to the department of institutions is not sought and the petition alleges a delinquent act which would be a class 2 or class 3 misdemeanor, a petty offense, or a violation of a municipal or county ordinance if committed by an adult.

Adds definitions of "physical custodian" and "emancipated child" for purposes of clarifying the admissibility of statements of a child.

Requires the consent of the parties, including the child and his parent, guardian, or other legal custodian, in order to continue an adjudicatory hearing.

Increases the penalty for inducing, aiding, or encouraging a child to violate a law or court order.

Applies to acts occurring on or after July 1, 1983.

May 20 July 1

H.B. 1290 Juvenile subject to a petition in delinquency - right to preliminary hearing. Permits a child who is detained and who is accused in a petition in delinquency of the commission of an act which, if committed by an adult, would be a felony or a class 1 misdemeanor, to demand and receive a preliminary hearing before a juvenile court judge or juvenile court commissioner to determine if there is probable cause to believe that the alleged acts were committed by the child. Establishes procedures for the conduct of such hearing.

Applies to acts committed on or after July 1, 1983.

May 31 July 1

H.B. 1344 Blood test to determine parentage - chain of custody - objection to tests - presumption of parentage. Amends existing statutes to reflect improved testing techniques. Provides guidelines and procedures for establishing the chain of custody of blood and tissue specimens, objecting to tests and results, and admitting the results of tests into evidence at trial. Creates a presumption of parentage if the alleged father is not excluded by the test and the probability of parentage as shown by the tests results is 95% or higher.

May 26

May 26

H.B. 1377 Juvenile detention facilities - surplus property returned to counties. Requires the department of institutions to return to counties all property, facilities, and equipment originally acquired from such counties when the department determines such property is no longer needed for juvenile detention. States that such transfers shall be without cost to the county.

May 10

May 10

H.B. 1383 Court-ordered evaluations relating to custody proceedings. Authorizes a court in a custody proceeding to appoint a licensed mental health professional to perform an evaluation concerning custodial arrangements for the child. If a mental health professional is appointed by the court upon motion of either party, requires the moving party to agree initially to pay all costs of the evaluation, and authorizes the court to order the reasonable charges of the evaluation to be assessed as costs between the parties.

June 10

June 10

H.B. 1395 Juvenile diversion program - authorization - eligibility criteria - project applications and evaluations. Creates a juvenile diversion program, administered by the division of youth services in the department of institutions, to provide community-based alternatives to the formal court system. Authorizes the division of youth services to contract with governmental units and nongovernmental agencies to provide services to youth under the program.

Provides that juveniles eligible for services under the program are those who have been taken into temporary custody more than once for crimes which would

have constituted a misdemeanor if committed by an adult or once for a crime which would have constituted a felony if committed by an adult.

Provides project eligibility criteria. Requires that certain documents be provided to the division upon application for a contract with the division under the program.

Requires the executive director of the department of institutions to regularly monitor the contracting diversion projects and requires such projects to report their progress toward stated objectives as required by rules and regulations promulgated by the director.

May 3

May 3

H.B. 1396 Mandatory confinement of delinquents for weapons offenses. Requires a court to impose commitment, placement, or detention of not less than 10 days upon any child adjudicated a delinquent for carrying a concealed weapon or unlawfully possessing a weapon. Provides for the suspension of such sentence if a work program is substituted.

June 16

June 16

H.B. 1426 Juvenile offenders - injuries - damages. Lowers the age at which a child can be determined to be a violent juvenile offender from 15 to 13 years of age. Permits any person to recover actual damages up to \$3,500 from the parents of a minor under the age of 18 for bodily injury to such person. Authorizes the court to require a child and his parents or guardians to perform volunteer service. Provides that when a child is between the ages of 13 and 15 and adjudicated a violent juvenile offender the court may, instead of placing the child out of the home for at least one year, make an alternative disposition including placing the child outside of the home for less than one year.

June 3

July 1

H.B. 1467 Availability of a child for adoption - "Uniform Parentage Act". Clarifies that a child is available for adoption after parental rights are relinquished or

terminated under the "Uniform Parentage Act".

May 20

May 20

- H.B. 1479 Petition for dissolution of marriage or legal separation - temporary injunction in effect upon filing. Provides that after a petition for dissolution of marriage is filed, a temporary injunction will go into effect against both parties restraining them from certain acts upon personal service of the petition and summons or acceptance and waiver of service by the respondent. Requires that the provisions of the injunction be printed on the summons.

June 1

July 1

- H.B. 1486 Proceedings under "Colorado Children's Code" - right to counsel - service of process. Clarifies, in proceedings under the "Colorado Children's Code", when a child and his parents, guardian, or legal custodian shall be advised by the court of their right to be represented by counsel. Specifies the manner of serving process by publication after a petition has been filed.

May 23

May 23

- H.B. 1535 Availability of basic identification information on juveniles - functions of Colorado bureau of investigation. Requires that certain basic identification information concerning a juvenile and a list of any state and local agencies and officials having contact with said juvenile, as they appear from court records, be available to a district attorney, a local law enforcement agency except an agency of the military forces of the United States, or the department of social services. Requires, however, that said records be sealed when the juvenile reaches 18 years of age.

Permits the Colorado bureau of investigation, on or after July 1, 1983, to establish a program requiring every law enforcement agency, correctional facility, judicial entity, agency, or facility in Colorado to furnish such information on juveniles to the bureau.

May 31

July 1

CONSUMER AND COMMERCIAL TRANSACTIONS

- S.B. 295 Consumer credit code - delinquency charges. Permits parties to contract for delinquency charges on the unpaid installments of a consumer loan, refinancing, or consolidation which is not precomputed in an amount not to exceed the lesser of \$10 or 5% of the unpaid installment.

VETOED May 26

- S.B. 405 Consumer credit code - exclusions from definition of "consumer credit sale". Amends the definition of "consumer credit sale" in the "Uniform Consumer Credit Code" to exclude the sale of an interest in land, notwithstanding the rate of the credit service charge, which is secured by a first mortgage or deed of trust lien against a dwelling to finance the acquisition of that dwelling.

May 25

May 25

- H.B. 1176 Consumer credit code - revolving accounts - notice of change of terms. Permits the terms of a revolving charge account or the terms of a revolving loan account to be changed only if specific notice requirements are complied with and, with respect to accounts established on or after July 1, 1983, only if disclosure is made clearly and conspicuously in writing at the time the account is established that the terms may be changed, whether or not authorized by agreement, in accordance with the code.

June 3

June 3

- H.B. 1188 Interest rate on judgments recovered by creditors. Specifies that a judgment creditor shall be allowed to receive interest on any judgment until paid either at the rate of 8% or at the rate specified in the contract or instrument in writing. Applies to judgments on or after July 1, 1983.

April 21

July 1

- H.B. 1193 Consumer credit code - agriculture-related transactions - disclosure. Eliminates the truth-in-lending

disclosure requirements on agricultural loans and credit sales of \$25,000 or less.

May 6

May 6

CORPORATIONS AND ASSOCIATIONS

H.B. 1228 Number of directors required for incorporation. Permits the number of directors required for incorporation under the "Colorado Corporation Code" to be as few as the number of initial shareholders.

April 26 April 26

H.B. 1443 Limited partnerships - general partners' liability. States that provisions of the "Colorado Uniform Limited Partnership Act of 1981" or the partnership agreement may change the liability of a general partner to the partnership and to the other partners but that only the act, and not the partnership agreement, may change the liability of a general partner to other persons.

May 23 May 23

CORRECTIONS

H.B. 1077 Sale of Colorado state flag by the division of correctional industries. Allows the division to sell Colorado state flags to individuals at retail. Repeals the provision which limited such sales to individuals visiting the Canon City correctional facilities and the provision requiring the division to determine the prices of such flags based upon prevailing market prices.

March 3 March 3

H.B. 1327 Correctional industries - lease-purchase agreements. Authorizes the division of correctional industries to sell goods produced through the correctional industries program to lessors who have entered into lease-purchase agreements with a public entity if such goods are to be leased to and used by such public entity. Authorizes the director of the division to develop programs for producing goods for use under such lease-purchase agreements.

April 29 April 29

H.B. 1412 Correctional industries advisory committee - members. Increases the membership of the correctional industries advisory committee by adding the executive director of the department of corrections and 2 additional legislative members. Directs that of the 4 total legislative members, one from each house be a minority party member.

May 25 May 25

H.B. 1422 Department of corrections - partial exemption from the "State Administrative Procedure Act". Exempts the department of correction's implementation of statutory provisions dealing with the management, discipline, and classification of inmates from the requirements of the "State Administrative Procedure Act" concerning rule-making proceedings, hearings and determinations, and judicial review of agency actions.

May 20 May 20

COURTS

S.B. 11 Hearsay exception for statements of child victim of unlawful sexual offense against a child. Provides an additional hearsay exception for out-of-court statements made by a child victim of an unlawful sexual offense. Safeguards reliability by specifying when such statements may be admissible into evidence. When such statements are used as evidence, requires that an instruction be given to the jury regarding the credibility of the statements and that reasonable advance notice of intent to use the statements be given to the adverse party.

May 25

May 25

S.B. 45 Nurses - privileged communications with patients. Prohibits a registered professional nurse from being required to testify about a patient without the consent of said patient, with specified exceptions.

May 25

May 25

S.B. 78 Judicial district grand juries. Allows the chief judge of any district court, upon the petition of the district attorney, to convene a grand jury with jurisdiction throughout that judicial district. Provides that such a judicial district grand jury, with certain exceptions, shall have the same powers and duties and shall function in the same manner as a county grand jury. Specifies that such a grand jury shall be composed of 12 or 23 members, to be selected by the chief judge, and such members shall serve for one year. Directs that costs and expenses incurred shall be paid by the state out of funds appropriated to the judicial district.

May 20

July 1

S.B. 205 Emergency care or assistance - exemption from civil liability. Exempts from civil liability any person who, while acting as a volunteer member of a rescue unit, in good faith renders emergency care or assistance without compensation at the place of an emergency or accident.

May 26

May 26

S.B. 218 District court referees - appointment. Authorizes the chief justice of the supreme court to approve the appointments of district court referees to hear such matters as are determined by supreme court rule. Provides that, for purposes of this act, the Denver probate court shall be regarded as a district court.

May 20

May 20

S.B. 361 Legal representation - corporations. Defines a "closely held" corporation as a private corporation having no more than 3 shareholders, and specifies that a shareholder may be a corporation, a partnership, or an association as well as an individual. Allows closely held corporations to be represented in court or before an administrative agency by an officer of the corporation if the matter at issue is no more than \$5,000, exclusive of other costs, and if 50% of the shareholders have approved of such representation by a written resolution. Provides that exercise of this option will not jeopardize the personal immunity of the officers, directors, or shareholders for corporate acts.

May 25

May 25

H.B. 1019 Competency of children to testify in sexual abuse, sexual assault, and incest cases. Provides an additional standard to be used by the court in determining the competency of children under 10 years of age to testify in any civil or criminal proceeding for sexual abuse, sexual assault, or incest.

April 22

April 22

H.B. 1106 Municipal court actions - jury demand. Deletes the requirement in municipal court actions that the jury demand state the number of jurors requested in order to conform to other provisions of law relating to jury trials which do not require a statement on the number of jurors.

Applies to all written jury demands filed on or after July 1, 1983.

March 22

July 1

H.B. 1109 Property damage by minors - recovery. Authorizes the

recovery of damages when property is damaged by a minor in addition to the recovery of damages, as provided by present law, when property is destroyed by a minor. Increases from \$2,500 to \$3,500 the maximum recovery therefor, which may be obtained from the parents.

April 12 April 12

- H.B. 1111 Child support enforcement procedures - age limitation for dependent child. Permits enforcement of court orders for child support for dependent children over 18 years of age by amending the definition of a dependent child under the "Colorado Child Support Enforcement Procedures Act".

March 3 March 3

- H.B. 1152 Witness immunity. Substitutes use immunity for the transactional immunity currently granted to witnesses called to testify or provide other information before a court or grand jury of the state of Colorado. States that an order of immunity may be requested by a district attorney, the attorney general, or a special prosecutor when he believes the testimony or information from such individual may be necessary to the public interest and such individual has refused or is likely to refuse to testify or provide information on the basis of his privilege against self-incrimination.

April 28 July 1

- H.B. 1219 "Colorado Probate Code" - divesting of inheritance rights - renunciation of succession - appointment of guardian of minor. Provides that inheritance rights of adopted persons may be divested by a final order of relinquishment, a final decree of adoption, or an order terminating the parent-child relationship under the laws of this state or of any other jurisdiction. Specifies that a renunciation by a decedent's surviving spouse with respect to a testamentary instrument shall not be deemed to be a renunciation of any property which passes to or in favor of the spouse as a result of such renunciation, unless specifically stated otherwise in the renunciation.

Includes additional circumstances under which a

court may appoint a guardian for an unmarried minor.

April 26 April 26

- H.B. 1220 "Colorado Probate Code" - apportionment of federal estate tax. Provides that if the liability of persons interested in an estate under state law differ from those which result under the federal estate tax law, the liabilities imposed by federal law shall apply. Makes the remainder of the probate code applicable to such situation as if the amounts and liabilities prescribed by federal law had been prescribed by the Colorado probate code.

April 21 April 21

- H.B. 1221 "Colorado Probate Code" - powers of attorney. Authorizes an attorney-in-fact or agent of a principal to take specified actions with respect to care of the principal. Requires the authority of the attorney or agent to be set forth in the power of attorney. Subjects such attorney or agent to the same limitations as those established for court-appointed guardians. States that if a guardian or conservator is appointed, the attorney or agent shall consult with the guardian with respect to the principal's personal care and with the conservator with respect to financial affairs of the principal.

April 26 April 26

- H.B. 1222 Nontestamentary instruments - disclaimer of succession. Provides that a disclaimer by a decedent's surviving spouse with respect to a nontestamentary instrument shall not be deemed to be a disclaimer of any property which passes to or in favor of the spouse as a result of such disclaimer, unless a contrary intent is expressed in the disclaimer.

April 26 April 26

- H.B. 1364 Award of fees and costs to garnishee. Empowers the court to award reasonable attorney fees, mileage, and costs to a garnishee when it finds that the bringing, maintaining, or defense of an action involving the garnishee was frivolous, groundless, or without reasonable basis. Permits the award of costs and fees

to be allocated among the parties.

May 20

May 20

H.B. 1408 Landlord's unlawful detention action - tenant's notice.
Prohibits a lease agreement from containing a waiver of the tenant's right to 3 days written notice before the landlord's initiation of an action for unlawful detention.

May 23

July 1

H.B. 1506 Dispute resolution program - office established.
Establishes the office of dispute resolution in the judicial department under the supervision of the chief justice of the supreme court. Provides for the establishment of dispute resolution programs in each judicial district as designated by the chief justice. Establishes the dispute resolution program to provide a nonadversary format for the resolution of disputes between persons in civil litigation on a voluntary basis through neutral mediators. States that mediation proceedings shall be regarded as settlement negotiations and that any agreement reached between the parties shall be presented to the court as a stipulated judgment. Provides financial support for the dispute resolution program through fees collected from participants and through federal and private sources.

June 2

July 1

CRIMES

S.B. 26 Sexual offenses against children - priority on docket - evidence - payment of treatment costs and obtaining treatment in sentencing. Makes the crime of sexual assault on a child by one in a position of trust a class 3 felony and defines "position of trust".

Requires courts to hear cases involving sexual offenses against children as soon as possible after they are filed, and eliminates the patient-physician and husband-wife evidentiary privileges in such cases.

Permits a court to admit a previously recorded video-tape deposition of a child as a substitute for in-court testimony of a child alleged to be the victim of a sexual offense.

Authorizes the court to order a person convicted of a sexual offense against a child to pay the costs of treatment prescribed for the victim of his offense and to order probation for the purpose of paying the treatment costs of the victim.

Redefines incest and aggravated incest and increases the penalties for those offenses.

Gives a court the option to suspend a portion of the sentence of an individual who commits incest or aggravated incest if the offender satisfactorily completes a recommended treatment program; also, gives a court the option to sentence the offender to a period of probation for treatment.

Creates the crimes of procurement of a child and procurement of a child for sexual exploitation and makes such crimes class 3 felonies.

June 15

June 15

S.B. 72 Official misconduct - failure to perform duty inherent in nature of office. Amends provisions relating to the crime of official misconduct when a public servant refrains from performing a duty "clearly inherent in the nature of his office", in order to conform to a recent decision of the Colorado supreme court.

June 10

June 10

H.B. 1017 Penalty for pimping. Changes the crime of pimping from

a class 5 to a class 3 felony.

March 22

March 22

H.B. 1101 Offenses against persons - definitions - culpable mental state. Substitutes "knowingly" for "intentional" in the definition of "sexual contact" in order to conform such definition with the culpable mental state required for sexual assault on a child and sexual assault in the third degree.

March 3

March 3

H.B. 1142 Crime of escape - assault - holding hostages - juvenile offenders. Makes assault during escape a class 3 felony when the escapee was in custody or confinement and held for or charged with, but not convicted of, a felony, or charged with, held for, or convicted of a misdemeanor or a petty offense.

Changes holding a hostage while escaping or attempting to escape from a class 3 to a class 2 felony.

Makes certain provisions of the crime of escape applicable to juvenile offenders.

June 3

July 1

H.B. 1146 Controlled substances - imitation. Rewrites the law concerning counterfeit or imitation controlled substances to enact the "Imitation Controlled Substances Act" which makes the manufacture, distribution, or possession of imitation controlled substances a class 5 felony unless the distribution is by a person over 18 to a person younger than 18 in which case the offense is a class 4 felony. Increases the felony classification for repeat offenses. Makes advertising or soliciting to promote the distribution of an imitation controlled substances a class 1 misdemeanor. Sets out criteria to be considered in determining what constitutes an imitation controlled substance. Excepts distribution of an imitation controlled substance done in the course of the practice of a professional authorized by law to dispense controlled substances. Makes a place manufacturing or distributing such substances a class 1 nuisance and makes a place encouraging use, sale, or distribution of such substances a class 2 public nuisance.

Applies to offenses committed on or after July 1, 1983.

April 21 July 1

H.B. 1225 Unauthorized use of property or services through the use of a computer. Includes within acts which constitute computer crime the unauthorized use of property or services through the use of a computer.

April 12 July 1

H.B. 1254 Sexual assault. Adds sexual intrusion as an element of first degree sexual assault. Makes sexual assault in the second degree a class 4 felony under any factual circumstances.

Applies to offenses committed on or after July 1, 1983.

May 16 July 1

H.B. 1286 Release from commitment after verdict of not guilty by reason of insanity - hearing - test - access to records. Requires a court to order a hearing on release from commitment upon receipt of a report that a defendant no longer requires hospitalization after commitment resulting from a verdict of not guilty by reason of insanity. Provides that, at the hearing, once evidence of insanity is introduced the defendant has the burden of proving restoration of sanity by a preponderance of the evidence.

Redefines the test for determination of a defendant's sanity for purposes of release from commitment.

Requires that records of the Colorado bureau of investigation regarding a verdict of not guilty by reason of insanity remain open and not be sealed.

June 3 July 1

H.B. 1289 Insanity - definition - affirmative defense of impaired mental condition - procedure - examinations and reports - release from commitment. Deletes the irresistible impulse portion of the definition of insanity. Defines "impaired mental condition".

Permits evidence of an impaired mental condition to be offered to determine the capacity of the accused to form the necessary culpable mental state. Establishes a procedure for pleading the defense, conducting an examination of the accused, and committing the defendant to the department of institutions if he is found not guilty by reason of impaired mental condition. Provides that, at a hearing on the release of the defendant after commitment, if any evidence of ineligibility for release by reason of impaired mental condition is introduced, the defendant has the burden of proof, by a preponderance of the evidence, to show that he is eligible for release because he no longer has an impaired mental condition.

Provides that the preferred place for examinations resulting from a plea of not guilty by reason of insanity or not guilty by reason of impaired mental condition is where the defendant is in custody. Provides that when a defendant is noncooperative with psychiatrists and other personnel conducting the examination, an opinion of the mental condition of the defendant may be rendered by such examiners based upon confessions, admissions, and any other evidence of the circumstances surrounding the commission of the offense, in addition to the known medical and social history of the defendant. Allows such opinion to be admitted into evidence at trial. Permits the conduct of a narcoanalytic interview of the defendant with such drugs as are medically appropriate.

June 3

July 1

H.B. 1340 Criminal acts - prosecution - sentencing - compensation of victims. Amends the statutory evidentiary privilege between a husband and wife.

Allows a peace officer to stop a person and request identification without such stop constituting an arrest.

Provides that when a defendant is ordered to pay restitution as a condition of a deferred judgment or sentence, failure to pay such restitution is prima facie evidence of a breach of condition. Allows a district attorney to apply for entry of judgment and imposition of sentence at any time within the term of the deferred judgment or within 30 days thereafter.

Provides that in a hearing on a violation of a condition of deferred prosecution, deferred sentencing, probation, or parole, failure to pay court ordered compensation to appointed counsel, probation fees, court

costs, restitution, or reparations is prima facie evidence of a violation.

Empowers municipalities by ordinance, to prohibit certain theft.

Increases the penalty for 2nd and 3rd degree criminal trespass when the premises have been classified as agricultural land and when the trespasser does so with the intent to commit a felony thereon.

Makes it a criminal offense to barricade or refuse police entry to any premises or property through use of or threatened use of force, or to refuse or fail to leave any premises or property upon being requested to do so by a police officer. Provides several classifications of the offense.

Sets forth conditions under which a court may order forfeiture of firearms used by a defendant in the course of a criminal episode.

With regard to regulation of purchasers of valuable objects, redefines "purchase" to include the taking of valuable articles for sale on consignment, and requires purchasers to provide additional information on such purchases to local law enforcement agencies.

Extends compensation, under the "Colorado Crime Victim Compensation Act", to a successor in interest under the Colorado probate code. Requires a cost of \$30 to be levied upon certain actions resulting from the filing of a petition alleging a child is delinquent. Extends compensation from the fund to victims of residential property damage under certain circumstances. Provides for reimbursement of the crime victim compensation fund out of any restitution ordered to a victim already compensated from the fund.

Allows a district attorney to request assistance in the investigation of a crime from the Colorado bureau of investigation.

Grants the authority to suspend a driver's license after conviction by the Southern Ute Indian tribal court.

Repeals the provision which excluded interference with the making of an arrest from the offense of obstructing a peace officer or a fireman.

June 15

July 1

H.B. 1392 Concealed weapons - permitting process. Requires a police chief or sheriff who receives an application for a permit for a concealed weapon from a person who does not reside within his jurisdiction to consult with the chief of police or sheriff of the jurisdiction in which the applicant resides before issuing the permit and to subsequently notify the chief of police or sheriff of the jurisdiction of residency of the disposition of the application. Relieves the police chief or sheriff of liability from a successful applicant's subsequent acts only if the police chief or sheriff requested a criminal history check of the applicant from the Colorado bureau of investigation. Requires the applicant to bear the costs of such check.

May 20

July 1

H.B. 1484 Secondhand property - regulation. Regulates the sale and trade of secondhand property. Requires a record of each item sold or traded by a secondhand dealer which exceeds \$30 in value. Defines secondhand dealers to mean persons whose principal business is selling secondhand property and to include persons selling at flea markets or nonpermanent locations; specifies persons who are not within the definition. Requires that such records be available for inspection by peace officers, be delivered to the local law enforcement agency, and be retained by dealers for one year. Sets forth criminal sanctions. Requires flea market operators to notify sellers of such regulations, to make a record of sellers, to obtain a sales tax license applicable to all sales at the flea market, and to collect and remit such sales tax. Requires secondhand dealers, except those operating at flea markets, to obtain a sales tax license.

June 2

July 1

CRIMINAL PROCEDURE

S.B. 76 Inclusion of attempt in the definition of "crime of violence". Amends the definition of "crime of violence", as used in the section requiring mandatory sentences for violent crimes, to include the attempt to commit a crime of violence, as well as the completed act.

May 26 July 1

H.B. 1406 Classification of certain property as class 1 public nuisance when for unlawful activity. Clarifies that currency, negotiable instruments, securities, or other things of value used in the commission of certain unlawful activities and all proceeds traceable to such unlawful activities are class 1 public nuisances and subject to forfeiture.

April 21 April 21

H.B. 1497 Public nuisances - inclusion of real property. Provides for the classification of real property as a class 1 public nuisance when used to conduct, maintain, aid, or abet several specified crimes, including the propagation of controlled substances. Provides for the closure, seizure, confiscation, and sale of such property.

May 25 July 1

H.B. 1552 Crime victim compensation - not considered as income or when determining eligibility for public assistance. Excludes compensation payable to an applicant pursuant to the "Colorado Crime Victim Compensation Act" from inclusion in such applicant's Colorado adjusted gross income and from consideration as income, property, or support for the purposes of determining eligibility for public assistance.

May 31 July 1

EDUCATION - PUBLIC SCHOOLS

- S.B. 340 School finance - equalization program - appropriation reductions for the 1982-83 fiscal year. Establishes a special formula for the proration among school districts of reductions in appropriations for the equalization program during the 1982-83 state fiscal year. Provides that any reduction shall be a percentage of the district's total program cost, regardless of the proportion of the total program cost paid by the state. Implements such reductions by withholding a portion of each monthly state equalization payment to be made before June 30, 1983. Authorizes the department of education to withhold amounts from payments made after June 30, 1983, if the total amount of reductions in the equalization program cannot be withheld from payments to be made to districts before such date. Specifies that no district's authorized revenue base per pupil is reduced by reason of the reduction in state payments.

Provides that the state and local percentage shares of the equalization program for 1984 be determined according to the 1983 state/local percentages before the appropriation reductions.

April 14 April 14

- S.B. 345 Acquisition of property for school purposes - boards of cooperative services - exemption from ad valorem taxation. Authorizes school districts acting as a board of cooperative services to construct, purchase, or lease sites, buildings, and equipment after approval of each participating board of education. Extends provisions applicable to school districts for acquiring real property under an installment purchase agreement or a lease agreement to the acquisition of personal property under an installment purchase agreement or a lease agreement. Provides that such provisions and requirements shall also apply to a board of cooperative services which acquires property under an installment purchase agreement or a lease agreement.

Exempts the property of school districts and any cooperative association thereof from ad valorem taxation.

June 1 June 1

- S.B. 381 Refunding bonds in excess of limitation on bonded indebtedness. Permits a school district to issue,

without voter approval, refunding bonds which increase the bonded indebtedness of the district beyond the statutory limitation on bonded indebtedness if the average annual principal and interest to be paid on the refunding bonds is less than the average annual principal interest to be paid on the bonds to be refunded from the date of issuance of the refunding bonds to the final maturity date of the bonds to be refunded.

Repeals such authority, effective July 1, 1986.

May 26

May 26

S.B. 384 School districts - capital assets - capital reserve fund - limit of bonded indebtedness. Expands the powers of school districts to engage in transactions with respect to capital assets.

Makes the following changes in the statutes governing the capital reserve fund: Lowers the estimated cost of alterations and improvements which may be financed through the capital reserve fund from \$5,000 to \$2,500; lowers the unit cost of acquiring buses or other equipment which may be financed through such fund from \$2,500 to \$500; increases the authorized period for installment purchase agreements or lease agreements with an option to purchase from 5 to 20 years; and exempts such agreements from the requirement of an election if the obligation to make payments under the agreement is expressly subject to the making of annual appropriations or if the agreement is for one year or less, including a series of 1-year agreements renewable at the district's option.

Increases the limit of bonded indebtedness from 20% to 25% of the assessed valuation of a district, if the annual growth in average daily attendance of the district for the 3 preceding years is at least 3% for districts having 1,000 pupils or more, or at least 25 pupils for smaller districts.

Allows equipment, as well as real property, to be acquired on an installment purchase basis or through a lease with or without an option to purchase.

June 10

July 1

H.B. 1068 Exceptional children's education - in-service training - reimbursement. Expands the in-service training category for which state reimbursement is required under the

"Exceptional Children's Educational Act" by applying it to all salaried school employees having pupil contact within the total educational program, rather than to just teachers in the regular classroom.

May 17

May 17

- H.B. 1073 School districts - leasing of property - restrictions. Changes the restriction that a board of education of a school district may rent or lease property only when not immediately needed for district purposes. Increases the maximum length of a term for which a board may rent or lease such property from 3 to 10 years. Requires that a board rent or lease such property subject to all land use and building and zoning plans, codes, resolutions, and regulations.

April 18

July 1

- H.B. 1196 Screening of vocational teacher candidates. Requires the state board of education, in cooperation with the state board for community colleges and occupational education, to develop a screening program by occupational areas for initial type C teaching certificates by March 1, 1985. Before adoption of such screening program, permits teacher candidates to either successfully pass the screening program developed for teachers in other subject areas or to seek a letter of authorization issued by the state board of education at the request of a local school district. Provides that such letters of authorization shall be effective until July 1, 1985.

June 15

June 15

- H.B. 1343 Special building fund - authorization. Permits the board of education of any school district to call a special election to institute or increase a mill levy for the special building fund to be used for acquisition of land and construction of structures thereon. Limits such mill levy to 10 mills in any given year or 3 year period. Restricts the transfer of moneys in the fund to any other fund. Requires that any moneys in the fund which have not been authorized for expenditure within 3 years after being recorded in the fund revert to the capital reserve fund.

April 21

April 21

H.B. 1346 Private schools - curriculum requirements. Requires that students in independent or parochial schools receive a basic academic education to include the communication skills of reading, writing, and speaking, and mathematics, history, civics, literature, and science. Specifies that no public board of education has jurisdiction over the internal affairs of such schools.

June 3 June 3

H.B. 1388 School directors - persons eligible to sign recall petitions. Requires signatories on petitions for the recall of school directors to be registered, rather than qualified, electors.

May 23 May 23

H.B. 1431 Dismissal of tenure teachers. Makes various changes in the procedure for the dismissal of tenure teachers, including changes in the following: The payment of salaries to teachers during periods of suspension; the contents of the notice to the teacher that charges have been filed; and the time periods and procedure for the selection of a hearing officer and for the holding of the hearing.

June 3 July 1

H.B. 1504 Exceptional children - out-of-district placements. Empowers the state board of education to promulgate rules and regulations to define the types and amounts of costs in excess of the state average authorized revenue base that a school district of residence of a handicapped child shall pay to educate that child at an administrative unit, group living facility or home, or at a community center board located elsewhere within Colorado. Empowers the state board of education to determine which of such facilities may receive this funding.

Allows a school district of residence of a handicapped child to receive reimbursement for 80% of the average cost per pupil of educating children with similar handicaps outside of their district of residence.

Requires the written approval of a handicapped child's school district of residence before placement of

that child in such facility. States that, without such approval, the child's individual education program shall be the responsibility of the facility providing the educational program and that any excess cost above the state average authorized revenue base shall be the financial responsibility of the court, parent, guardian, or agency making such placement.

June 10

June 10

H.B. 1562 Teacher reemployment - date of notice. Extends from April 15 to May 15 the date for a school board to give notice that a nontenured teacher will not be reemployed, and for a nontenured teacher to give notice that he will not accept reemployment, for the succeeding academic year.

April 18

April 18

H.B. 1570 School finance - authorized revenue base - budget review board. Provides that the authorized revenue base per pupil (ARB) of a school district for the 1984 calendar year will be \$159.62 over its 1983 ARB, and that no district need have a 1984 ARB of less than \$2,380.12. Sets the state's share of the total equalization program for all districts in the state for 1984 at 49.36%. Requires that a district levy more than 35 mills for its general fund in order to qualify for the \$16.25 alternate minimum guarantee in 1984.

For 1985 and thereafter, provides that each district's ARB will increase by an amount which is 5.5% of the prior year's statewide average revenue base, and that the state's percentage share of the total equalization program will remain the same as in the prior year.

Limits the state school district budget review board to granting not more than a total of \$1,000,000 of ARB increases for 1984 for all districts in the state. Authorizes districts to submit the question of increasing their ARBS directly to the voters at an election, without first submitting the request to the budget review board.

Became law without the Governor's signature

June 11

June 11

EDUCATION - UNIVERSITIES, COLLEGES, AND VOCATIONAL

- S.B. 1 Colorado advanced technology institute - creation - duties - funding. Creates the Colorado advanced technology institute as a type 1 transfer within the department of higher education. Creates the Colorado advanced technology institute commission, consisting of 11 commissioners representing both higher education and advanced technology interests, to administer the institute. Sets forth the duties of the commission and a list of objectives the commission shall take into account when establishing priorities.

Specifies that for fiscal year 1983-84, the institute shall be funded from sources other than the general fund; except that the state shall provide office space. From and after fiscal year 1984-85 the institute shall be funded by an equitable match of state and non-state moneys, as determined by the general assembly.

June 3

June 3

- S.B. 33 Trustees of the consortium of state colleges - increase of members. Increases the number of trustees from 8 to 9, and provides that one trustee shall be elected, for a one-year term, from the faculties of the colleges comprising the consortium. Requires the faculty trustee to be elected from a different college each year. Provides that the faculty trustee shall have the right to vote but shall not have the right to attend executive sessions of the board. Repeals provisions providing for a faculty trustee, effective July 1, 1987.

Provides that the student member of the board shall not have the right to attend executive sessions of the board.

May 25

May 25

- S.B. 156 Student financial assistance - non-state institutions. Authorizes the Colorado commission on higher education to include students attending institutions of higher education in Colorado which are not pervasively sectarian in existing programs which extend financial assistance to students. Requires participating

institutions to maintain existing levels of student assistance.

June 3

July 1

- S.B. 170 Aurora education center - conversion to community college of Aurora. Converts the Aurora education center into the community college of Aurora under the control of the state board for community colleges and occupational education. Sets forth the objects and entrance requirements of the college and requires the board to develop a comprehensive plan by June 30, 1983, for purposes of coordinating programs and services among the community college of Aurora, the community college of Denver, and the vocational technical center of the Aurora public schools.

May 20

May 20

- S.B. 283 Courses outside the state of Colorado - authority to offer. Authorizes the governing board of any state institution of higher education to offer postsecondary courses, either for credit or not for credit, at locations outside the state of Colorado. Requires the boards to promulgate rules prohibiting the use of general fund moneys for such courses and providing that if the course is for credit that such credit is applicable to a degree from the sponsoring institution.

Requires approval from the Colorado commission on higher education before offering such courses. Exempts out-of-state courses offered in states contiguous to Colorado from the approval requirement.

June 3

June 3

- S.B. 296 State-supported institution of higher education - collection of debts. Exempts state-supported institution of higher education from the limitation on the number of claims which may be filed in small claims court but imposes a 30 claim per month limit on each such institution. Allows such institutions to promulgate procedures for loans or obligations owed to them, to employ private counsel or a collection agency to handle the collection of debts and obligations in addition to referring them to the state controller, and

to write off bad debts. Specifies that each advance to a student under a national direct student loan program master agreement constitutes a separate obligation for small claims court purposes. Requires an applicant for employment under the state personnel system to declare whether he owes moneys to an institution and whether it is past due. Directs that income tax refunds be applied against any debt or obligation owed to such institution if it has been reduced to judgment.

June 3

June 3

- S.B. 344 Area vocational districts - postsecondary vocational programs. Permits the establishment of area vocational districts in any area designated to be served by an area vocational school if such area contains a junior college district which is designated as an area vocational school. Allows the creation of such a district by petition of 500 electors residing in the proposed district and voter approval at an election. Requires that the petition set forth the property tax mill levy for the first year. Requires the district to be governed by a board of control, and sets forth the powers of the board of control. Empowers such districts to impose a property tax, and subjects them to the 7% local government revenue-raising limitation.

June 1

June 1

- S.B. 371 The "Colorado Postsecondary Educational Facilities Authority Act" - amendments. Makes various amendments to the "Colorado Postsecondary Educational Facilities Authority Act" including the following: Adds a definition of "institution of postsecondary education"; changes how appointments to the board are made when the general assembly is not in session; authorizes the authority to make loans for new facilities at institutions of postsecondary education and to refund or refinance through the issuance of bonds and the making of loans any indebtedness or advances for the cost of new facilities; requires authorization by the general assembly acting by bill of the facility to be financed by the authority and approval by the Colorado commission on higher education of the facility, the amount of financing, the interest rate, and the source of revenues for repayment of costs; sets forth new procedures and guidelines for the authority to follow when investing funds; and provides for an annual report to the general assembly. Eliminates the annual fiscal report which

required a complete and detailed operating and financial statement.

May 25

May 25

- H.B. 1031 Colorado commission on higher education - sunset extension. Extends the termination date for the Colorado commission on higher education from July 1, 1983 to July 1, 1988.

May 20

July 1

- H.B. 1105 University of northern Colorado - board of trustees membership. Continues the faculty member position on the board by repealing the provision which would terminate such position on July 1, 1983.

March 22

March 22

- H.B. 1126 Colorado student obligation bond authority - board meetings - issuance of bonds - investment of funds. Makes meetings of the board of the Colorado student obligation bond authority subject to the public meetings law. Increases the aggregate principal amount of the bonds which the authority may issue from \$200,000,000 to \$500,000,000. Authorizes the board to waive the exemption from federal income tax for interest on such bonds. Allows the board to direct a corporate trustee holding funds pursuant to a trust indenture between such trustee and the authority to invest such funds in any investments if the board determines that the investment meets fiduciary standards for investment, will produce sufficient income, and will assist the authority in alleviating an insufficient access to student obligations from normal sources.

April 29

April 29

- H.B. 1165 Student loan guarantee program - definition of lender. Permits out-of-state banks, savings and loan associations, and credit unions to qualify as lenders for purposes of the student loan guarantee program.

April 5

April 5

H.B. 1191 Student loan guarantee program - eligible institutions.
Amends the definition of "institution of higher education" for purposes of the guarantee student loan program to expand institutional eligibility as authorized under federal law.

April 5 April 5

H.B. 1204 Student transfer program - in-state institutions.
Directs the Colorado commission on higher education to develop and monitor a program for the systematic referral of resident students among state-supported institutions of higher education with preference for resident students transferring from a 2-year institution to a 4-year institution.

April 26 July 1

H.B. 1556 Junior college districts. Clarifies that the committee of a junior college district has the power to enter into a contract for the purchase of real property. Exempts a building or structure erected by such district from compliance with local building codes. However, requires that any such building comply with the standards of the industrial commission of Colorado. Requires the treasurer of a junior college committee to render a statement of finances at the close of each fiscal year.

June 1 July 1

H.B. 1557 Postsecondary institutions of higher education - termination of faculty members. Permits a postsecondary institution of higher education operated by the state or by a public local district to terminate a faculty member upon 60 days' written notice if the general assembly fails to appropriate or the governing board of the institution fails to allocate at or above the previous year's full-time equivalent faculty or full-time equivalent student level, or the board of the institution declares a fiscal emergency, as defined.

Entitles qualified faculty members terminated by an institution for specified reasons to be reappointed to any institution under the governing board of such institution for a period of 3 years following termination.

May 10 May 10

ELECTIONS

- S.B. 112 Establishment of precinct boundary lines for 1990 elections. Requires county commissioners to establish, by June 1, 1987, the precinct boundary lines for the 1990 general election to accommodate the taking of the federal census in 1990.

May 25

May 25

- S.B. 151 Concerning vacancy committees of political parties. Provides for political party central committees to select vacancy committees to fill vacancies in the office of county commissioner held by the party in the various counties, and to report their selection to the secretary of state.

May 20

May 20

- S.B. 154 Absentee voting - miscellaneous provisions. Permits an applicant to obtain an absentee ballot by stating that he will be attending school or traveling on election day. Permits an applicant who is unable to sign his name to have his mark witnessed by another person. Provides procedures for a prisoner in pretrial detention to obtain an absentee ballot. Provides procedures and guidelines for selecting personnel for an absent voters' polling place. Sets forth procedures and standards for rejecting improper absentee ballots.

June 3

June 3

- S.B. 174 Initiative and referendum - local ordinances. Generally, amends provisions governing the initiative and referendum powers as they apply to cities and towns. Changes the signature requirement for petitions for referendums from 10 percent of the votes cast for governor at the previous election to 5 percent of the voters registered on the date the petition's form is approved. Permits a 15 day extension of the 30 day signature-gathering period.

Changes the signature requirement for petitions for initiatives from 5 percent of the votes cast for governor at the previous election to 5 percent of the voters registered on the date the petition's form is approved.

Permits cities and towns to consolidate initiatives and referendums for elections. Requires that an election on an initiated or referred matter be held between 60 and 150 days after filing of the petition therefor.

June 1 July 1

- S.B. 187 Procedures relating to elections. Makes several changes in requirements relating to voter registration and to the activities of political parties and independent candidates in preparation for elections, including the various methods of selecting candidates to appear on the ballot. Amends several provisions relating to preparations for holding elections, including selection of polling places, matters relating to the preparation of ballots and voting machines, the counting of ballots by electronic means, and the duties of persons engaged in the processing and counting of ballots. Permits registered electors who have acquired new residences within the same municipality more than 32 days before an election to apply for a new certificate of registration to vote in the precinct where the new address is located.

May 23 July 1

- H.B. 1080 Nominating petitions or certificates of designation - filing of objection. Extends the period of time for making objections to a candidate's petition of nomination or certificate of designation from 7 days to 10 days following the filing of the candidate's document.

April 21 April 21

- H.B. 1245 Nominations for congressional vacancies. Requires a convention of delegates of a political party or a committee authorized by such convention to nominate a candidate to run at a congressional vacancy election to fill a vacancy in the unexpired term of a representative in congress. Requires that the convention for the nomination of a candidate be convened by a state central committee, its managing or executive committee, or any other committee designated in its bylaws to convene such a convention. Requires the entity convening the convention to provide the procedure for nominating the candidate.

January 14 January 14

H.B. 1323 Primary elections - dates. Changes the date for holding the primary election from the second Tuesday in September to the first Tuesday in August. Changes dates for electing delegates to county assemblies, meeting to formulate party platforms, holding county assemblies and precinct caucuses, appointing election judges, and other related election provisions.

VETOED April 25

FINANCIAL INSTITUTIONS

- S.B. 125 Savings and loan associations - prepayment penalties. Authorizes associations to impose prepayment penalties on loans, other than those relating to owner-occupied single family residences, in an amount specified in the original contract. Retains existing provisions on prepayment penalties for loans which relate to owner-occupied single family residences.

April 29 April 29

- S.B. 135 Safe deposit facilities - persons regulated. Extends the scope of provisions regulating safe deposit facilities to include any person who rents or maintains safe deposit facilities. Exempts savings and loan associations, industrial banks, trust companies, and credit unions from application of such regulatory provisions. Authorizes the collection of annual fees from persons, except banks, renting or maintaining safe deposit facilities to pay for the cost to the state of regulating such persons.

June 1 June 1

- S.B. 169 Savings and loan associations - insurance of obligations authorized. Authorizes the insurance of obligations of savings and loan associations, including accounts, by the FSLIC or, for those accounts or portions thereof not so insured, by insurers meeting specific requirements.

May 26 May 26

- S.B. 173 Savings and loan associations - members' withdrawals. Makes any notice of intent to withdraw funds optional with a savings and loan association, but limits any such requirement to no more than 60 days. Removes a specific limit on withdrawal amounts in the case of associations which elect to pay withdrawals in full in the order in which notices of withdrawal are filed, and repeals a limitation on withdrawal amounts in any month. States that any deposit association which fails to make full

payment within 10 days after any required period of notice has elapsed may be found by the commissioner of savings and loan associations to be in an unsafe condition.

May 23

May 23

- S.B. 178 Savings and loan associations - letters of credit.
Authorizes the issuance of letters of credit by savings and loan associations.

May 23

July 1

- S.B. 192 Guaranty corporation for savings and loan associations - authorization to establish. Authorizes the establishment of a nonprofit guaranty corporation to provide insurance for accounts of savings and loan associations and to ensure liquidity of member associations. Specifies powers and limitations for such corporation and provides regulatory procedures. Requires such corporation to file semiannual reports with the state commissioner of savings and loan associations.

June 1

June 1

- H.B. 1075 Savings and loan associations - regulation thereof.
Increases the fee which accompanies an application to become a savings and loan association from \$100 to \$1,000. Repeals the provision that in the event a mortgage loan is sold all other mortgages or inferior liens must be sold at the same time. Provides that a mortgage loan may be sold with or without recourse. Repeals the provision that reasonable charges may be made for third-party transactions. Authorizes the collection from members of reasonable charges made to reflect the cost of servicing accounts in addition to those charges presently allowed by law.

April 26

July 1

- H.B. 1085 Savings and loan associations - eligible public depository. Authorizes the commissioner of savings and loan associations to assess each state and federal savings and loan association designated as an eligible

public depository a fee to meet the costs of monitoring compliance with the "Savings and Loan Association Public Deposit Protections Act". Increases the percentage of the unpaid principal of a note evidencing an obligation which is deemed eligible collateral under the definition of "market value" under said act from 65% to 75%. Gives the commissioner discretion to determine the contents of reports from savings and loan associations which are eligible public depositories and the frequency of such reports.

May 10

May 10

- H.B. 1127 Public securities. Requires the issuing government body to provide by resolution or ordinance for the form, conversion, registration, transfer, authentication, custody, and other conditions of the securities it issues. Requires at least one manual signature on printed securities, other than interest coupons. Provides that payment at designated due dates or in installments need not be conditioned upon the presentation of any security or coupon.

April 21

April 21

- H.B. 1181 State banking code - conforming to federal laws. Amends and repeals provisions of the state banking code to make state law consistent with federal banking statutes in such areas as interest rates, reserves against deposits, loans to bank officers and to customers, and limitations on bank ownership of assets. Allows the banking board to authorize interest rates higher than the limits specified in the federal banking statutes in certain cases.

May 10

July 1

- H.B. 1201 Domestic savings and loan associations - minimum stock subscription - acquisition of majority control over an existing association - dividends paid on permanent stock - reserves and distribution of earnings. Repeals the pre-filing subscription requirement for a permanent stock savings and loan association and, instead, allows the state commissioner of savings and loan associations to set the requirements for preincorporation stock and surplus subscription.

Requires a certificate of approval from the commissioner prior to purchase or acquisition of voting

stock which would result in control of the association, establishes a procedure for obtaining the certificate, and sets forth which transactions are exempt from the requirement.

Permits cash dividends to be declared and paid on permanent stock except under certain circumstances.

After its requisite closing date, requires each association to transfer to general reserves an amount which is not less than 5% of its net earnings until general reserves are equal to 10% of invested capital. The prior statute required computation of net earnings computed after dividends.

Requires that dividends be declared on all share accounts before payment of all expenses, credits to general reserves, and credits to undivided profits or surplus.

April 26 April 26

H.B. 1205 Credit union operations. Makes the following miscellaneous amendments to the credit union statutes: Eliminates the need for specified par value of shares; sets forth information relating to shares which is required to be in the bylaws; authorizes cooperation with other credit unions or financial organizations in making loans; permits acting as trustee or custodian under various retirement accounts authorized by federal law; increases fees due the state commissioner on late reports, authorizes annual membership fees; and removes the percentage limit on dividends paid.

March 30 July 1

H.B. 1264 Savings and loan associations - corporate investments. Limits investments by state savings and loan associations in corporations to the maximum permitted for federal savings and loans, except for an additional 3% of its assets allowed the state savings and loan association for investment in a corporation or combination of corporations created solely for residential real estate development through joint ventures. Prohibits conditioning of such arrangements upon the utilization of real estate owned or controlled by the corporation.

May 25 May 25

H.B. 1362 Trust company stock transfers - advance notice to bank commissioner. Requires 75 days advance notice to the state bank commissioner when 10% or more of the stock of a trust company is to be transferred, and requires the submission of information, including anticipated changes in stockholders, officers, or directors of the trust company as a result of the transfers. Requires recipients of the stock to furnish financial statements. Permits the bank commissioner to modify or waive the requirements.

May 10 July 1

H.B. 1363 "Public Deposit Protection Act" - costs of monitoring compliance. Makes a \$100 annual assessment and charges a special fee against every state bank and every national bank having its principal office in Colorado, which has been designated by the commissioner as an eligible public depository, to pay for the costs of monitoring compliance with the act.

May 31 May 31

H.B. 1468 Refunding bonds issued by public bodies. Amends provisions on the general refunding of public securities and refunding of municipal water and sewer facility bonds. Applies to the amount by which the principal of the refunding bonds may exceed the principal of the refunded bonds, the purposes for which refunding bonds may be issued, and other related provisions.

April 22 April 22

GENERAL ASSEMBLY

- S.B. 23 Legislative department contracts - approval by president of senate. Requires that any contract to which the senate is a party or to which both houses of the general assembly are parties be approved by the president of the senate, not the majority leader of the senate. Makes such provision applicable to contracts entered into on or after April 21, 1983.

April 21 April 21

- S.B. 194 General assembly - summoning of witnesses - contempt. Provides a unified system for the summoning of witnesses by the general assembly both during and between legislative sessions. Sets forth procedures for the issuance of legislative subpoenas. Permits the holding of in-camera hearings, upon a two-thirds vote, for the taking of evidence, and provides that such evidence may be designated as exempt from the open records provisions of statute. States that the general assembly may apply to the district court to compel obedience with legislative subpoenas, to determine contempt, and to enforce punishments for contempt after a legislative finding. Permits the general assembly to adopt procedures for the bringing of a contempt action.

VETOED May 26

- H.B. 1291 Colorado Revised Statutes - publication. Changes the title of the state statutes from "Colorado Revised Statutes 1973" to "Colorado Revised Statutes" because the publication format does not provide for publication of a "C.R.S. 1983". Makes various amendments to the publication statutes conform to the title change and to update or delete obsolete provisions. Clarifies provisions concerning the publication and distribution of statutes by persons other than the state.

May 26 July 1

GOVERNMENT - COUNTY

- S.B. 19 Lease purchase agreements - tax exemption. Authorizes counties to enter into lease purchase agreements for the financing of equipment used for county government purposes. Exempts such equipment from taxation.

May 25

May 25

- S.B. 342 Public utility - submission of plan of construction. Provides that, in the case of a utility owned by an entity other than a political subdivision, the submission of a request to a county or regional planning commission for its approval to construct the utility in the unincorporated territory of a county, which county is covered by a master plan, shall be made by the utility and not by the public utilities commission as formerly provided. Continues the public utilities commission's power to overrule a county or regional planning commission's disapproval of such request.

June 3

June 3

- H.B. 1033 Local improvements - payment of bonds - water and sewer improvements. Authorizes county local improvement districts to construct, install, or improve water and sewer systems.

Requires a county to payoff the remaining bonds of a county improvement district if three-fourths of a county improvement district's bonds have been paid and cancelled and the remaining assessments are not paid in time to payoff the remaining bonds. Authorizes the county to reimburse itself by collecting such unpaid assessments due the district.

March 22

March 22

- H.B. 1052 Unpaid special assessments - county proceedings to collect. Provides for unpaid special assessments in county local improvement districts to be collected by means of a tax sale. Deletes the requirement that such assessments be collected by means of foreclosure proceedings.

March 17

March 17

H.B. 1151 County recall elections - expenses. Directs the board of county commissioners of a county holding an election for the recall of a county officer to refer such officer's request for reimbursement of the costs of such election to the state controller rather than the state auditor.

April 21 July 1

H.B. 1163 Drainage facilities - construction. Authorizes any board of county commissioners to expend moneys for the construction of drainage structures and facilities. Defines "drainage facility". Authorizes an improvement district to provide for drainage facilities in the unincorporated area of a county. Provides that drainage facilities shall not be provided in any area within an existing drainage district without the approval of such district. Allows a master plan for a county or region to contain plans for development of drainage basins.

Allows subdivision regulations to provide for a fee or line of credit to represent a contribution to the total drainage facilities costs in the drainage basin where a subdivision is located.

April 29 July 1

H.B. 1229 Land subdivided without county approval. Increases the fine against any subdivider who transfers land before plat approval to not more than \$1,000 and not less than \$500. Establishes a statute of limitations of 18 months following recordation of the instrument effecting transfer. Allows the county commissioners to deny building permits on illegally subdivided land, and permits the purchaser of such land to void the transaction. Applies only to parcels of land of less than 35 acres.

May 20 July 1

H.B. 1240 Clerk and recorder. Amends various provisions throughout the statutes in order to make uniform the fees charged by all county clerk and recorders. Increases certain fees and decreases others. Clarifies that fees may be charged for the "recording" of

documents rather than for the "filing and recording" thereof. Makes conforming repeals of certain fees:

April 12 July 1

H.B. 1456 Subdivision requirements - exemption for small tract.
Authorizes the board of county commissioners of a county complying with the requirement of adopting a master plan to exempt from county subdivision requirements the division of a tract which creates no more than 4 building sites, tracts, or lots. Requires that any exemption be granted by resolution at a public hearing preceded by at least 30 days notice.

VETOED May 26

GOVERNMENT - LOCAL

S.B. 64 Benefit plans for firemen and policemen - miscellaneous amendments. Permits municipalities which contract for police services to use dormant pension fund moneys for law enforcement related purposes. Permits municipalities and fire protection districts having actuarially sound funds to pay pensions to volunteer firemen who have at least 10 years of service and who have reached the age of 50.

Includes unborn children within the class of dependents for purposes of death and disability benefits. Redefines "occupational disability" to permit payment of disability benefits to members whose disabilities are expected to exist for at least one year. Permits employers created by merger of one or more employers to consolidate pension plans. Permits the exemption of department chiefs from the state pension plan. Allows employers, with the approval of the board of directors of the fire and police pension association, to modify the terms of a pension plan if such modification will not adversely affect the plan's actuarial soundness.

Permits the board to order the commencement of payment of normal retirement pensions up to 5 years before the present payment commencement age of 60 if such payments will not affect the actuarial soundness of or contribution rates under the state plan. Requires the board to adopt a statewide health history form for completion by an employee prior to his hiring as a fireman or policeman. Permits the board to order commencement of payment of vested retirement benefits for members with 10 years service up to 10 years before the present payment commencement age of 65 if such payments will not affect the actuarial soundness of or the contribution rates under the state plan. Permits the board to invest moneys in the state fund in real estate limited partnerships.

Waives an employee's right to disability benefits under specified circumstances. Makes the employer solely liable for payment of death and disability benefits under specified circumstances.

May 23

July 1

S.B. 133 Fire and police pensions - exemption from state plan provisions. Recognizes the exemption from the death and disability provisions of the state benefit plan of employers having alternative defined benefit plans,

established on or before December 1, 1978, who chose to be exempt from the state plan but were nevertheless included. Permits such employers to elect, not later than October 1, 1983, to affiliate with the state plan for death and disability purposes.

May 26

May 26

- S.B. 172 Hazardous substance incidents - statewide response.
Makes numerous amendments to the existing law covering hazardous substance incidents. Designates the Colorado state patrol as the emergency response authority for incidents which occur on federal, state, or county highways in unincorporated areas. Authorizes the department of health to organize, by mutual aid agreement, a state emergency response team. Creates a right of public entities to claim reimbursement for emergency response costs from responsible parties. Provides additional exemptions from the requirement that persons possessing hazardous substances file an inventory of such substances, including exemptions for motor fuel products in specified quantities, fireworks, small arms ammunition, certain industrial explosives, and explosives in the possession of the armed forces, a police or fire department, or specified federal agencies. Provides that the civil penalty for failure to maintain the inventory shall be assessed for each day of violation. Creates criminal penalties for causing or contributing to a hazardous substance incident. Provides limited immunity from liability for persons who assist in the response to a hazardous substance incident.

June 3

July 1

- S.B. 334 County and municipal employees - retirement plan.
Authorizes counties and municipalities not participating in the social security system to establish an additional retirement plan. Provides that, if the plan requires additional contributions from the county or municipality and its employees, such contributions shall not exceed the total contribution required by the county or municipality and its employees under the "Federal Insurance Contributions Act".

May 26

May 26

- H.B. 1011 Property tax revenue - 7% limitation - mill levy limit.
Provides that the local government 7% revenue-raising

limit shall not apply to revenue raised for the 1984, 1985, and 1986 fiscal years for reappraisal costs or to revenue raised to repay excess state equalization payments to schools. Allows the division of local government to grant for the 1984, 1985, and 1986 fiscal years exceptions from mill levy limits; however, revenue raised may not exceed the 7% revenue-raising limitation except as permitted by the provision which allows such 7% to be cumulative.

June 3

June 3

H.B. 1039 Grants to local governments for water and sewer emergencies. Empowers the director of the division of local government in the department of local affairs to award grants to local governments for water and sewer emergencies based upon financial need. States that such grants may be contingent upon repayment by the local government.

March 29

March 29

H.B. 1097 Investments - funds pooling among governmental entities. Permits counties, city and counties, cities, towns, school districts, and special districts to pool their surplus funds for investment by means of a trust fund established by cooperating local governments. Sets forth provisions to be addressed in the formation of the trust. Requires supervision of the trust fund by a board composed of the financial officers of each of the participating entities and administration of the fund by an investment officer appointed as trustee. Requires a separate resolution to authorize the treasurer of each participating entity to invest its money in the trust fund. Limits investment of trust fund money to those investments authorized by law to all participating entities in order to prevent circumvention of the legal limits on any individual participant's investment authority.

March 29

March 29

H.B. 1112 Mill levy limitation - increase for county road or bridge construction. Allows a county to apply to the division of local government, at the time it requests a waiver of the revenue-raising limitation for a road or bridge capital expenditure, for a waiver of the provisions which entitle municipalities in the county to a share of the moneys in the county road and bridge

fund. Sets forth the factors to be considered by the division. Conditions the granting of an increased mill levy for road or bridge capital expenditures upon a determination that the revenues in the road and bridge fund for the year for which the increase is sought bear at least the same proportion to all countywide property tax revenue as in the budget of the immediately preceding year.

April 29 April 29

H.B. 1209 Local government audit law - exemptions. Allows a local government which has revenues or expenditures of \$50,000 through \$125,000, with the approval of the state auditor, to be exempt from the requirements of the local government audit law for any 2 consecutive fiscal years. Requires compliance for the 3rd consecutive fiscal year.

March 22 July 1

H.B. 1397 Mortgage bonds - allocations between state and local governments. Changes the method of allocating the state ceiling on the issuance of qualified mortgage bonds under the federal mortgage subsidy bond tax act to units of local government and the Colorado housing finance authority. Extends the original act by one year, to January 1, 1985.

June 10 July 1

H.B. 1405 Capital expenditures - exceeding the revenue-raising limitation. Allows counties, cities, and towns to exceed the 7% local government revenue-raising limitation to pay for capital expenditures without approval of the electorate or the division of local government. Defines "capital expenditure". Requires public notice and a public hearing in order to exceed such limitation. Allows a county to request a waiver from the division of local government of the requirement that the county share its road and bridge fund moneys with municipalities in the county so that revenue raised from a mill levy which exceeds the 7% limitation does

not have to be shared. Limits to taxing entities other than counties, cities, and towns, the application of the current law which allows an increased mill levy for capital expenditure if approved by the division. Adds the requirement that such current law be subject to public notice and a public hearing.

May 25

May 25

- H.B. 1421 Solid waste disposal - amendments. Amends existing law regarding solid waste disposal facilities and the definition of "solid waste". Clarifies enforcement authority over inactive or closed sites. Provides that a municipality may approve a solid waste disposal site and facility within its boundaries. Increases the maximum criminal fine for violations from \$100 to \$2,000.

June 3

July 1

- H.B. 1515 Solid waste-to-energy incineration systems - local governments may develop and operate. Authorizes counties and municipalities to develop and operate solid waste-to-energy incineration systems which use flammable waste as a primary or supplemental fuel for the conversion of heat into steam, electrical power, or any other form of energy. Authorizes the issuance of revenue bonds and the imposition of fees for the disposal of waste and charges for the sale of energy from such systems.

Authorizes counties and municipalities to adopt terms and conditions or resolutions or ordinances for the operation of such systems and to perform any nonlegislative acts relating to such systems by means of an agent or by contract.

Requires that such systems comply with any rules of the department of health before beginning operations. Provides that such systems are not subject to the solid waste disposal law, but that they shall remain subject to regulation as otherwise provided by law.

May 31

May 31

GOVERNMENT - MUNICIPAL

S.B. 47 Municipal employees - exemption from public employees' retirement association. Authorizes a municipality to exempt its key management staff, in addition to the city manager, from membership in the public employees' retirement system if the employees and the municipality have arranged to become members of the international city management association. Permits an employee who becomes exempt to rejoin PERA after a one-year waiting period.

May 25

May 25

S.B. 103 Municipal officials - qualifications for election or appointment. Makes various amendments relating to municipal officials, including requiring that such officials be registered electors instead of qualified electors. Authorizes special elections to fill vacancies in municipal offices as an alternative to making appointments to fill such vacancies. Exempts officers presently holding office who were not registered electors when elected.

May 23

July 1

S.B. 290 Charter of Georgetown - authorizing special improvement districts. Authorizes the town of Georgetown to exercise the powers granted to other municipalities regarding the creation and operation of special improvement districts and provides for the issuance of special assessment bonds in relation to such districts.

May 26

May 26

H.B. 1186 Subdivision regulations - location of hearing on adoption. Changes the requirement that a municipality hold a hearing concerning adoption of subdivision regulations in the county in which the subdivided land is located to require that such hearing be held in the municipality.

March 15

March 15

H.B. 1246 Investment funds - management. Allows persons other than the treasurer to be appointed by resolution as the

named custodians of municipal money for investment purposes. Cross references statutes permitting other types of investments by cities and towns, and specifies savings and loan associations as permissible demand deposit institutions. Rewrites language concerning sale or disposal of securities pursuant to resolution to remove an ambiguity.

April 14

April 14

- H.B. 1250 Planning and zoning - allocation of powers and duties. Permits a governing body of a municipality, by ordinance, to assume and exercise the powers or duties granted to municipal planning commissions by statute in the areas of planning and zoning. Authorizes such governing body to delegate its statutorily granted powers or duties, except the power to impose fines and penalties.

May 4

May 4

- H.B. 1402 Charter of City of Black Hawk - authorization for development revenue bonds and special improvement districts. Authorizes the City of Black Hawk to exercise the powers granted to other municipalities to promote industry and develop trade or economic activity within the city pursuant to the Colorado "County and Municipality Development Revenue Bond Act" and to exercise powers regarding the creation of special improvement districts granted to other municipalities by statute.

May 26

May 26

- H.B. 1493 Central City - authorization to issue development bonds and to establish improvement districts - ordinance and taxation powers. Authorizes Central City, Colorado, to acquire, own, lease, finance, improve, and dispose of properties to the end that the city may be able to promote industry and develop trade or other economic activity by inducing profit or nonprofit corporations, federal governmental offices, hospitals, and agricultural, manufacturing, industrial, commercial, or business enterprises to locate, expand, or remain in the city. Authorizes the city to issue revenue bonds to finance or improve such projects, and to secure payment of the bonds issued.

Authorizes Central City to construct local

improvements and to assess the costs thereof, wholly or in part, upon the property especially benefited by such improvements. Amends the charter of Central City to expand its powers of taxation and ordinance adoption.

June 15

June 15

H.B. 1538 City's acquisition of property for parks and recreation - limiting eminent domain. Limits the acquisition by a city of lands for parks and recreation to property lying no more than 5 miles beyond the city's boundaries, unless specific requirements are met by the city relating to the purposes of the acquisition and such acquisition is approved by the county in which the land lies.

June 1

July 1

GOVERNMENT - SPECIAL DISTRICTS

- S.B. 38 Special district elections - certification of watchers.
Authorizes each candidate and the proponents or opponents of an issue, rather than the county clerk and recorder, to appoint a watcher at each polling place for a special district election.

June 10 June 10

- S.B. 55 Urban drainage and flood control - property taxes - mill levies. Continues the provision which allows urban drainage and flood control districts to impose a levy of nine-tenths of a mill without voter approval. Such provision was to have terminated after the 1983 property tax year. Removes the provision which, for the 1984 and subsequent property tax years, would have required voter approval of such levy if it were to exceed five-tenths of a mill.

Continues indefinitely the provision which limits a district to four-tenths of a mill for maintenance and preservation of floodways and floodplains. Such provision was to have terminated after the 1983 property tax year.

May 20 May 20

- S.B. 161 Special districts - election before conversion.
Requires an election before a special district organized for water or sanitation or for water and sanitation purposes may respectively become a water and sanitation or metropolitan district.

May 26 May 26

- S.B. 185 Ambulance districts - emergency medical services.
Allows the creation of ambulance districts to provide emergency medical services and the transportation of sick, disabled, or injured persons to and from facilities providing medical services, under the same laws and with the same power as other special districts. Prohibits the establishment of an ambulance district where such service and transportation is already provided.

June 1 June 1

S.B. 189 Sanitation and water districts - availability of service or facilities charges. Eliminates the requirement that a minimum mill levy be assessed against all taxable property located within a sanitation, water and sanitation, or water district before the district may impose charges for availability of service or facilities.

May 25

May 25

H.B. 1117 Drainage districts - power to sell property. Empowers the board of directors of a drainage district to sell real and personal property of the district which it determines is no longer needed. Requires advance voter approval of such a sale when the value of any such real property exceeds \$25,000.

March 22

March 22

H.B. 1224 Regional transportation district - elections - tax levies. Removes the requirement that an election be conducted by July 1, 1983, on the question of levying a tax to fund a fixed-guideway mass transit system. Permits the board of the district, after approval at an election, to levy a sales tax at varying rates based upon varying levels of service in the district. Deletes certain provisions governing district elections and provisions referring to a previously held election on the issuance of securities. Requires district elections to be held concurrently with general elections and in the same manner. Requires the board of the district to submit to the general assembly by December 1, 1983, financing proposals for a fixed-guideway system, such proposals to be based upon relative costs and benefits of service.

June 3

June 3

H.B. 1227 Rio Grande water conservation district - mill levy. Increases from one mill to 2 1/2 mills the maximum annual general mill levy assessment which the district may impose on property within the district. Applies to property tax years commencing on or after January 1, 1983.

March 22

March 22

H.B. 1272 Water conservancy districts - validation and recreation.
Validates and re-creates existing water conservancy districts by statute in order to provide continuity, financial security, and stability in water development in this state and to ensure that obligations and projects undertaken, or to be undertaken, by said existing districts are honored and carried out should the original organization of such existing districts be ruled invalid in any respect. Provides that, in the event of a ruling that existing districts were invalidly organized, the actions of each such district are to be valid and effective.

February 23 February 23

H.B. 1369 Water conservancy districts - inclusion of land.
Provides for the inclusion of lands within a water conservancy district by petition for an election. Requires such petition to be signed by not less than 25% of the owners of agriculture lands of the area to be included and by not less than 10% of the electors of the area to be included. Allows for the exclusion of municipal territory if a majority of those voting in such territory are against inclusion. Provides for the inclusion of a municipally-annexed lands upon petition of the district if such municipality, before annexation, had lands within the district.

May 16 May 16

H.B. 1381 Regional transportation district - removal of sales tax on food and fuel for residential use - increase in general sales tax. Removes the authority of the regional transportation district to tax the sale of food and fuel for residential use. Increases the regional transportation district's general sales tax rate from .5% to .6% in order to compensate for the sales tax changes.

April 28 May 1

GOVERNMENT - STATE

- S.B. 2 State personnel board - disciplinary proceedings.
Requires the state personnel board to make written findings of fact and conclusions of law in affirming, modifying, or reversing the disciplinary action of an appointing authority and to make such findings and conclusions within 30 days after the hearing.

May 16

May 16

- S.B. 13 Bridge and highway construction projects - bidding practices - rules and regulations. Requires the executive director of the state department of highways, rather than the executive director of the department of administration, to promulgate rules and regulations relating to bridge and highway construction bidding practices.

April 21

April 21

- S.B. 20 Passenger tramway safety board - continuation.
Continues the passenger tramway safety board until July 1, 1993, pursuant to the provisions of the Sunset Law.

May 20

July 1

- S.B. 24 Office of regulatory reform - continuation. Continues the office of regulatory reform until July 1, 1987, pursuant to the provisions of the Sunset Law.

May 20

July 1

- S.B. 30 State revenues - limitations on appropriations.
Authorizes the use of the special reserve fund, created by limiting state spending increases, for capital construction, as well as other uses previously authorized. Requires that the 7% limitation on increases in annual state appropriations and the retention requirement on year-end balances, which is increased from a 4% minimum to a flat 5%, be computed on all appropriations and disbursements from the general fund, including any of the authorized uses of funds in the special reserve fund. Requires the general assembly, by joint resolution, to certify the revenue estimate for the next fiscal year by March 15 of each

year, based on the estimate of the office of state planning and budgeting. Applies to fiscal years beginning on or after July 1, 1984.

June 3 July 1, 1984

S.B. 77 Acquisition of Turks Pond in Baca county - appropriation. Authorizes the division of wildlife to acquire 200 acres of real property in Baca county, known as Turks Pond, contingent upon the approval of a change in water rights to include uses of water on the property contemplated by the division of wildlife.

Appropriates \$300,000 for the acquisition, which shall remain available until the money is expended or July 1, 1986, whichever occurs earlier.

April 29 April 29

S.B. 88 Water and power authority - affiliation with public employees' retirement association. Authorizes the board of the Colorado water resources and power development authority to approve affiliation with the public employees' retirement association for employees of the authority. Provides for retroactive rights and benefits to June 1, 1982, or if hired later, the date of hiring. Funds paid in will be credited to the state employees' reserve fund.

April 29 April 29

S.B. 102 Trade name registration. Requires, effective July 1, 1985, every sole proprietorship, partnership, corporation, or other business organization doing business in Colorado under any name other than the personal name of the owners or the true corporate name to register such trade name with the department of revenue annually. Permits the department to charge a fee for the registration and renewal thereof, and creates a fund into which fees shall be deposited. Requires the department to make records of trade names available to the public. Provides a civil penalty for failure to register. Deletes a provision on the filing of trade names with county clerk and recorders. Requires county clerk and recorders to maintain records of trade names supplied by the department.

May 25 July 1, 1985

S.B. 109 Colorado law enforcement training academy's advisory board - name change. Changes the name of the advisory board of the Colorado law enforcement training academy to the peace officers standards and training board, also known as the P.O.S.T. board.

April 29 April 29

S.B. 132 Management incentive program - establishment of program and management incentive fund. Establishes a management incentive program, applicable to the department of administration and the department of natural resources, under which one-half of any net general fund savings in excess of \$20,000 realized through the initiation and implementation of management techniques is credited to a management incentive fund for the benefit of the saving department. After verification of the savings by the state auditor, allows moneys in the management incentive fund to be spent by the department head of the saving department on controlled maintenance or on a productivity-increasing mechanism. Provides criteria for determining what constitutes a net general fund savings.

Applies to fiscal years beginning on or after July 1, 1984. Provides for a repeal of the act, effective July 1, 1987.

June 3 July 1

S.B. 177 Colorado organized crime strike force - establishment. Establishes the strike force within the Colorado bureau of investigation. Defines organized crime. Creates the the office of agent in charge to head the strike force, to be appointed by the director of the bureau. Defines the duties of the agent in charge. Creates an advisory commission on the strike force, composed of the executive director of the department of local affairs, the attorney general, the director of the bureau, and the chiefs of the law enforcement agencies contributing officers to the strike force. Authorizes the director of the bureau to appoint peace officers from local jurisdictions as agents of the strike force. Prohibits such agents from engaging in off-duty employment. Directs strike force cooperation with the attorney general and local authorities. Establishes a special prosecutions unit under the attorney general to provide legal services to the strike force.

June 3 July 1

S.B. 204 Colorado energy research institute - reestablishment - appropriation. Permanently reestablishes the Colorado energy research institute to provide data, background material, and analytical research for the executive and legislative branches of the state government and local governments, to administer energy-related programs for students and the public, and to make annual reports to the general assembly and to the governor.

June 3 July 1

S.B. 215 State procurement - promotion of private enterprise competition in connection with state programs. Authorizes each state agency to obtain goods from private enterprise pursuant to the state procurement code whenever the agency determines that goods provided by it to the public can be more cost-effectively delivered by contract with private enterprise or whenever the agency determines that goods needed by the agency can be provided to it more cost-effectively by contract with private enterprise. Exempts the products and services of the division of correctional industries as long as such products and services are comparable price and quality. Removes various requirements that specified kinds of state contracts be with nonprofit agencies and organizations.

June 3 June 3

S.B. 217 Division of insurance - continuation. Continues the division of insurance in the department of regulatory agencies until July 1, 1993, pursuant to the provisions of the Sunset Law.

May 25 May 25

S.B. 219 Metropolitan library districts. Permits intergovernmental cooperation to maintain a district library in addition to libraries separately maintained by metropolitan area counties. Limits the formation of a metropolitan library district to one such district per standard metropolitan statistical area and its adjoining counties. Requires that cooperating counties within such an area have a combined population of at least 500,000 people before they may form a metropolitan library district. Authorizes the governing bodies of the participating counties to levy a property tax of up to 1.5 mills to raise revenue in proportion to the levying county's use of the metropolitan library.

Requires any levy so instituted to be submitted to the voters at the next general election for their approval of the tax's continuation. Permits a voter-approved levy to be increased up to 2.5 mills by the affirmative vote of the electorate.

June 2

June 2

- S.B. 227 Division of telecommunications - establishment.
Establishes a division of telecommunications within the department of administration to replace the present division of communications. Provides for a state telecommunications director and outlines his duties and responsibilities. Authorizes the establishment of a state telecommunications network.

June 10

July 1

- S.B. 275 Department of public safety - establishment.
Consolidates various state agencies concerned with public safety into a single new principal department consisting of the following divisions: The Colorado state patrol, the Colorado law enforcement training academy, the Colorado bureau of investigation, the division of criminal justice, the division of disaster emergency services, and the division of fire safety. Transfers all the powers and functions of these agencies by type 2 transfers and without substantive change in their statutory language.

Abolishes the office of state planning and budgeting as one of the constitutionally limited 20 principal departments to allow for the creation of the new department and reestablishes such office in the office of the governor.

June 3

July 1, 1984

- S.B. 292 Jail health care project. Requires the division of criminal justice in the department of local affairs to establish and maintain a jail health care project to improve detention health care.

May 25

May 25

- S.B. 313 Concurrent jurisdiction of United States over specified national park lands. Grants concurrent legislative

jurisdiction under the laws of Colorado to the United States over specified national parks in Colorado.

May 25

May 25

- S.B. 315 Library districts - issuance of bonds for acquisition of real or personal property. Authorizes the board of trustees of a library district to direct the board of county commissioners of the county or counties in which the district is located to submit to the registered qualified electors residing within the district the question of issuing general obligation bonds for the acquisition, construction, expansion, or remodeling of any real or personal property for library purposes. Requires that the library district pay the expenses or its allocable share of such election. Authorizes the county or counties to impose an ad valorem tax on property within the library district to pay for such bonds, and exempts such levy from the mill levy limitation for library districts and from limitations on county indebtedness.

May 26

May 26

- S.B. 341 Department of labor and employment - authority of the executive director over the division of labor and the division of employment and training. Gives the executive director of the department of labor and employment the power to direct and supervise the activities of the division of employment and training and the division of labor by changing the transfers of these divisions to the department from type 1 transfers to type 2 transfers and by specifying in substantive statutes that the duties of the directors of such divisions shall be performed under the direction of the executive director.

May 25

May 25

- S.B. 369 Inventory of state property - duties of department of administration. Requires the department of administration to obtain and maintain an inventory of the real property, improvements, and other capital assets of state departments, agencies, and institutions, including state institutions of higher education. For purposes of maintaining a current inventory, prohibits the payment of any state moneys or the issuance of any conveyance in connection with the acquisition or disposition of real property, improvements, and other

capital assets unless a report on the transaction has been filed with the department.

June 1

June 1

- S.B. 375 Secretary of state - fees. Renames the corporate recordings cash fund as the department of state cash fund and extends cost-based fees to all document preparation and other work by the secretary of state. Directs that moneys collected for the payment of expenses and mileage of the secretary of state incurred in complying with a subpoena be credited to the cash fund rather than to the general fund.

May 26

July 1

- S.B. 399 State lottery division - power of director to contract. Removes the limitation on the director of the state lottery division which required that he enter into contracts for no longer than 6 months in duration.

May 26

May 26

- S.B. 411 Restriction of appropriations for state government for the 1983-84 fiscal year -- implementation by subsequent appropriations. Directs the state controller to restrict an amount equal to 2% of the total appropriation to each principal department and the legislative and judicial branches of state government for the next fiscal year, and to report to the general assembly on the line items and amounts thereof subjected to such restriction. States that the 2% restriction shall not be implemented to reduce any appropriations without enactment of supplemental appropriations by the general assembly.

VETOED July 1

- H.B. 1008 Department of administration - duties with regard to buildings under the jurisdiction of the general

assembly. Upon request by the principal representative of a legislative agency, requires the department of administrations to issue a progress report of its actions undertaken to date with regard to capital construction and controlled maintenance performed in that portion of the capitol buildings group under the jurisdiction of the general assembly.

March 22 March 22

H.B. 1009 Division of racing events - Colorado racing commission - continuation. Continues the division, including the racing commission, until July 1, 1993, pursuant to the provisions of the Sunset Law.

March 22 July 1

H.B. 1013 Board of examiners of nursing home administrators - continuation. Continues the board until July 1, 1993, pursuant to the provisions of the Sunset Law.

April 21 July 1

H.B. 1015 Investment authority - state and local governments - repurchase agreements. Authorizes public entities such as the state and any of its institutions and agencies, counties, municipalities, districts, and other political subdivisions or political or public corporations of the state to invest in repurchase agreements of any marketable security otherwise authorized by law where the market value of such security is at least equal to the moneys involved and there is assignment of such security pursuant to current depository regulations.

April 28 April 28

H.B. 1037 Division of central services - continuation. Continues indefinitely the division of central services in the department of administration by removing it from the Sunset Law review process.

March 22 March 22

H.B. 1055 Acquisition of land in Dolores and Montezuma counties - appropriation. Authorizes the division of wildlife to

acquire 3 parcels of land along the Dolores river in Dolores and Montezuma counties.

Appropriates \$940,480 from the wildlife cash fund for the acquisition of the property.

May 20

May 20

H.B. 1114 Library user records - penalty for disclosure. Amends the "Colorado Library Law" to prevent disclosure of individual user information in records maintained by the library. Provides that any official, employee, or volunteer of the library who discloses user information commits a class 2 petty offense punishable by a maximum fine of \$300. Permits disclosure only if necessary for the reasonable operation of the library, if the user consents in writing, or if required by law or court order. Exempts library records which reveal user information from disclosure under the public records law.

March 22

March 22

H.B. 1123 State license application procedures. Provides that an application for a license from a state agency and other specified forms need not be notarized. Makes providing false information on such an application perjury in the second degree and requires notice to that effect on every such application.

March 15

March 15

H.B. 1168 Firefighters' voluntary certification program - continuation - use of fund. Continues the program, due to expire in 1983, until 1987. Provides for payment of costs of the advisory board from the voluntary certification fund. Subjects the use of fund moneys to annual appropriation by the general assembly.

May 11

May 11

H.B. 1170 State-installed postage meters - penalty for private use. Requires all state-installed postage meters to have an imprint plate stating that the metered mail is official Colorado mail and that private use of such meters is unlawful. Makes such private use a class 3

misdemeanor.

April 21 July 1

H.B. 1187 State personnel system - compensation for state employees - fiscal emergencies. Directs the state personnel director to determine the classification relationships between key classes and all other classes of employees and to publish such relationships. Directs that assignments or reassignments of classes pursuant to the occupational study take place on the ensuing July 1. Defers such action for the 1983-84 fiscal year until February 1, 1984. For subsequent years, allows an exception to the July 1 deadline only in designated urgent situations. Establishes an appeal procedure for persons affected by the action of the state personnel director with respect to the occupational study.

Modifies provisions of the salary survey statutes with respect to the conduct of the survey and the time of any resurvey which may be ordered by the state personnel board. Provides for salary adjustments to take place at the start of the ensuing fiscal year unless deferred because of an emergency situation. Allows the general assembly, for the fiscal years 1983-84 and 1984-85, to specify in the general appropriation bill the amount of the average percentage salary survey increase for all employee classes. Directs the state personnel director to adjust the proposed reassignments, if required, to reflect the differences between the average salary survey increase in the report of the state personnel director and the amount specified in the general appropriation bill. Specifies that there shall be no salary reductions for employee classes for the fiscal year beginning July 1, 1983.

Allows for payment of an incentive award in recognition of above-standard or outstanding performance by an employee.

Defines "fiscal emergency" to include a significant general fund revenue shortfall or significant reductions in cash or federal funds. Requires each principal department head, upon the adoption of a joint resolution approved by the governor which declares a fiscal emergency, to implement those measures provided in the board's rules which he finds necessary to reduce personnel expenditures within available revenues. Requires such measures to be imposed upon officers and employees of the executive

branch even if otherwise exempt from the state personnel system.

Repeals provisions which are inconsistent with the establishment of an incentive award as part of the compensation plan and which are inconsistent with the new fiscal emergency provisions.

May 31

May 31

H.B. 1202 Foreign trade office - creation - duties. Creates a foreign trade office in the division of commerce and development to aid in the expansion of exports of both goods and services from the state and to encourage foreign investment in the state.

Eliminates the provision creating the foreign trade office, effective December 1, 1985, for purposes of having the division review the program and recommend a method of cash funding.

June 14

June 14

H.B. 1211 Fiscal rules - authority of controller. Authorizes the controller to establish by fiscal rule the various amounts by which state officers and employees are reimbursed for certain expenses, including mileage, travel, and relocation and the amount a state agency may utilize for incidental expenses. Specifies that no fiscal rule dealing with mileage allowances shall be effective until approved by the general assembly. Revokes such authority of the controller, effective June 30, 1985, and restores such reimbursement rates to the amounts as previously provided by statute.

June 3

June 3

H.B. 1237 Sunset law - termination schedule. Revises the termination schedule for divisions in the department of regulatory agencies and the boards and agencies in the division of registrations. Repeals provisions which provided for transferring responsibility for conducting sunset reviews from the department of regulatory agencies to the department of administration in 1984 and which provided for a performance audit of how the department of regulatory agencies conducted sunset reviews. Repeals a provision which provided for a one-year continuation of an agency scheduled to terminate in an even-numbered year when the governor

failed to include such continuation on his legislative "call".

June 1 June 1

H.B. 1256 Public employees' retirement association - benefits - annuities. Excludes presidents, deans, professors, and instructors in state educational institutions which have established retirement plans for such employees from the definition of "state employee" for purposes of membership in the public employees' retirement association.

Amends annuity provisions of the public employees' retirement association laws with regard to precedence of benefits, election of annuity options, and annuities for widows and surviving children. Provides that benefits accrued, to the extent funded, shall become nonforfeitable upon the termination of the public employees' retirement association. Extends the protection from execution, levy, garnishment, and other legal process to judges' benefits. Repeals inconsistent provisions.

Makes such provisions which relate to survivor benefits applicable only to cases of deaths occurring on or after July 1, 1983.

April 28 July 1

H.B. 1273 Acquisition of lands by division of wildlife - appropriation. Authorizes the division of wildlife to acquire land in Morgan county for public purposes.

Appropriates \$615,000 out of the wildlife cash fund for the acquisition.

May 31 May 31

H.B. 1276 Factory-built housing - penalties for violation of statutes or rules. Provides a civil penalty of up to \$1,000 per housing unit involved for violation of statutes and rules governing factory-built housing standards. Eliminates criminal penalties for such violations.

April 21 July 1

H.B. 1320 Fiscal policy - income and sales and use taxes. Sets the annual inflation factor for the 1983 and 1984 income tax years at 100%. Sets the corporate income tax at 5% of net income for the 1983 and 1984 income tax years; thereby removing the graduated tax scheme for such years. Provides for a return to the graduated tax scheme for 1985 and subsequent years. Increases the state sales and use taxes to 3.5% for the period May 1, 1983, through February 29, 1984.

Transfers all uncommitted moneys in the severance tax trust fund and all uncommitted moneys in the water conservation board construction fund into a new fiscal emergency fund. Orders the transfer of all moneys accruing to such funds by June 30, 1983, into the fiscal emergency fund. Provides for the transfer to the fiscal emergency fund of those moneys from the sales and use tax which would otherwise go, during March through July, 1983, to the highway users tax fund. Directs the periodic transfer during the 1983-1984 fiscal year of state lottery moneys which would otherwise be used for capital construction. Provides for the transfer of increased sales tax revenues to the fiscal emergency fund.

Specifies the apportionment of interest earned on fiscal emergency fund moneys. Creates the joint committee on deficit prevention. Provides for periodic transfers, by the controller and treasurer, upon order of the governor, after consultation with the joint committee on deficit prevention, of moneys in the fiscal emergency fund to the general fund. Directs the repayment of moneys taken from the highway users tax fund, the Colorado water conservation board construction fund, and the severance tax trust fund, upon order of the governor, after consultation with the joint committee. Abolishes the joint committee and the fiscal emergency fund, effective July 1, 1985.

March 22

March 22

H.B. 1326 State financial summary - inclusion in state income tax instruction booklet. Requires the controller to prepare a graphic summary of statewide revenues and expenditures of the state to be included by the executive director of the department of revenue in the state income tax instruction booklet each year.

May 31

May 31

H.B. 1334 State liabilities - prompt payment. Directs the

controller to promulgate fiscal rules requiring that the state pay a non-governmental entity within 45 days after the receipt of goods or services and a statement of the amount owed. If payment is not made within 45 days, requires the state to pay interest at the rate of one percent per month on the unpaid balance until the account is paid. Exempts written contracts and disputed amounts from the act.

May 16 July 1

H.B. 1335 Judicial disciplinary hearings - confidentiality of records and procedures. Orders that the record of an investigation conducted by the commission on judicial discipline or by masters appointed by the supreme court remain confidential after filing with the supreme court. Specifies that a recommendation for the removal or retirement of a justice or judge shall not be confidential after it is filed with the supreme court.

Makes it a misdemeanor for involved persons to willfully and knowingly disclose certain information relating to proceedings of the commission or masters.

May 20 July 1

H.B. 1341 Collection, coordination, control, and distribution of information. Transfers from the controller to the heads of the principal departments the responsibilities of: Directing the collection, coordination, control, and distribution of state operational and administrative reports; preparing an annual report for the governor accounting for the operations of all agencies in the executive branch; and delivering to the state archivist the archival copies of original published and processed agency reports, studies, and other publications and distributing other copies of the original reports as directed by the governor. Requires that an agency or department not having an appropriation for producing publications for sale to the public obtain approval of the controller before making any disbursements for said publications. Makes numerous conforming amendments.

May 10 July 1

H.B. 1348 Public utilities commission - continuation. Continues the public utilities commission to July 1, 1993, pursuant to provisions of the Sunset Law.

May 3 May 3

H.B. 1349 Colorado crime victim compensation act - awards. Amends the definition of "compensable crime" under the "Colorado Crime Victim Compensation Act" to include bodily injury or death of a person by another person who is driving under the influence of an intoxicating liquor or controlled substance. Changes the period of time for filing an application with the crime victim compensation board from 6 months after the date of the injury to one year after such date. Increases the aggregate compensable loss to the victim or to the dependents of a victim from \$1,000 to \$10,000.

May 11

July 1

H.B. 1368 Procurement of professional services - emergency contracts. Permits emergency procurement by the principal representative of a state agency of the services of architects, engineers, land surveyors, and landscape architects. Requires written documentation of the basis for the emergency and the selection of the particular professional.

May 10

May 10

H.B. 1372 Colorado state fair authority - created. Eliminates the Colorado state fair and industrial exposition commission. Creates the state fair authority as a body corporate and political subdivision of the state, and generally, provides for the authority to undertake all of the obligations of the commission. Establishes a governing board for the authority comprised of 11 members appointed by the governor with the consent of the senate. Directs the board to provide for a Colorado state fair and industrial exposition. Makes employees of the authority members of the public employees' retirement association. Authorizes the authority to lease the state fair grounds from the state for \$10 per year. Transfers control of all state fair fund moneys to the authority. Makes the authority a qualified organization under the terms of the bingo and raffles code for purposes of conducting games of chance. Conditions the exercise of the state patrol's authority at the fair on the request of the board.

June 2

June 2

H.B. 1398 Art in public places program - administration. Requires that, if the one percent allocation for acquisition of works of art for any capital construction project is above \$1,000, the Colorado council on the arts and humanities select a jury to select the artists for a particular project. Permits the council to aggregate allocations which are below \$1,000 if such allocations are for projects within the same state agency until such aggregate allocations reach \$1,000. Allows the council to place artwork at sites within the state agency other than the capital construction site.

Changes the required composition of the jury, and allows the same jury to select artwork for more than one project. Requires any moneys allocated for a specific project or for projects within a specific agency which are not expended to remain in the works of art in public places fund to be used in the council's discretion for artwork for other capital construction projects.

June 15 June 15

H.B. 1471 Exchange of state land in Montrose county for land in Garfield county. Authorizes the state board of land commissioners to transfer state lands in Montrose county in exchange for lands, or other consideration, located in Garfield county.

May 31 May 31

H.B. 1476 Colorado tourism board - establishment - funding by special sales tax. Creates a Colorado tourism board for the purpose of promoting tourism and travel in Colorado, including the operation of visitors' centers and the planning, advertising, promotion, assistance and development of tourism and travel industries in Colorado. Makes funds available for the purposes of the board by imposing a one-tenth of one percent sales tax on certain tourist-related activities and transactions. Exempts such tax from the statutory limitations on maximum sales tax levies.

Repeals provisions on the duties of the division of commerce and development with regard to tourism. Repeals the act, effective July 1, 1988.

April 28 April 28

H.B. 1554 Rule-making procedure. Requires an agency proposing a

rule at a public hearing to make such rule and the statement of basis and purpose and fiscal impact statement of such rule available to the public at least 5 days before the hearing. Following the closing of the public hearing, requires an agency, except the wildlife commission when establishing seasons, bag limits, and manner of taking wildlife, to prepare a proposed final rule, a statement of basis and purpose, and a fiscal impact statement when necessary. Upon request of a party to the public hearing, the agency shall afford him 4 working days to submit written comments on the proposed final rule.

VETOED June 2

H.B. 1566 Transfer of foreign nationals held in Colorado correctional facilities. Permits the governor, if a treaty is in effect between the United States and a foreign country for the transfer of foreign nationals convicted of a crime to the country of their citizenship or nationality, to authorize the executive director of the department of corrections to take any action necessary for Colorado to participate in such treaty and for the transfer of such offenders. Prohibits the transfer of a convicted offender before he is informed in his native language of his rights and of the procedures being followed.

June 3

June 3

HEALTH

S.B. 10 Advisory commission on family medicine - continuation - membership - duties. Continues the advisory commission on family medicine until July 1, 1989. Expands problem areas in the legislative declaration for which the commission was created. Specifies that the members of the commission shall include the directors of all accredited family medicine programs in the state. Requires that the commission assure that family medicine residency program standards are equal to or more stringent than the standards established by the appropriate professional organizations. Directs the commission to offer to the general assembly alternative ideas on providing medical care to the medically indigent.

May 20 May 20

S.B. 46 Radioactive materials control program - cash funding. Establishes the radioactive materials control fund for the deposit of fees collected by the department of health for radioactive control services. Requires that moneys credited to such fund be expended, upon appropriation, for radiation control services.

May 25 July 1

S.B. 54 Vital statistics records - cash fund. Establishes the vital records fund for the deposit of fees collected by the department of health for performing services relating to vital statistics records. States that the general assembly shall make annual appropriations from said fund for the use of the department of health in carrying out the department's duties relating to vital statistics.

May 20 July 1

S.B. 150 County, district, and regional boards of health - public health administrator. With regard to county, district, and regional health departments, changes the term "public health officer" to "public health administrator" and makes necessary conforming amendments. Eliminates the requirements that a public health administrator be employed full time and receive annual compensation and an expense allowance.

Specifies that no person shall be excluded from such appointment or from continuing to serve as a public health administrator solely because that person is not a licensed physician. Where such administrator is not a physician, permits a county, district, or regional board of health to employ a licensed physician to advise the public health administrator on medical decisions on a full or part-time basis.

May 20

May 20

- S.B. 190 Passenger tramway safety board - powers and duties - qualification of tramway design or construction engineers - supervisory tramway engineer. Empowers the passenger tramway safety board to consult with the director of the division of registrations who shall appoint a supervisory tramway engineer. Specifies that the supervisory tramway engineer shall report to the board and be supervised by the director of the division of registrations. Further specifies that the board shall prescribe the duties of the supervisory tramway engineer. Requires that, in order to perform tramway engineering services, an applicant be registered in Colorado as a professional engineer but need not be qualified by the board.

May 25

May 25

- S.B. 198 Disease control - regulation of breeding and boarding kennels and catteries and dealerships for pet animals and psittacine birds. Repeals and reenacts and revises the statutes regulating persons dealing in or breeding psittacine birds and other pet animals, for the control of diseases in animals which can be transmitted to humans. Revises and provides separate regulatory provisions relating to the boarding and breeding of dogs and cats and other pet animals in order to clarify certain provisions. Eliminates the requirement for annual reports.

Provides that the state board of health establish minimum standards of physical facility, sanitation, humane care, and methods of operation for licensed facilities as it deems necessary to carry out the statutory provisions. Specifies that the board of health may authorize local health departments and animal control personnel to assist it in performing its powers and duties. Provides for increased license fees and for a portion of such fees to be allocated to the authorized inspection agency. Provides for an alternative assessment procedure for violations.

June 2

March 1, 1984

S.B. 282 Hazardous waste - establishment of hazardous waste disposal sites - state program for treatment, storage, and disposal facilities. Makes numerous changes in the "State Hazardous Waste Siting Act", including but not limited to the following: Changes the definition of "hazardous waste disposal" to exclude recycling or other treatment and to include off-site surface impoundments which are not part of a sewage treatment works or a feedlot operation; encourages the use of alternative treatment methods to land disposal and requires the department of health to study the need for hazardous waste disposal sites and the feasibility of treatment and disposal technologies as alternatives to land disposal; prohibits the burial of liquid hazardous waste; authorizes the committee on hazardous waste regulation to develop rules and regulations which phase out the land disposal of highly mobile, toxic, and persistent waste; increases the maximum fee required to be submitted with an application for a certificate of designation; provides for allocating a portion of the application fee to state agencies involved in the siting decision; requires the Colorado geological survey to designate areas of the state which are optimally suitable for hazardous waste disposal sites and requires the Colorado geological survey to review each application and issue a recommendation on the geological suitability of the proposed site; requires the department of health to issue findings of fact on the technical merits of each application; amends the criteria upon which a county or municipality may approve an application and includes therein requirements that the department shall have issued a favorable recommendation on the application and that the applicant shall have demonstrated that there is a need for the facility by Colorado hazardous waste generators and that it has the financial and management ability to operate the facility; provides that a certificate of designation shall not become effective until the facility has received a specified federal permit or a state permit for operation; specifies that any substantial change in ownership, design, or operation of a hazardous waste disposal site be subject to approval upon the same criteria as for the approval of an original application; authorizes the jurisdiction which granted a certificate of designation to revoke or suspend such certificate for misrepresentation in the application, for failure to operate in compliance with terms of the certificate or applicable rules and regulations, or for failure to pay the required annual fee to the county or municipality; fixes the annual fee required to be paid to the county or municipality at 2% of the annual estimated gross revenue of the facility and provides that the fee

collected shall be allocated to governmental units to offset their costs of increased services caused by the site; requires regular inspections of hazardous waste disposal sites by a chemist during business hours; provides that each designated hazardous waste disposal site shall be subject to a state performance audit at least every 3 years; and increases the maximum civil penalty for a violation of the siting act from \$500 to \$10,000 per day of violation.

Requires the department of health to determine by May 1, 1984, the status of all applications made to a county or municipality for a hazardous waste disposal site, and, if it finds that there has not been approved one or more of such sites which are sufficient to meet state needs (defined as sufficient to manage the hazardous waste generated in Colorado that is suitable for land disposal or capable of disposing of a minimum of 40,000 tons of hazardous waste annually, whichever is less), the department shall publish notice of a moratorium on the further filing of such applications with counties and municipalities. Provides that such moratorium shall be in effect until rescinded by the department or until November 1, 1985. Requires that the department complete its findings of fact and recommendations on applications then pending with counties or municipalities by August 1, 1984, and to again determine the status of such pending applications by May 1, 1985. Requires the department, if it finds one or more of such applications have not been approved, to publish notice of its continued moratorium on further filings and of a moratorium on the processing of applications by counties and municipalities. Provides that the moratorium shall be effective until November 1, 1985.

Requires the governor, in the event of such moratorium on processing applications, to appoint a state siting council which is vested with the authority to approve a certificate of designation subject to specified conditions and limitations. Provides that such authority to approve a certificate shall exist only until November 1, 1985, although the council shall continue in existence for limited purposes until February 1, 1986. Specifies that the council may only grant a certificate of designation for an application made to a county or municipality between July 1, 1981, and May 1, 1984, for which approval was recommended by the department of health. Revokes the council's authority to grant certificates when there is one or more hazardous waste disposal sites which are sufficient to meet state needs. States that any substantial change in ownership, design, or operation of a site designated by the council shall be subject to approval by the council while in existence, then the department of

health.

Makes various amendments to the state hazardous waste management program, which program will regulate persons generating, transporting, treating, storing, and disposing of hazardous waste when the state receives approval to assume the federal hazardous waste management program. Such amendments include the following: Provides that the state's hazardous waste rules, except rules on mining and mineral processing waste, may be more stringent than the corresponding federal rules; expands and clarifies the scope of rule-making authority to conform with federal requirements; requires that the property deed of an active or inactive hazardous waste disposal site or of any property within a 3-mile radius of such a site include a notation that the property has been used for hazardous waste disposal or is within 3 miles of property that has been used for hazardous waste disposal; and repeals a provision which would have automatically terminated the state hazardous waste management program on July 1, 1985.

June 3

June 3

- S.B. 303 Water quality control act - discharge permit fees.
Establishes a schedule of annual fees for different categories of dischargers to be applied toward the expenses of the discharge permit system. Declares that a portion of the expenses of the discharge permit system should be funded from the general fund, reflecting the benefit derived by the general public. Directs that any moneys recovered from fines or penalties be credited to the general fund rather than the water quality control fund.

June 10

July 1

- S.B. 308 Health programs - migrant and seasonal farm workers.
Authorizes the department of health to operate special health programs for migrant and seasonal farm workers and their dependents and to accept and employ moneys appropriated to implement such programs.

June 10

June 10

- S.B. 329 Hazardous materials spills - limitation of liability for persons who provide assistance. Provides an exemption from civil liability for a person who lends assistance

in responding to an actual or threatened discharge of hazardous material. Excludes from such exemption a person who caused or contributed to the discharge, who receives compensation for his assistance, or who acts with gross negligence or reckless, wanton, or intentional misconduct.

June 1 June 1

- S.B. 349 Licensing hospital units. Requires the department of health to issue hospital unit licenses to qualified applicants who lease or otherwise occupy space in a licensed health care institution for the purpose of providing in-patient or out-patient services. Provides that no licensed institution shall be required to obtain a separate license for the service provided by a hospital unit on its premises.

May 25 May 25

- S.B. 370 Colorado health facilities authority. Makes various amendments to the "Colorado Health Facilities Authority Act" to include: How appointments are made to the board when the general assembly is not in session; authorization to the authority to enter into leases which are annually renewable with a public hospital or institution; allowing the board to authorize the executive director, associate executive director, or any officer of the board to fix amounts, dates, interest rates, and prices of short-term obligations; and new procedures and guidelines for the authority to follow when investing funds.

May 25 May 25

- H.B. 1063 Emergency medical services - poison information center. Authorizes the department of health to contract with and allocate funds for a poison information center.

April 29 July 1

- H.B. 1076 Inspection of patient records in custody of a health care facility. Provides that, when an independent third-party physician is requested to render an opinion regarding psychological impact on a patient if granted access to records pertaining to his psychiatric or psychological problems or notes by a physician, such

independent physician shall consult with the attending physician before making a recommendation on the availability for inspection of any patient record. Requires the independent physician to make a written report of his findings to the attending physician and to the custodian of said record.

May 20

May 20

- H.B. 1148 Radiation control program - civil penalties for violations. Provides civil penalties for violations of statutes, regulations, licenses, orders, or registration certificates relating to the state radiation control program. Specifies the procedures to be followed for notifying the violator of the violation, providing the violator an opportunity for a written response and a reasonable time for abatement, fixing the amount of the civil penalty based upon specified criteria, and collecting the penalty through a civil action brought by the attorney general.

June 1

July 1

- H.B. 1172 Prophylactics - deregulation. Repeals the provisions which regulated the sale and manufacture of prophylactics.

May 4

July 1

- H.B. 1184 Hospital surgical privileges - nondiscrimination. Requires hospital bylaws to extend surgical and staff privileges to medical doctors, osteopaths, dentists, and podiatrists within the scope of their respective licenses. Exempts from such requirement those hospitals which limit staff privileges to their own employees or contracting physicians.

May 25

May 25

- H.B. 1203 Point source discharge permits - technology-based effluent limitations. Authorizes the division of administration in the department of health to exercise best professional judgment in establishing technology-based effluent limitations on a case-by-case basis for point source discharge permits in the absence of federally promulgated effluent guidelines or comparable regulations promulgated by the water quality

control commission. Requires the division, when establishing any technology-based effluent limitation, to consider the availability of appropriate technology, its economic reasonableness, the age of equipment and facilities, the process employed, and any increase in water or energy consumption. Requires that such limitations adopted by the division be subject to review by the commission on request of a permit applicant, permittee, or aggrieved person.

Repeals such provisions, effective July 1, 1985.

June 3

June 3

H.B. 1243 Drinking water regulations - enforcement. Empowers the department of health to institute a civil action for violations of final enforcement orders, whether deliberate or not. Authorizes the department to request the attorney general to sue to enjoin violations of minimum sanitary standards adopted by rule, and permits such a suit even in the absence of a prior enforcement order by the department. Provides that jurisdiction of such suits brought by the attorney shall be in the district court of the county in which the violation occurred.

June 1

July 1

H.B. 1278 Statewide cancer registry. Authorizes the department of health to establish and maintain a statewide cancer registry to compile and analyze data concerning cancer in order to provide more effective cancer control in Colorado.

May 3

May 3

H.B. 1281 Dental services for handicapped persons. Directs the state department of health to administer a program of dental services to infirm persons unable to travel for dental care, and permits the use of vans containing portable dental equipment in order to provide such services. Authorizes the department of institutions, through the division for developmental disabilities, to purchase community services involving oral hygiene programs. Declares that the general assembly may require that the state appropriation in the long bill for such programs be matched by private sources.

May 23

July 1

H.B. 1314 Records of adoption, legitimacy, or parentage - limitation on opening. Limits the authority of the department of health to promulgate rules concerning access to certain birth-related records except for purposes of properly administering existing statutes.

VETOED May 23

H.B. 1384 Hazardous waste abandonment or spill - costs - right to claim reimbursement. Allows a public entity, political subdivision of the state, or unit of local government to claim reimbursement from the parties or persons responsible for the hazardous waste abandonment or spill for costs resulting from action taken to remove, contain, or otherwise mitigate the effects of such abandonment or spill. States that such right to claim reimbursement is in addition to any other right of recovery or subrogation arising under any other provision of law.

June 3

June 3

H.B. 1386 Costs for newborn screening and genetic counseling. Enables the executive director of the department of health or a hospital to charge the parent of an infant a reasonable fee for all services provided pursuant to the "Newborn Screening and Genetic Counseling and Education Act".

May 20

May 20

H.B. 1400 Individual sewage disposal systems - definition. Expands the definition of the term individual sewage disposal system to include an absorption system of any size or flow for the purposes of the "Individual Sewage Disposal Systems Act".

May 20

May 20

H.B. 1411 Voluntary adoption registry - limited access to birth information - fees - penalty for unauthorized release of information. Requires the implementation and maintenance of a voluntary adoption registry by the state registrar of vital statistics to facilitate voluntary contact between adopted persons, birth

parents, and relatives of deceased adopted persons and birth parents. Information which may be obtained by qualified applicants includes the name of the qualified adoptee before placement in adoption, the name and address of each qualified birth parent as it appears in birth records, the current name and address of the qualified adult adoptee, and the current name and address of each qualified birth parent. Prohibits the disclosure of the information acquired by the registry under any public records law or similar law or regulation. Authorizes the executive director of the department of health to set fees to be charged each person applying to the registry. Makes the unauthorized release of information obtained through operation of the registry a class 2 petty offense punishable by a fine of \$500.

June 15

June 15

- H.B. 1442 Handicapped children's program authorized. Authorizes the department of health to operate and maintain a handicapped children's program to provide and expedite provision of health care services to children who have congenital birth defects, who have acquired handicaps, or who are the victims of burns or trauma.

May 23

May 23

- H.B. 1520 Certificate of public necessity eliminated. Repeals the "Colorado Certificate of Public Necessity Act" pursuant to which the construction or modification of health care facilities were regulated.

VETOED May 27

- H.B. 1571 Sewage treatment works - commencement of construction - acquisition of land. Defines the term "commence construction" in regard to sewage treatment works to include the execution of, and commencement of work under contract for engineering design, plans and specifications for erection, building, alteration, remodeling, or other specified improvements to a sewage treatment facility.

Provides for the transfer and exchange of parcels of land between the Pueblo West Metropolitan District for land owned by the state and administered by the department of corrections. The purpose of such transfer and exchange is to provide a site for a sewage treatment

facility for said district.

June 10

June 10

HIGHWAYS AND ROADS

- S.B. 276 Transit planning - population less than 200,000.
Designates the state department of highways as the state agency authorized to administer federal funds for planning of transit projects in areas with a population under 200,000. Requires consideration of input from planning organizations and local governments to provide for a fair distribution of such funds.

June 15

June 15

- H.B. 1071 Vehicle combinations - operation on selected state highway segments. Authorizes the state department of highways to issue permits for the use of vehicle combinations of up to 105 feet in length over selected segments of the interstate highway system. Requires the department to promulgate rules and regulations governing the issuance of such permits. Specifies the permitted combinations of vehicles and designates those highways on which such vehicles are allowed.

April 21

April 21

- H.B. 1144 Highway rights-of-way - acquisition and disposition of property - assistance allowances. Provides that whenever the state department of highways acquires by purchase or condemnation a parcel of land, an excess right-of-way, or strips of parcels of land adjacent to federal-aid highways, the owner of the acquired land may elect to retain the mineral interests therein subject to the right to subsurface support retained by the department. Specifies that the owner who retains said mineral interests shall not disturb the surface of the acquired land.

Prohibits the state department of highways from acquiring an interest in land, a right-of-way, or an excess right-of-way that is not needed for the construction of a state highway or otherwise related to highway usage.

Increases the assistance allowances authorized to compensate a person displaced by the construction of a highway project. Increases the additional assistance payment authorized for the purchase of a comparable dwelling to \$15,000.

Removes the requirement of a minimum payment to a person displaced from his place of business or from his

farm operation as a result of acquisition of his property for a program or project for which federal financial assistance is available.

VETOED May 27

H.B. 1315 Advertising devices - places of cultural importance.
Allows advertising devices informing the traveling public of places of cultural importance to be erected along primary and secondary highways, provided they are in compliance with state law and the rules and regulations of the state department of highways. Requires the department to consult with the Colorado council on the arts and humanities and the Colorado historical society to determine places of cultural importance which are eligible to have such advertising erected.

June 10

June 10

INSTITUTIONS

- S.B. 94 Emergency treatment of the mentally ill. Adds specially qualified registered professional nurses to the class of professionals who are authorized to take into custody for evaluation and treatment those mentally ill persons who are in imminent danger to themselves or others.

May 23

May 23

- S.B. 111 Voluntary application for mental health services for minors - standard for need of treatment - review of need - definitions. Redefines "mentally ill person". Establishes a standard for admission and a procedure for providing mental health services to a consenting minor or to a minor whose parent or legal guardian applies for such services on his behalf. Requires that an interview and investigation be done on the minor by a independent professional person before admitting the minor for hospitalization, unless the minor is 15 years of age or older and seeks voluntary hospitalization on the recommendation of his treating professional person. Requires review of the need for continuing hospitalization of the minor every 2 months.

February 7

February 7

- H.B. 1125 State home and training school - change of name. Changes the name of the state homes and training schools at Wheat Ridge, Pueblo, and Grand Junction from "state home and training school" to "regional center" in order to reflect the function of these centers in providing services involving various types of mental illness and deficiency on a regional basis.

April 26

April 26

- H.B. 1401 Imposition or removal of legal disability - service of petition. Clarifies that all proceedings to impose or remove a legal disability shall be conducted by the district attorney of the county where the proceeding is held or by a qualified attorney acting for the district attorney. Provides that a petition filed in an action to remove a legal disability shall be served upon the facility where the person whose rights are affected resides, if any.

April 29

April 29

H.B. 1531 Mental health services - purchase by counties - taxing authority to raise revenue. Authorizes the board of county commissioners of any county or the city council of any city and county upon approval of the voters at an election to levy a tax of not more than 2 mills upon real property for the purpose of raising revenue to purchase mental health services from agencies approved by the department of institutions.

June 10

June 10

INSURANCE

- S.B. 145 Interest payable on life insurance benefits. Requires that interest be paid on lump sum life insurance benefits from the date of death to the date of payment of the lump sum benefit at an annual rate of at least 8%. Specifies various types of life insurance plans covered by this requirement.

June 10 July 1

- S.B. 168 No fault insurance coverage - persons eligible for medical care under the federal "Social Security Act". Deletes the provision which reduced no fault insurance coverage to the extent an injured person received medical care benefits under the federal "Social Security Act".

May 25 May 25

- S.B. 206 Colorado state employees group insurance - participation - state contribution. Amends the definition of "employee" in order to permit the Colorado state employees' and officials' group insurance board of administration to allow full group health insurance benefits for state employees on furlough leave. Allows the board flexibility to change benefits for active employees over age 65. Provides the board with more flexibility concerning major medical benefits in group insurance plan specifications. Changes the period of time in which the board shall solicit and receive bids on group plans from no less often than every 3 years to no less often than every 5 years. Authorizes the board to allow profit corporations to offer group insurance plans. Eliminates automatic enrollment in the state group plan, and instead requires the employee to apply for enrollment to the board within a prescribed time. Increases the amount the state of Colorado contributes for health or life insurance or both from \$43 to \$54 per month.

June 3 June 3

- S.B. 330 Motor vehicle insurance - minimum coverage. Increases the minimum legal liability coverage required by the no fault motor vehicle insurance law and the "Motor Vehicle Financial Responsibility Act" for any one accident as follows: From \$15,000 to \$25,000 for bodily injury or

death to any one person, from \$30,000 to \$50,000 for all persons, and from \$5,000 to \$15,000 for property damage.

May 23 July 1

H.B. 1086 Group life insurance - applicability of policy provisions. Changes the applicability of policy provisions concerning group life insurance from insured persons to certificate owners. Repeals the prohibition against individual selection for group life insurance.

March 16 March 16

H.B. 1153 Insurance companies - use of funds for political purposes. Eliminates the prohibition against the use of funds or property for political purposes by insurance companies and associations.

March 15 March 15

H.B. 1155 Investments of domestic insurance companies - approval. Requires the commissioner of insurance to approve reasonable plans for domestic insurance companies to invest in financial futures for hedging purposes.

April 21 April 21

H.B. 1215 Regulation of insurance companies - safekeeping of securities. Permits the use of clearing corporations and the federal reserve book-entry, as those terms are defined, by insurance companies in connection with the deposit and safekeeping of securities.

May 3 May 3

H.B. 1236 Nonprofit hospital and health service corporations - rates or dues - review procedures. Removes the provisions regulating the making of rates and the filing of rating information by nonprofit hospital and health service corporations, as well as those provisions requiring public inspection and publication of filings and requiring that hearings on such rates be conducted by the commissioner of insurance. Requires that rates, dues, and classifications of subscribers be filed with the commissioner of insurance along with benefit forms.

Requires the commissioner to approve such forms unless the filing does not comply with requirements of law or is deceptive, ambiguous, or misleading.

Makes medicare supplement policy subscription certificates or membership certificates subject to the same requirements, and makes a decision of the commissioner with respect to medicare supplement policies and rates subject to judicial review under the administrative procedures act.

April 5

April 5

H.B. 1248 Preneed funeral contracts - regulation of contract sellers. Substantially amends the definition of "contract" with respect to preneed funeral contracts and the requirements as to what such a contract must contain. Requires additional reports by contract sellers who are licensed to receive funds from contract buyers. Increases the cost of examinations of trust funds and places limits on disbursement from trust funds to sellers. Specifies what acts are deemed to constitute full performance of a contract.

June 10

July 1

H.B. 1453 Uninsured and underinsured motorists - offer of coverage. Requires a motor vehicle insurance carrier to offer higher limits of uninsured motorist coverage than is required by law before a policy is issued or renewed, unless rejected by the insured. States that the insured may request such additional coverage subsequent to an election not to purchase such coverage. Specifies the maximum liability of the insurer under the uninsured motorist coverage.

Requires that uninsured motorist coverage include coverage for damages by an underinsured motor vehicle. Defines an underinsured motor vehicle.

Applies to insurance policies issued or renewed on or after November 5.

May 4

November 5

LABOR AND INDUSTRY

- S.B. 184 State compensation insurance fund - credit dividends payable to policyholders. Entitles a policyholder of the state compensation insurance fund who fails to renew his policy for the period following the period in which credit dividends were earned to said credit dividend if he terminates his policy in good standing.

May 23 May 23

- S.B. 236 Workmen's compensation - exemption from coverage for corporate officers. Permits a corporate officer to elect to exclude himself from workmen's compensation coverage.

June 1 June 1

- S.B. 284 Damage to underground gas line - penalty for failure to notify the owner. Subjects any person who knowingly damages an underground gas line and fails to notify the owner, operator, or association of the location and extent of such damages to a civil penalty in an amount not to exceed \$1,000.

June 10 July 1

- S.B. 328 Colorado medical disaster insurance fund - payment awards. Raises the amount that the director of the division of labor may award in any one case out of the medical disaster insurance fund from \$35,000 to \$55,000. Makes such increased award applicable to the payment of covered medical expenses incurred on or after July 1, 1983.

June 1 June 1

- S.B. 386 Workmen's compensation - hearing and review process. Reorganizes and expands the provisions for hearing and review of disputes arising under the "Workmen's Compensation Act of Colorado".

May 25 July 1

H.B. 1094 Workmen's compensation - exemption of homeowners.
Exempts from the definition of "employer" under the "Workmen's Compensation Act of Colorado" any homeowner who employs persons for either domestic help or maintenance or repair work to or about the home, so that such homeowners need not carry workmen's compensation insurance or be strictly liable under the act for workers' injuries. Provides, however, that the exemption shall not apply when the homeowner employs such persons regularly on a full-time basis.

April 18 April 18

H.B. 1158 Unemployment compensation - conformity with the federal "Tax Equity and Fiscal Responsibility Act of 1982".
Amends the Colorado unemployment compensation statutes to conform to the requirements of the federal "Tax Equity and Fiscal Responsibility Act of 1982", including: Coverage for persons performing agricultural labor and for service performed as a direct seller engaged in the trade or business of selling; rounding of benefit payments to the next lower full dollar amount; determination of eligibility based upon services performed for an educational institution; and limitations on obligations for payment of administrative expenses from the federal unemployment trust fund.

Makes the provisions dealing with the rounding of dollar amounts effective on October 1, 1983.

April 12 April 12

H.B. 1164 Unemployment compensation - benefits - administration.
Clarifies the terms "employing unit" and "employment" as used in the unemployment compensation statutes. Redefines the term "payroll period". Provides that when the total amount of base period wages is less than \$500, separations from certain employers shall not be adjudicated. Makes the section requiring adjustments for other remuneration received not applicable to trade readjustment allowances received pursuant to the "Federal Trade Act of 1974".

Repeals and reenacts the division's practices and procedures with respect to collection of delinquent taxes or overpaid benefits. Allows an employing unit to recover money paid erroneously to the division up to 5 years, instead of 2 years, prior to filing for a refund. Allows the controller to charge a reasonable fee for the recoupment of benefit overpayments and to assess the actual cost of preparing a transcript for an

appeal.

Deletes the provision allowing the division to offset benefits received as a result of false representation or willful failure to disclose a material fact against future benefit entitlements. Repeals inconsistent provisions and the provision providing that service performed by an individual in the employ of a corporation of which he is the majority or controlling shareholder and an officer shall not be deemed to be employment.

June 3

June 3

- H.B. 1261 Boiler inspection - increase in fees - creation of boiler inspection fund. Increases fees for boiler inspection certification. Creates the boiler inspection fund and directs all moneys from inspection fees to be placed in the fund to be appropriated for paying the administrative expenses of such inspections. Authorizes the state treasurer to invest unused portions of the fund, interest thereon to accrue to the fund.

April 26

July 1

- H.B. 1271 Members of the industrial commission - terms - chairman. Reduces the terms of the commissioners from 6 to 4 years. Provides that one of the commissioners shall be appointed as chairman and shall receive an additional \$750 in annual salary.

June 10

July 1

- H.B. 1294 Division of labor - apprenticeship council - establishment of a level of training ratio. Directs the apprenticeship council within the division of labor in the department of labor and employment to establish a level of training ratio which allows an employer to employ an apprentice for each master or journeyman in his employment.

May 6

May 6

- H.B. 1347 Workmen's compensation coverage for students in cooperative education or internship training programs. Requires an educational institution placing a student in a cooperative education or student internship program

without pay from the employer to either insure such student under the institution's workmen's compensation and liability insurance or enter into negotiations with the employer to carry such coverage and for the reimbursement of the employer for the cost of such coverage.

April 29 April 29

- H.B. 1379 Authorization of payroll deductions for rent, board, and subsistence in connection with employment. Allows an employee to voluntarily authorize, without notarization, revocable payroll deductions for rent, board, and subsistence provided in connection with employment. Prohibits the making of such deductions as a condition of employment.

May 23 May 23

- H.B. 1382 State inspector of oils - funding authorization. Directs the general assembly to annually appropriate money from the highway users tax fund to the department of labor and employment for the operation of the office of the state inspector of oils in such amount as the general assembly may determine.

May 3 May 3

- H.B. 1435 Unemployment compensation - benefits - rate of tax - interest. Adds definitions of "taxable payroll" and "taxable wages" to the unemployment compensation statutes. Redefines "wages". Changes delinquency fines and interest assessed to persons subject to payment of unemployment compensation taxes. Requires the division of labor, in determining whether an employee is entitled to benefits for accepting a better job, to consider whether the worker has separated from the job under conditions which result in a full award. Requires the division to compute a tax rate, which shall be added to each employer tax rate as a surcharge, which shall represent the amount of benefits which have been paid and not charged to any active employer account. Directs the division to determine employer tax rates, which shall be paid at the standard rate or at the computed rate, whichever is higher.

Sets forth enforcement procedures and penalties for the division to utilize against any employer who has failed to file reports for a computation period or who

is delinquent in paying taxes. Amends the tax rate schedule for negative and positive excess employers. Redefines the terms "annual payroll" and "average taxable payroll". Increases the rate of interest on past-due taxes from 9% to 18%.

Revises the provision for determining the maximum weekly benefit amount.

VETOED June 11

H.B. 1465 High voltage power lines - safety requirements.
Restricts public access to areas near the high voltage lines of public utilities. Authorizes utilities to grant clearances for necessary work by others, and provides for payment to the utility for its expenses in constructing temporary clearances. Subjects violators to a civil penalty for failure to obtain clearance from the utility, which penalty may involve payment to the state, to the utility, or to third persons incurring property damage.

June 10 July 1

H.B. 1477 Residential building projects - handicapped access.
Requires the building of any residential project of 7 or more units to be preceded by a contract guaranteeing to the governing body of the locality that the project will contain the specific number of units statutorily required to be accessible and adaptable to the handicapped.

May 26 July 1

MILITARY AND VETERANS

S.B. 374 Colorado code of military justice. Establishes the Colorado code of military justice to apply to all members of the state military forces who are not in federal service. Includes provisions for: Courts-martial; trial procedures in courts-martial; sentencing; and punishable offenses. Parallels the organization of the code with that of the federal code of military justice.

June 10

June 10

MOTOR VEHICLES

- S.B. 57 Traffic offenses - alcohol-related - workmen's compensation coverage for persons sentenced to public service. Clarifies that governmental entities may provide workmen's compensation coverage for persons who are convicted of alcohol- or drug-related traffic offenses and who are required to perform useful public service. Requires the sentencing court to assess each person who will be so covered an additional penalty to defray the cost of maintaining a policy of workmen's compensation insurance or liability insurance covering such persons.

May 16

May 16

- S.B. 60 Four-wheel drive vehicles - use on restricted highways. Allows the state department of highways to treat four-wheel drive motor vehicles with adequate tires the same as motor vehicles with chains or snow tires with respect to allowing such vehicles to operate on an otherwise restricted state highway.

April 29

April 29

- S.B. 71 Overweight vehicles - penalties. Decreases the penalties for minor violations of the prohibition against operating overweight vehicles on public highways. Increases the penalties for serious violations of such prohibition.

May 25

July 1

- S.B. 75 Financial responsibility law - proof of insurance in a civil actions. Requires the executive director of the department of revenue, upon request in any civil action where the existence of uninsured or underinsured insurance coverage or the amount of such insurance is an issue, to issue a certificate identifying a driver who has been involved in an accident and evidencing the existence and amount of automobile liability insurance. Provides for reimbursement to the executive director for this service and for inclusion of such amount in costs of the action. Provides that such certificate shall be an exception to the confidentiality of accident reports for this limited purpose.

May 25

May 25

S.B. 92 Statewide distributive data processing system for motor vehicle registrations and titles. Authorizes the establishment of a statewide distributive data processing system for use in processing motor vehicle registration and title documents. Establishes a financing mechanism for such system through a reallocation of the specific ownership tax and an increase in and reallocation of fees assessed upon an application for a certificate of title or other transfer of a motor vehicle.

Appropriates \$1,209,648, out of the special purpose account in the highway users tax fund established by the act, to the department of revenue for implementation of the act.

June 1 June 1

S.B. 162 Equipment - mirrors - tinted windows - windshield wipers. Requires every motor vehicle to be equipped with a mirror or mirrors constructed and located so as to reflect to the driver a free and unobstructed view of the highway for a distance of at least 200 feet to the rear of the vehicle. Requires that a vehicle have exterior mirrors if: Such vehicle has no rear window and rear side windows or has a rear window or the rear side windows treated with a material making such windows nontransparent, such vehicle is towing another vehicle or trailer, or such vehicle is carrying cargo which obstructs the rear view of the driver. Makes the failure to have such mirrors a class B traffic infraction. Prohibits the covering of the front and the driver's side windows of a vehicle with any material which has a mirrored appearance or which darkens a window so as to make a person inside of the vehicle not easily recognizable or identifiable. Authorizes the use of tinted windshields if the nontransparent material extends no more than 4 inches from the topmost portion of the windshield and does not affect the driver's vision or the vision of other drivers. Requires that the windshield on every motor vehicle be equipped with a wiper or similar device. Makes violations of such provisions a class B traffic infraction.

June 1 January 1, 1984

S.B. 229 Specific ownership taxes - allocation of the credit. Permits the credit allowed for specific ownership taxes

paid on personal property to be applied by the owner-transferor of the property to any subsequent taxes paid by the owner during the registration period of the transferred personal property or to the transferee of such property. Requires, however, that when the transferee is a dealer in new or used vehicles such transferee must account to the owner-transferor for any assignment of the credit.

May 25 July 1

- S.B. 325 License plate holders access to records. Requires a person seeking to determine the identity of an owner of a motor vehicle by use of a license plate to provide the department of revenue with his name, address, and driver's license number or social security number. Authorizes the department of revenue to charge a \$2 fee for such service. Exempts peace officers and employees of corporations which are gathering information concerning the automotive industry and which hold a contract with the department of revenue.

June 1 July 1

- S.B. 382 Unsafe vehicles - penalty for operation. Increases the penalty for the operation of an unsafe vehicle to \$100. Reduces such fine to \$5 if the owner repairs the unsafe condition or provides the court with evidence of the disposal or immobilization of the vehicle within 30 days after issuance of the summons. Reduces the fine to \$5 for a nonowner-operator who proves that he was not the owner of the unsafe vehicle and that he has notified the owner of the unsafe condition.

June 3 July 1

- S.B. 397 Special permits for motorcycles used in prearranged organized special events. Provides that, for the purposes of a prearranged organized special event and upon a showing that safety will be reasonably maintained, the state department of highways may grant a special permit exempting the operation of a motorcycle from requirements otherwise applicable.

May 26 May 26

- H.B. 1070 Child restraint systems - required. Requires use of

child restraint systems for children under 4 years of age and weighing under 40 pounds who are passengers in privately-owned noncommercial motor vehicles driven by resident drivers. Imposes a penalty of \$25.00 for violations. Requires that such systems sold in Colorado meet applicable federal motor vehicle standards.

June 3

January 1, 1984

- H.B. 1108 Driving a motor vehicle without a valid unexpired license - classification - penalty. Conforms the penalties for driving with no license and driving with an expired license for one year or less by classifying both offenses as misdemeanors with a \$15 fine. Conforms the penalties for a second offense of driving with no license and driving with a license expired for more than one year.

March 3

July 1

- H.B. 1110 Driving under a denied, suspended, or revoked license in an emergency - penalty. Clarifies that the mandatory jail sentence for driving with a denied, suspended, or revoked license does not apply if a court finds that a defendant had to drive because of an emergency. Authorizes the court to impose a jail sentence and a fine in such circumstances and sets forth the maximum fine and jail sentence.

April 18

April 18

- H.B. 1121 Special license plates - former prisoners of war. Exempts one motor vehicle owned by each former prisoner of war from imposition of the annual specific ownership tax. Eliminates fees for special license plates for such vehicles of former prisoners of war. Requires the department of revenue to notify former prisoners of war of the availability of such free license plates.

May 25

May 25

- H.B. 1124 Duties of drivers involved in accidents - penalty. Repeals a penalty provision which conflicted with another penalty provision, relating to the duties of drivers involved in accidents.

March 15

March 15

H.B. 1167 Proof of motor vehicle insurance coverage. Rewrites provisions on proof of mandatory motor vehicle insurance. Provides that testimony of the failure of an owner or operator to present immediate evidence of such insurance, when requested to do so by a peace officer, shall constitute prima facie evidence of a violation of the provisions which prohibit the operation of a motor vehicle without having mandatory motor vehicle insurance.

April 21 July 1

H.B. 1213 Used motor vehicle sales - mileage disclosure. Includes wholesalers within the definition of used motor vehicle dealers. Requires that affidavits from a private sale to a dealer bear a printed warning that it is a class 1 misdemeanor to knowingly give a false statement concerning mileage. In transactions between dealers, requires mileage affidavits from both the previous owner and the dealer. Increases the criminal penalty for odometer violations to a class 1 misdemeanor and makes such classification apply to all offenses concerning disclosures required in used motor vehicle sales. Increases the minimum civil penalty for intentional fraud in such sales from \$1,500 to \$3,000.

March 15 July 1

H.B. 1241 Automobile inspection and readjustment program - local enforcement - definition of "motor vehicle" - appropriation. Permits any municipality, city, county, or city and county within the automobile inspection and readjustment program area to adopt ordinances or resolutions pertaining to the enforcement of such program and to enforce such ordinances or resolutions through the issuance of penalty assessment notices.

Expands the definition of "motor vehicle", as applicable to emissions inspections, to include any motor vehicle having a personal property classification of A, B, or C, and having an empty weight of 10,000 pounds or less, as specified on its vehicle registration.

Appropriates \$12,181 out of any moneys in the AIR account the highway users tax fund not otherwise appropriated to the department of revenue for implementation of the act.

June 1 January 1, 1984

H.B. 1249 Cost of single-trip permits for trucks. Increases the fees for single-trip permits for trucks operating over Colorado highways.

May 10

July 1

H.B. 1287 Traffic offenses - alcohol- or drug-related. Makes numerous changes in the law, including the following:

Establishes a new offense of driving with excessive alcohol content of 0.15 or more grams of alcohol as shown by chemical testing (known as the "per se" offense); limits the evidence which may be introduced by the defense; provides the same penalties and point assessment as for driving while under the influence (DUI).

Replaces the implied consent law with express consent, with the limitation that no one may be physically restrained for testing purposes; delineates the tests for drug content; provides that the refusal to take a test may be admissible into evidence at a subsequent trial.

Establishes a new offense of driving while impaired by a controlled substance or drug; provides the same penalties and point assessment as for driving while impaired by alcohol.

Requires the automatic suspension of the driver's license of a person convicted of DUI or the "per se" offense, and that the court take possession of such license immediately upon conviction; provides for a hearing on the suspension if one is requested.

Provides for an automatic, minimum one-year revocation of the driver's license of a person who refuses to take a chemical test or who drives with an excessive alcoholic content as shown by chemical testing; authorizes revocation for the "per se" offense solely on the basis of the results of chemical testing with no dependence on ultimate conviction of the offense; authorizes the arresting officer to give notice of revocation and to take possession of the arrestee's license; establishes hearing procedures if a hearing is requested; requires that a revocation for refusal to take the chemical test run consecutively with any suspension or revocation resulting from a conviction on charges arising out of the same incident; prohibits the issuance of a probationary license.

Establishes a time limitation for collateral attacks of convictions of alcohol- or drug-related traffic offenses.

Designates the persons who may draw blood samples in vehicular homicide and vehicular assault cases when alcohol is involved; limits the civil liability of such persons.

Adds the "per se" offense as a compensable crime under the "Crime Victim Compensation Act".

May 23

July 1

H.B. 1316 Permits for movement of oversize and overweight vehicles. Generally reorganizes and simplifies provisions for the movement, under permit, of oversize and overweight vehicles, including mobile homes. Authorizes issuance of annual permits to move mobile homes. Requires movers to show proof of liability insurance for movement of mobile homes, and to maintain records of mobile homes moved for 3 years. Prescribes more stringent procedures regarding payment of ad valorem taxes before movement of a mobile home. Specifies fees for movement of oversize and overweight loads, and states that local authorities may impose additional fees for such movements. Requires the state highway commission to adopt rules for the administration of movements of oversize and overweight vehicles on state highways and for the issuance of permits therefor. Requires submission of such rules to the general assembly. Requires permits issued by local authorities to be in accordance with ordinances and resolutions of the local authority which have been adopted after notice and hearing.

June 15

July 1

H.B. 1356 Law enforcement assistance fund for the prevention of alcohol- and drug-related traffic offenses - allocation of moneys. Directs that 80% of the moneys in the law enforcement assistance fund for the prevention of alcohol- and drug-related traffic offenses be appropriated by the general assembly to the division of highway safety to be distributed to municipalities, cities, and counties having a qualified drunken driver prevention and law enforcement program. Directs the general assembly to appropriate 20% of the moneys in the fund to the division of alcohol and drug abuse in the department of health to be used to establish a statewide program for the prevention of driving after using drugs

or alcohol. Permits said divisions to use specified percentages of the moneys allocated to them to recover the costs incurred in administering such programs.

June 15

June 15

H.B. 1370 Minor traffic offenses - penalties - procedures.

Permits the clerk of the county court to accept admissions of liability and fines for traffic infractions. Permits county judges who are not attorneys to act as traffic referees. Amends the penalty section for traffic offenses to: Eliminate conflicting or confusing language; add to the penalty assessment schedule all traffic infractions in order to activate the penalty assessment notice procedures; and require traffic infraction violators to pay a docket fee with their penalty if they pay before their appearance time but not within the prescribed 10 days. Makes numerous changes in the amount of the penalty to be assessed and makes such assessments effective July 1, 1984.

Provides that the mail-in penalty assessment notice procedures shall not be available to violators of "no driver's license in possession" (42-2-113), "misuse of restricted license" (42-2-114), "fraudulent or intentional misuse of driver's license" (42-2-128), "no registration" (42-3-102 (1) and (4) (a)), "attachment of license plates" (42-3-113), and "expired plates or temporary permit" (42-13-114(1) and (3)) provisions.

Amends provisions concerning traffic infraction hearings to clarify that when a crime and a traffic infraction are charged in the same complaint, any court, including a district court, having jurisdiction may hear the issue. Clarifies language relating to notice to appear for infractions.

Requires any person who fails to pay a penalty assessment to appear at a hearing on the date and time specified on the citation. States that failure to appear at a hearing will result in a judgment being entered against the violator. Upon entering of a judgment against a violator, requires the violator to be assessed an appropriate penalty, a docket fee of \$8, and other costs.

June 15

July 1

H.B. 1390 Traffic hazard lights - use. Permits the use of flashing vehicular traffic hazard lights while a vehicle

is being operated at a speed of 25 mph or less.

June 15

June 15

H.B. 1407 Motor vehicles - height, width, and length limitations - wheel and axle loads. Increases the maximum permitted width of any vehicle from 96 to 102 inches. Exempts truck, tractor-semitrailer combinations from the overall length limitations when the semitrailer is 48 feet or less in length and truck tractor-semitrailer-trailer combinations when both the semitrailer and the trailer are 28 feet or less in length. Establishes a tandem axle load limit of 36,000 pounds for highways in the interstate system and 40,000 pounds for highways not in the interstate system. Defines single axle and tandem axle.

April 28

April 28

H.B. 1450 Vehicles - presumption of abandonment. Requires that any vehicle left unattended on property other than public rights-of-way be so left for a period longer than 24 hours before it shall be presumed to be abandoned. Requires a sign on commercial locations indicating that abandoned vehicles will be towed.

May 23

May 23

NATURAL RESOURCES

S.B. 29 Snowmobile registration - fees - use of fees collected - disposition of fines - penalties - penalty assessments. Provides that the division of wildlife shall use snowmobile dealers as licensing agents for snowmobile registration, and that every dealer shall require a registration application for each new or used snowmobile sold, except for those machines for use exclusively outside of Colorado.

Establishes an increasing schedule for original and renewal registration fees for owners. Also increases the fee for a replacement certificate or validating date tag. Increases the registration fees for dealers, depending on the number of snowmobiles sold in the prior year, and sets the fee for manufacturers at \$25 per year. Increases the fees for special and annual special permits to operate an unregistered snowmobile owned by persons from another state or country. Provides that any fees collected in excess of \$5 per original or renewal registration shall be used exclusively for direct services and not administrative costs.

Allocates moneys collected for fines between the state general fund and the snowmobile recreation fund. Prohibits operating a snowmobile on a maintained roadway and sets the penalty assessment at \$15. Repeals the requirement for a special race permit.

April 22

April 22

S.B. 104 Natural areas program - continuation. Continues the natural areas program until July 1, 1989. Makes various amendments to the "Colorado Natural Areas Act", including the addition of a definition of "inventory". Clarifies the procedures for inventorying natural areas, including them in a registry, and designating them as natural areas.

May 12

May 12

S.B. 207 Audits of oil, gas, and mineral rents and royalties and mill levy revenues - appropriation. Authorizes the state auditor to conduct or cause to be conducted audits of oil, gas, and mineral rents and royalties and the mill levy revenues from oil and gas production accruing to the state from federal, state, and private lands. Provides for the annual funding of such audits from the

revenues recovered as a result of such audits during the prior fiscal year.

Appropriates \$122,921 to the office of the state auditor for the fiscal year commencing July 1, 1983, out of the revenues recovered during the 1982-83 fiscal year.

June 1

June 1

- S.B. 298 Wildlife related offenses. Increases the penalty for hunting, fishing, or trapping on private property without the permission of the owner or person in charge from \$50 to \$100 and provides for automatic suspension of the violator's license for up to 3 years. Also makes it unlawful and subject to the same penalties to post public lands as though privately owned.

May 25

May 25

- S.B. 390 Geothermal resources - appropriation - development. Removes the jurisdiction of the oil and gas commission over the development of geothermal resources and places jurisdiction under the state engineer. Revises most provisions including provisions on ownership of a geothermal resource, which ownership is declared to be a public resource if it is found in association with geothermal fluid which is tributary groundwater. Sets forth procedures for the appropriation of a geothermal resource and its relationship to other water rights. Authorizes the state engineer to establish geothermal management districts and to delegate his authority to such districts.

Declares that geothermal heat suppliers are affected with a public interest and subject to the jurisdiction of the public utilities commission, but limits such jurisdiction.

Sets forth the criteria upon which a geothermal heat supplier may obtain an operating permit from the commission. Exempts from the jurisdiction of the commission municipalities and counties supplying geothermal heat within their boundaries and wholesale suppliers of geothermal heat.

June 10

June 10

- H.B. 1099 Colorado joint review process - creation - duties.

Creates the Colorado joint review process in the department of natural resources, with the duty to initiate project coordination procedures when the sponsor of a natural resource extraction, conversion, transportation, or management project submits a written request. Sets forth the criteria for such coordination procedures.

Terminates the Colorado joint review process on July 1, 1987, unless renewed by the general assembly.

May 10

May 10

H.B. 1115 Privately owned recreational land - liability. Limits the liability of owners of land used for recreational purposes by: Specifying that the definition of "owner" means the possessor of any interest in land and includes public entities; reducing the number of possible plaintiffs by extending the definition of "persons" who may be injured upon the land and from whom immunity is granted to include any form of legal entity; and enumerating additional activities which qualify as "recreational purposes".

March 17

March 17

H.B. 1133 Statutory changes resulting from termination of licensing of guides and outfitters. Repeals various statutory provisions to conform to the termination of the following powers, duties, and functions of the division of wildlife relating to the licensing of outfitters, guides, and assistant guides: Requiring periodic review of said functions, imposing the outfitters' license fee, allowing assessment of points for acting without a license, and relating to licensing and outfitters generally.

April 21

April 21

H.B. 1253 Wildlife licenses - increase in fees - miscellaneous provisions. Increases big game, small game, and fishing license fees. Establishes a bonus trout stamp, a resident moose license, resident and nonresident spring bear licenses, and nonresident bighorn sheep and Rocky mountain goat licenses. Eliminates licenses for dog field trials and falconry field meets and creates a field trial license. Eliminates licenses for outfitters, dog trainers, dog training trials, certificates of lawful possession, and bird banding.

Eliminates commercial big game hunting and controlled shooting area licenses and requires persons operating such areas to obtain a commercial wildlife park license. Eliminates commercial retail and wholesale fishing licenses and requires persons engaged in wholesale and retail fishing to have a commercial fishing license. Repeals provisions on wildlife conservation stamps. Permits an increase in the fee for any license not specified in the fee schedule. Moves provisions pertaining to licenses and stamps to the section in which the fee schedule is set forth. Repeals provisions pertaining to licenses which are eliminated or which are included in other license provisions. Makes conforming amendments and repeals.

June 1 January 1, 1984

H.B. 1313 Hunting licenses - landowner preference. Extends the existing landowner preference for hunting to include elk and deer and makes changes in the qualifications for such preference. Allows the transfer of such landowner preference to other persons if application therefor is made at the same time as the preferred license application.

April 26 January 1, 1984

H.B. 1342 Colorado water conservation board - meetings. Specifies that 2 voting members of the Colorado water conservation board may call a special meeting of the board and that 6 voting members shall constitute a quorum and bind the board on any vote.

April 29 April 29

H.B. 1361 State board of land commissioners - administrative costs. Requires that 5% of income derived from the sale or lease of state lands under the control of the state board of land commissioners be used for administrative costs of the board. Creates the state land board administration fund. Directs the general assembly to appropriate moneys from the fund to pay for such costs. Allocates remaining money in the fund to other trust funds under the control of the board in proportion to the amount that would have gone into such trust funds but for their allocation to the state land board administration fund.

Repeals such provisions, effective June 30, 1986.

May 10 July 1

H.B. 1449 Mined land reclamation - limitations on authority to preempt land use regulations. Specifies that nothing in the "Colorado Mined Land Reclamation Act" shall be construed to preempt zoning and land use authority and regulation by political subdivisions pursuant to their statutory authorization.

May 25

May 25

H.B. 1572 Colorado geological survey - authorization to charge fees - annual budget request - creation of geological survey cash fund. Authorizes the Colorado geological survey to enter into agreements to provide services to the general public, industries, and units of local government and to establish and collect fees for services rendered pursuant to such agreements or on items required by statutes to be submitted for review. Prohibits the survey from directly competing with consultants by entering into contracts with the general public and industries for providing geological and related services.

Directs the Colorado geological survey to propose, as part of its annual budget request, an adjustment in the amount of each fee charged to approximate direct costs, and to recoup funds received by any supplemental appropriations received in the prior year. Creates the Colorado geological survey cash fund.

June 15

July 1

PROFESSIONS AND OCCUPATIONS

- S.B. 44 Limited winery liquor licenses - reestablishment.
Reestablishes the class of limited winery liquor licenses for wineries manufacturing up to 100,000 gallons of wine annually with not less than 75% Colorado-grown products. Authorizes limited wineries to sell wine of their own manufacture at wholesale or retail in or out of Colorado. Sets a fee for a limited winery license. Imposes a separate excise tax on limited wineries' products.

May 25 July 1

- S.B. 66 Podiatrists - standards of conduct. Conforms the statutes relating to what constitutes unprofessional conduct for podiatrists with the statutes in the "Colorado Medical Practice Act" relating to unprofessional conduct for physicians. Amends provisions relating to disciplinary proceedings against both physicians and podiatrists by adding internal references to the definition of unprofessional conduct of podiatrists.

April 29 April 29

- S.B. 68 Abstractors - statutory changes resulting from the termination of abstractors' board of examiners. To conform with the termination of the abstractors' board of examiners under the sunset provisions, deletes references in the statutes to licensed abstractors and abstract companies; repeals the article which created the abstractors' board and establishes licensure requirements for abstractors; repeals a section concerning the furnishing of abstracts by county clerks and recorders or licensed abstractors; and repeals other related provisions.

May 16 May 16

- S.B. 82 Optometrists - certification for use of pharmaceutical agents. Authorizes the use of specified pharmaceutical agents by licensed optometrists who are certified to have attended a minimum number of classroom hours of study thereon and have successfully completed a course in cardiopulmonary resuscitation as well as a written and clinical examination approved by the board. The specified agents may be used for eye examination

purposes only and not for any therapeutic purpose. An optometrist can be found guilty of unprofessional conduct for failure to refer to a physician a patient who exhibits symptoms of an eye disease or disorder which may require treatment by a physician.

June 10 July 1

- S.B. 84 State electrical board - regulatory authority. Extends the period for renewal of electrical licenses from January 15 to February 28 of the renewal year. Extends such renewal to every 2 years instead of every year. Establishes standards for assessment of inspection fees. Applies to licenses issued on or after July 1, 1983.

May 4 May 4

- S.B. 91 Mobile home dealers - recovery fund - subrogation rights. Subrogates mobile home dealers who are subject to fund assessment to the rights of a judgment creditor or corporate surety who has been paid from the mobile home recovery fund. Allows the board to authorize payment of legal fees and costs of a dealer or group of dealers effecting fund recovery up to the amount recovered. Requires dealers attempting to effect fund recovery to first obtain the permission of the court which ordered payment from the recovery fund. Also requires notice to the board and to the attorney general who may object to the application on the ground that the dealer collection efforts would be duplicative or a hindrance to the board, or would not adequately represent the purposes of the recovery fund.

May 25 May 25

- S.B. 93 Directors of professional service corporations for the practice of medicine - terms of office. Allows a professional service corporation for the practice of medicine to provide in its articles of incorporation or bylaws that the directors of such corporation may have terms of office of up to 6 years. Provides that the directors may be divided into either 2 or 3 classes, each class to be as nearly equal in number as possible, with the terms of each class staggered to provide for the periodic, but not annual, election of less than all the directors.

May 16 May 16

S.B. 131 Graduates of foreign dental schools - applications for licensure. Provides that a person who has received a degree of doctor of dental medicine or doctor of dental surgery from a foreign dental school is eligible for licensure to practice dentistry if he meets specified requirements, including the following: Passage of the examinations given by the national board of dental examiners, satisfactory completion of a preclinical dental examination conducted by the university of Colorado school of dentistry, passage of the examinations given to other applicants by the state board of dental examiners, and satisfactory completion of a one-year probationary period of dental practice under the supervision of a licensed dentist.

May 23

May 23

S.B. 141 Practice of medicine - relicensure - continuing medical education requirements. Removes the requirement that the Colorado state board of medical examiners prescribe 2 or more alternative methods by which applicants for relicensure to practice medicine may complete continuing medical education requirements.

Also removes the requirement that such applicants for relicensure complete continuing medical education programs, but provides that the board may require completion of such programs to correct deficiencies of training or education as determined by a disciplinary hearings panel.

May 20

May 20

S.B. 143 Electrical inspection of mines - exemption. Clarifies that electrical inspections of property used in, around, or in conjunction with any mine are to be the responsibility of the mining inspectors of the division of mines or federal inspectors.

May 10

May 10

S.B. 147 Licensure of physicians providing medical services to olympic athletes. Provides that physicians may be granted a temporary license to practice medicine in Colorado for providing medical services to athletes or team personnel training at the olympic training center or competing in an event sanctioned by the United States olympic committee. Permits the granting of such a license if the olympic committee invites the physician

to provide such medical services for a specified period of time and the committee certifies to the Colorado state board of medical examiners that the physician is licensed to practice medicine in another state or territory.

May 26

May 26

- S.B. 152 Delegated medical services - physician assistants. Provides for the certification of physician assistants by the state board of medical examiners. Permits licensed physicians to delegate to certified physician assistants the authority to perform acts which constitute the practice of medicine to the extent and in the manner authorized by rules and regulations of the board. Requires that delegated medical services be performed under the personal and responsible direction and supervision of a licensed physician. Prohibits physicians from using more than 2 physician assistants at any one time without approval of the board. Allows physician assistants to prescribe drugs on a case by case and per patient visit basis as approved by the supervising physician, and to dispense only such drugs as designated by the board. Prohibits physicians from delegating to physician assistants the performance of medical services in a hospital or nursing care facility without the authorization of the governing board of such hospital or facility.

Amends an existing provision which allows physicians to delegate the authority to perform medical services to unlicensed persons to require that such unlicensed persons be qualified by experience, education, or training to perform the delegated medical service. Prohibits the delegation to such persons of the authority to prescribe drugs.

June 3

January 1, 1984

- S.B. 159 Mobile home dealers - licenses and fees. Makes various amendments to the mobile home dealers law, including the following: Provides grounds for the removal of any board member; authorizes the board to adopt rules for informal settlement of complaints against dealers; changes types of dealers' licenses to individual and corporate; changes fees for dealers' licenses; requires all places of business of dealers to be devoted principally to commercial purposes; specifies breach of a fiduciary duty of a dealer as grounds for action on his license;

and requires dealers acting as agents to make disbursement from escrow accounts within 30 days.

June 10 July 1

- S.B. 165 Employment agencies - regulation - repeal. Repeals provisions on the licensing of private employment agencies and theatrical agencies. Adds provisions concerning fees paid to a private employment agency by an applicant and the termination of employment, and makes it a misdemeanor for an agency or employee to knowingly violate such provisions.

June 10 June 10

- S.B. 182 Bingo and raffles - suppliers of equipment certified - change in fee due state. Prohibits any supplier who furnishes equipment for bingo and raffles, and any agent, employee, spouse or child thereof, from conducting or assisting in the conduct of games of chance or in preparing any form pertaining to such games. Changes the percentage of game proceeds due the state.

VETOED June 10

- S.B. 188 Veterinarians - board meetings - licensure. Requires the board to meet at least once each quarter rather than once each year. Subjects meetings of the board to the requirements of the open meetings law. Authorizes issuance of temporary practice permits by the board at regularly scheduled meetings. Provides for biennial rather than annual license renewal. Authorizes the board to deny a license to any applicant for actions which would be grounds for disciplinary action by the board if committed by a Colorado-licensed veterinarian.

June 10 July 1

- S.B. 201 Liquor code - optional premises involving outdoor sports and recreational facilities. Authorizes the sale of liquor by the drink on "optional premises", where an outdoor sports and recreational facility is located or

where a holder of a hotel and restaurant license has related outdoor sports and recreational facilities. Permits the approval of an optional premises license only if the county or municipality has adopted specific standards for such approval. Requires 48 hours' written notice to state and local licensing authorities before alcoholic beverages may be served on the optional premises.

May 25 July 1

- S.B. 202 Payment of a real estate finder's fee or commission.
Permits a licensed real estate broker to pay a finder's fee or share of his commission to a real estate broker licensed in another country or, if the country does not license real estate brokers, to a citizen of such country who represents that he is in the business of selling real estate in such country.

May 20 May 20

- S.B. 203 Optometry - unprofessional conduct - definition.
Changes the standard of unprofessional conduct for the purposes of the practice of optometry from gross incompetence to incompetence and adds new elements which constitute unprofessional conduct, such as substandard care, criminal conviction, deceptive or fraudulent statements and conduct, and immoral conduct.

June 1 July 1

- S.B. 287 Practice of law by law school interns in the public sector - conditions. Specifies in which courts and tribunals and under what circumstances a law student intern may appear and practice law in the public sector. Sets forth requirements for eligibility for a law student intern and qualifications which must be met by his supervising lawyer.

Requires that the dean of the intern's law school certify that the student has completed a minimum of 2 years of legal studies, is a student in good standing, and the dean has no knowledge that the student is not of good character. Requires that such certification be filed with the supreme court, and specifies its length of effectiveness and how it may be withdrawn or terminated.

June 1 July 1

S.B. 310 Issuance of a special event permit to qualified political candidates. Allows political candidate who has filed the necessary reports with the secretary of state to apply for a special event permit for the sale of alcoholic beverages.

May 25

May 25

S.B. 323 Podiatrists - licensing and examinations. Permits the podiatry board to set the passing score for licensure examinations. Requires that applicants be identified by number, and not by name, when taking the examination. Amends provisions for waiver of licensing examination by: Reducing the minimum age for waiver from 25 to 21 years; requiring that the applicant for licensure not have been convicted of a crime rather than be found of good moral character; requiring that the applicant's previous license not have been revoked or suspended and that the applicant have been engaged in full-time practice in another jurisdiction for 3 of the 5 years preceding application for licensure in Colorado; and eliminating the requirement that the applicant's previous state of licensure grant reciprocity to Colorado-licensed podiatrists.

June 10

June 10

S.B. 404 Racing - betting couriers. Prohibits courier services for pari-mutuel wagering, and empowers the racing commission to take court action to have such services enjoined.

May 25

May 25

S.B. 407 Regulation of gambling by liquor-licensed nonprofit organizations. Directs the department of revenue to promulgate rules governing the conduct of gambling, under permit or license, by nonprofit organizations holding a license to sell liquor at retail. Directs the department to set fees to regulate such gambling, and allocates such fees between the department and local licensing authorities. Requires local licensing authorities to use their share of fee moneys for training and support of local law enforcement agencies. Orders the department to deposit its share of fee moneys in the general fund. Makes a violation of the law

governing gambling under permit a class 4 felony.

June 3 July 1

H.B. 1018 Collection agency board - continuation. Continues the collection agency board until July 1, 1985, pursuant to provisions of the Sunset Law.

March 15 March 15

H.B. 1028 Fermented malt beverage - definition. Defines "fermented malt beverage" to mean any fermented beverage containing not less than .5% nor more than 3.2% alcohol by weight.

March 15 July 1

H.B. 1072 Transient dealers. Repeals statutes providing for the regulation and licensing of transient dealers.

March 16 July 1

H.B. 1082 Alcoholic beverages - special event permits for premises having an arts license. Allows the state licensing authority to issue a special event permit for the purpose of selling alcoholic beverages even though the event is to be held on premises for which an arts license has already been issued.

May 4 May 4

H.B. 1089 Dealer licensing board - continuation. Continues the motor vehicle dealer licensing board to July 1, 1993, pursuant to provisions of the Sunset Law.

March 15 March 15

H.B. 1098 Barber and cosmetology examination applicants - health certificate. Eliminates the requirements that an applicant for the barber and cosmetology examination submit a health certificate issued by a regularly licensed physician.

April 29 April 29

H.B. 1107 Mortuary science board - termination - statutory revisions. Repeals obsolete provisions concerning the creation, membership, meetings, and powers and duties of the mortuary science board, as well as licensure requirements for mortuary science practitioners and funeral establishments. Repeals provisions for trainee programs, deletes all references to the word "licensed", and changes "licensed practitioner" to "mortuary science practitioner", and defines "embalming". Repeals requirements for keeping records and for obtaining permits for transporting bodies since similar provisions are required by the department of health.

April 22 April 22

H.B. 1138 Chiropractors - licensure by reciprocity. Changes the requirements for the licensing of a person to practice chiropractic in this state when such person is licensed in another state. Eliminates the requirement that such person take the license examination, and instead, requires that he have a valid out-of-state license, possess qualifications equivalent to Colorado's requirements for licensure by examination, have been engaged in full-time practice or have taught general clinical chiropractic subjects for 3 of the preceding 5 years, and have not been convicted of a crime which would be grounds for refusal, suspension, or revocation of a license to practice chiropractic in Colorado.

April 26 July 1

H.B. 1160 Notary publics - information on notarization. Makes changes in the information contained in notarization statements, such as requiring the name of the county in which the notarization occurs and the expiration date of the notary's commission.

May 23 May 23

H.B. 1194 Real estate brokers and salesmen. Eliminates the requirement that the real estate commission vote on the issuance of each new license. Requires a person taking an examination for licensure to file the appropriate application for licensure with the commission within 150 days after taking the examination. Permits license renewal on every third anniversary date if the

commission establishes such a procedure by rule and regulation. Shortens the period in which an expired license may be reinstated from 2 years to 6 months following expiration. Allows the commission to dispose of records after 7 years. States that a real estate broker or salesman need not submit to the commission any pleadings involving him in his professional capacity unless requested by the commission. Clarifies provisions relating to administrative proceedings. Authorizes the commission to seek an order enjoining any act constituting a violation of the law regulating real estate brokers and salesmen.

April 26

April 26

- H.B. 1200 Definition of marihuana. Redefines marihuana to include the following formerly-exempted items: The mature stalks of the plant and any other compound, manufacture, sale, derivative, mixture, or preparation of the mature stalks, fiber, oil, or cake of the plant.

May 4

July 1

- H.B. 1265 Horse racing - license fees - fair circuit and other nonprofit licensees. Beginning July 1, 1983, distinguishes fair circuit licensees from other nonprofit licensees by identifying fair circuit racers as those conducting racing no more than 12 days each year. Places fair circuit licensees in the same fee category as fairs by requiring both types of licensees to pay 4% of gross pari-mutuel receipts to the racing commission but also allows such licensees to retain an additional 4% of such receipts above the statutory limit of 18 1/2%. Requires nonprofit organizations conducting racing more than 12 days each year to pay a 1% fee or the costs of their regulation, whichever is greater. Requires that any revenue from the 1% fee which is in excess of the costs of regulation be used to offset the racing commission's costs of regulating the fair and fair circuit licensees.

Suspends the 3 1/2% license fee which would otherwise have applied to the fair circuit licensees racing before July 1, 1983.

March 22

March 22

- H.B. 1328 Architect's license - examination. Removes the requirement that an applicant who does not have a

professional degree pass an examination developed or adopted by the Colorado state board of examiners of architects.

April 21 April 21

H.B. 1336 Alcohol and drug abuse counselors - certification fees - fund created. Requires the state board of health to promulgate rules and regulations establishing fees to be charged for certification of alcohol and drug abuse counselors. Requires that such fees be sufficient to cover a portion of the costs of administering certification, testing, and training of such counselors. Creates the alcohol and drug abuse counselor certification fund, and requires that certification fees be deposited in the fund. States that moneys in the fund shall be subject to annual appropriation by the general assembly to the department of health for the administration of alcohol and drug abuse counselor certification requirements.

Appropriates \$24,000 out of the alcohol and drug abuse counselor certification fund to the department of health for implementation of the act.

June 1 July 1

H.B. 1357 Commercial driving schools - Exclusion of private occupational schools. Exempts private occupational schools offering programs approved by the state board for community colleges and occupational education from the definition of "commercial driving schools".

May 4 May 4

H.B. 1409 Outfitters - licensure - regulation. Creates the Colorado outfitters' licensing board in the division of registrations in the department of regulatory agencies. Defines an outfitter to be any person soliciting to provide or providing, for compensation, facilities, guide services, or transportation for the primary purpose of hunting, fishing, or taking protected wildlife and fish. Requires that an applicant for an outfitter's license be a resident of Colorado, 18 years of age or older, be a holder of a valid first-aid instructor's card or standard first-aid card issued by the American Red Cross, and never have been convicted of a felony. Makes the failure to obtain a license, when required, a class 2 misdemeanor and upon a second or

subsequent conviction, a class 1 misdemeanor.

Appropriates \$49,896 to the department of regulatory agencies for implementation of the act.

Provides for the repeal of the act effective July 1, 1985.

June 3 July 1

H.B. 1474 Additional racing days for animals other than horses - appropriation. Authorizes an additional day of racing for race meets for animals other than horses. Authorizes an additional charity day of racing for licensees conducting 2 race meets for animals other than horses in a year. Permits the donation of receipts from such charity racing to the Colorado state fair and industrial exposition.

Appropriates \$11,340 of license fee revenue from the racing of animals other than horses out of the racing commission cash fund to the department of regulatory agencies for implementation of the act, and directs that \$11,340 of the money collected from occupational license fees paid in connection with the racing of animals other than horses be paid into the racing commission cash fund.

June 10 June 10

H.B. 1498 Licensing of nonresident manufacturers and importers of fermented malt beverages and malt liquors. Requires the licensing of nonresident manufacturers and importers of fermented malt beverages and malt liquors, and sets fees for such licenses. Authorizes manufacturers and importers of fermented malt beverages and malt liquors to obtain wholesalers' licenses for such products.

Requires each applicant for a license as a manufacturer, nonresident manufacturer, or importer of fermented malt beverages to enter into a written contract with each wholesaler with which he intends to do business, which contract shall designate the territory within which the product of such applicant shall be sold by the respective wholesaler.

May 11 May 11

PROPERTY

- S.B. 73 Property rights in estates in fee tail. Removes a provision of property law which required that property seized in fee tail be limited to a life estate in the grantee with a remainder in fee simple absolute to the eldest son of the grantee, and instead provides that title pass to the grantee in fee simple.

May 25

May 25

- S.B. 80 Forcible entry and detainer actions service of process. Allows service of process to be made upon a defendant in a forcible entry and detainer action by a process server posting a copy of the summons and complaint on the premises if personal service cannot be made. Requires that such posting be accompanied by the plaintiff mailing a copy of the summons and complaint to the defendant, with postage prepaid, by first class mail at least 8 days before the time for appearance.

May 26

May 26

- S.B. 167 Sale of homesteaded property for payment of judgment. Allows the sale of homesteaded property to pay a judgment creditor's claim without regard to subsequent liens or encumbrances.

May 25

July 1

- S.B. 175 Lien foreclosures through the office of the public trustee. Amends various provisions relating to public trustees, deeds of trust, and foreclosures, as follows: Changes duties and fees of public trustees; requires the beneficiary under a deed of trust to furnish a list of the names and addresses of persons entitled to notice of foreclosure and other proceedings, and absolves the public trustee from liability for mistakes in such list; makes uniform the provisions for payments to public trustees, and gives public trustees a reasonable time to record election and demand documents; requires that certificates of redemption be acknowledged and recorded; authorizes written bids in foreclosure proceedings by the owner of an indebtedness or his attorney, and provides a statutory bid form; states that certain time periods run from the date of recording of the notice of election and demand for sale by the public trustee rather than from the date of filing such notice with the

public trustee; and requires a person foreclosing to file a withdrawal of foreclosure when default is cured before he may receive the moneys collected by the public trustee.

June 12 July 1

S.B. 216 Public trustees - compensation. Increase the compensation of public trustees in counties of the first and second class to \$20,000 per year for full-time public trustees and \$15,000 per year for part-time public trustees. Increases the compensation of public trustees in counties of the third class to \$5,000 per year.

May 26 July 1

S.B. 317 Condominiums and time shares - subdivision regulations - declaration - notification. Includes residential condominium conversions, residential time shares, and proprietary leases in cooperative housing corporations within the definition of "subdivision" for purposes of the registration of subdivision developers with the real estate commission. Defines "time share". Allows the real estate commission to require a developer of a time share to make written disclosures to purchasers of time shares. Sets forth information required to be in a condominium declaration. States that the notification procedure requiring notice to residential tenants when a multiple-unit dwelling is converted into condominium units is a matter of statewide concern, and prohibits political subdivisions from taking any action which conflicts with such procedures. Makes the licensing of persons to sell condominiums and time shares a matter of statewide concern.

May 25 May 25

S.B. 367 Land condemned for pipelines - restoration. In a court proceeding for determining the necessity of condemning land for a pipeline, requires the pipeline company to show that the particular land lies within a route which is the most direct route practicable. Requires the pipeline company to post a bond with the court equal to double the estimated cost of restoring the condemned land to its original condition, and prohibits the release of such bond before the court is satisfied that the affected land has been restored. Specifies that compensation received by the landowner reflect the

requirement that the condemned land be restored to its original condition.

June 3 June 3

- H.B. 1096 Torrens title registration - fees. Increases certain fees charged by registrars of title under the Torrens title registration laws, and deletes obsolete language relating to fees paid upon registration.

March 29 March 29

- H.B. 1118 Eminent domain proceedings - use of impartial commissioners - consideration of use of property. Requires that commissioners who determine compensation for private property taken or damaged for public or private use be disinterested and impartial as determined by the court through voir dire examination. Permits the commissioners to consider any reasonable future use or any use to which the property may reasonably be applied as it would be reflected in full, true, and actual value.

VETOED June 2

- H.B. 1199 Suits against public trustee - legal representation. Requires the district attorney to provide legal representation for the public trustee when sued in his official capacity, unless such legal representation is provided for otherwise.

April 28 July 1

- H.B. 1427 Presumption of fraud on creditors - exceptions. Extends the exceptions to the presumption of fraud as against creditors in cases in which no delivery or change of possession of goods and chattels occurs, to include: Transactions involving central registries relating to title to such goods and chattels, cases in which evidence of the transaction is noted on certificates of title or is included in the records of the filing office for security interests, and transactions involving security interest filings under the "Uniform Commercial Code".

May 20 July 1

H.B. 1428 "Titles to Manufactured Homes Act". Transfers the provisions relating to titling of mobile homes from statutory provisions dealing with motor vehicles to provisions dealing with property, and entitles such transferred provisions as the "Titles to Manufactured Homes Act". Changes the term "mobile home" to "manufactured home".

June 15 June 15

H.B. 1546 Foreclosure sale - mortgage, deed of trust, or other lien - waiver of homestead rights. Provides that any purchase by an encumbrancer, lienholder, or any other person or any redemption by a junior lienholder pursuant to a foreclosure sale under a mortgage, deed of trust, or other lien which contains a waiver of homestead rights shall be subject to such waiver and that the purchaser or redeemer is entitled to acquire the property free of any homestead rights.

Conversely, provides that any such purchase or redemption under a mortgage, deed of trust, or other lien which does not contain a waiver of homestead rights, except a tax sale, shall be subject to such homestead rights.

June 15 June 15

PUBLIC UTILITIES

- S.B. 53 Notice of change in rates. For good cause shown, permits the public utilities commission to authorize any utility to change or increase any rate with less than 30 days notice or without notice.

Provides that the commission: May require gas, electric, transportation, and water utilities to give notice of rate changes in a manner and form set by the commission; and shall require public utilities other than gas, electric, transportation, and water utilities to give notice of rate changes by publication in each newspaper of general circulation in each county in which the utility provides service, such notice to conform to specified dimensions, content, and times of publication, or by mailing notices to customers at least 30 days before such rate changes or in such other manner as the commission may prescribe.

VETOED April 22

- S.B. 224 Cooperative electric associations - exemption from "Public Utilities Law". Authorizes cooperative electric associations to submit the issue of exemption from the "Public Utilities Law" to its members and customers for a vote between July 1, 1983 and July 1, 1984, and upon approval, to be exempt from regulation by the public utilities commission. Enumerates the duties of a cooperative electric association. Requires that all meetings of such an association be open to members, consumers, and news media at all times. Prohibits certain specified acts by such associations. Requires each association to adopt regulations for dealing with consumer complaints. Establishes a method for reimposing regulation by the public utilities commission.

Repeals the act, effective July 1, 1987.

June 3 July 1

- S.B. 294 Public utilities commission motor carrier fund. Changes the annual dates for which annual identification fees are valid. Includes towing carriers as carriers who are required to pay the annual fees. Directs that all fees collected from motor vehicle carriers, contract carriers

by motor vehicle, and towing carriers be credited to the public utilities commission motor carrier fund rather than the highway users tax fund.

June 10 June 10

- S.B. 316 Public utilities commission - issuance of subpoena. Requires that good cause be shown as a condition to the issuance of a subpoena by the commission, a commissioner, the commission secretary, or an examiner. States that good cause consists of an affidavit stating with specificity the evidence sought and the relevance of such evidence.

June 1 June 1

- H.B. 1274 Civil actions authorized for wrongful use of utility facilities. Authorizes utilities furnishing electricity, gas, steam, or water to bring civil actions for damages against persons who, by bypassing or tampering with any part of a utility supply system which measures the use of the commodity or service provided by a utility, receives such commodity or service without payment therefor. Creates rebuttable presumptions as to the liability of tenants and occupants, and authorizes the recovery of punitive damages and all costs and expenses by the utility.

May 11 July 1

- H.B. 1280 Public utilities - exclusion of lodging-type entities from definition. Excludes from the definition of public utilities hotels, motels, or other lodging-type entities which resell intrastate toll and wide area telephone services to their lodging patrons and not to the general public.

May 25 May 25

- H.B. 1283 Municipally owned utilities - service outside boundaries. Changes the manner of regulation of the rates of municipally owned electric and natural gas service in areas outside the municipal boundaries.

Requires such municipal utilities to publish rate schedules, and requires public notice and hearing for rate changes. Allows municipal utilities to grant special privileges to classes of users and to use graduated charges.

June 17 June 17

- H.B. 1284 Public utilities commission - grant of temporary authority to provide carrier service. Allows the public utilities commission to extend a grant of temporary authority to provide carrier service for a period of time which may extend until a final administrative decision is rendered by the commission.

March 16 March 16

- H.B. 1306 Hazardous materials abandonment - reimbursement of local governments. Gives public entities and other local governments the right to claim reimbursement for costs resulting from action taken to remove, contain, or otherwise mitigate the effects of a hazardous materials abandonment. Defines "abandonment".

June 1 June 1

- H.B. 1536 Solid waste energy generating facilities - rates charged. Allows any unit of local government proposing to construct a solid waste-to-energy incineration facility to require the public utilities commission to calculate the avoided cost to a specified electric utility for the purchase of energy and capacity from such a contemplated facility. Upon such a request, requires the specified utility to provide the public utilities commission with all data necessary to calculate the avoided cost.

June 1 June 1

- H.B. 1569 Railroad crossings - grade separation projects - financing. Requires the public utilities commission to take applications before January 1 of each year for grade separation construction projects, to hold hearings thereon after specified notice, to choose projects for construction, and to allocate the expenses thereof between the one or more railroads and the state and the various units of local governments involved. Requires

the commission to adopt minimum criteria warranting grade separation projects and to consider traffic, safety, and geographic distribution as well as relevant highway department standards. Directs the commission to authorize projects for construction by March 1 of each year.

Directs that expenses of the projects be allocated between the railroads and the governmental units involved on the basis of benefits received and the responsibility for the need of the project.

Requires affected railroads to contribute up to \$5,000,000 during the fiscal year commencing July 1, 1983, and up to the same amount in each succeeding year, ending June 30, 1988. Limits the allocation of expenses to each railroad to \$1,250,000 in any fiscal year, or \$6,250,000 in the 5 year period. Requires the total amount allocated to all involved railroads to be not less than \$25,000,000 for the 5 year period. Repeals the provisions for railroad financing, effective June 30, 1988.

June 10

July 1

SOCIAL SERVICES

- S.B. 50 Family care homes - licensing. Exempts family care homes receiving a child for less than 24-hour care or receiving 2 or more children related to each other as brother or sister for less than 24-hour care from the provisions of the "Child Care Act". Specifies that licenses for family care homes shall continue in force for 2 years from the date of inspection for renewal of such license rather than from the date of issuance. Prohibits the department of social services from inspecting the facilities of a family care home providing less than 24-hour care except under certain conditions. Requires licensees, when applying for renewal, to certify that they are in compliance with all applicable licensing standards.

May 25

May 25

- S.B. 58 Assistance payments and social services - considerations of changes in state or federal law. Allows the state department of social services or a county department to consider changes in state or federal law when determining changes in assistance payments and social services.

April 29

April 29

- S.B. 59 Protection of disabled adults - appointment of guardian therefor. Permits the county director of social services to petition the court for an order authorizing specific protective services, including appointment of a guardian, for a disabled adult who has been abused, neglected, or exploited by a caretaker or any other person.

Urges specified categories of people to immediately report cases of abuse, neglect, or exploitation of disabled adults to the office of the county director. Immunizes people making such reports from any civil or criminal liability.

June 1

June 1

- S.B. 95 Medical assistance - recipient copayment. Directs the department of social services to promulgate rules or regulations requiring certain recipients of medical assistance to pay a portion of the cost of such

assistance. Requires the department of social services to identify those recipients able to provide such copayment by a specific notation on their medicaid identification cards. Requires providers to collect such copayment. After one year, requires the department of social services to issue a report to the general assembly concerning the value of such program.

VETOED June 3

S.B. 130 Public assistance - effect of prepaid funeral expense contract on eligibility. Increases from \$1,000 to \$1,500 the amount of an irrevocable, prepaid contract for funeral expenses which shall be exempt from consideration in computing a person's eligibility for public assistance or medical assistance.

June 10

June 10

S.B. 137 Access to information to determine eligibility for public or medical assistance. Provides that, by signing an application or redetermination of eligibility form for assistance or welfare, an applicant authorizes the state department of social services to obtain records pertaining to information provided in that application or form. Requires the application or redetermination of eligibility form to contain language clearly indicating that signing constitutes such an authorization. Authorizes the department to use such information to determine eligibility.

Allows the department to require any financial institution or insurance company to provide a written statement disclosing any assets held on behalf of applicants for or recipients of public or medical assistance who are adequately identified by the department.

Requires notice to a recipient of welfare or public assistance prior to termination as a result of information obtained by computer match. Requires the state department to bear the cost of such computerized matches. Directs the state department to make quarterly reports concerning the value of computerized matches to the general assembly and the joint budget committee.

June 15

June 15

S.B. 140 "Colorado Medical Assistance Act" - third party payment

- application to the costs of benefits rendered. States that by signing an application for medical assistance, an applicant assigns all rights that he may have to medical support or payments from any other person. Requires the state department of social services to apply proceeds received by a recipient of medical assistance from sickness, accident, health, or casualty insurance to the costs of benefits rendered under the "Colorado Medical Assistance Act".

Empowers the department to obtain information concerning the coverage of recipients from insurers or nonprofit hospitals and health service corporations. Sets forth procedures for obtaining such information. Requires the department to bear the cost to insurers or corporations of running computerized matches to obtain such information. Declares that no such insurer or corporation which provides data required by the department shall be held liable for the provision of such data to the department or for any use made thereof.

Requires that, for the fiscal year beginning July 1, 1984, and thereafter, all funds expended by the department to pay the cost of providing computerized matches be subject to annual appropriation by the general assembly. Limits such appropriations to the amount of annualized general fund savings that result from payments by third parties specifically due to disclosure of coverages pursuant to the act.

Directs the department to make quarterly reports concerning the value of computerized matches to the general assembly and the joint budget committee.

June 3 July 1

S.B. 149 Alternatives to long-term nursing home care - miscellaneous provisions. Changes adult day care from a temporary program to a permanent program. Repeals the provision which limited the overall expenditure by a county for intermediate nursing home care, effective January 1, 1984. Under specified conditions, allows an eligible person's family member to provide reimbursable personal care services to him. Requires the county department to determine if personal care can be provided to old age pension recipients before making the determination of the need for home care.

June 3 June 3

H.B. 1006 Licensing of family care homes and child care centers -

injunctive proceedings - penalty for false statement.
Prohibits the department of social services or a child placement agency from issuing a license or certificate to operate a family care home or a child care center if the applicant has been convicted of child abuse or an unlawful sexual offense according to the records of the Colorado bureau of investigation.

Sets forth additional criteria for the department of social services to use to deny, suspend, revoke, make probationary, or refuse to renew a license or certificate. Delineates circumstances which the licensee shall not be entitled to cure after a hearing on suspension, revocation, or refusal to renew a license or certificate.

Allows the appropriate county department of social services, through the county attorney or retained counsel, to apply to a court to enjoin a person from operating a facility without a license.

Increases the fine for a violation of any of the provisions of the "Child Care Act".

May 31

May 31

H.B. 1050 Domestic abuse program - creation - funding. Authorizes the state department of social services to contract with units of local government and nongovernmental agencies for the purpose of establishing programs and facilities for victims of domestic abuse, their dependents, and persons causing domestic abuse. Funds such programs and facilities by allowing taxpayers to designate a portion of their state income tax refund for such purpose. Limits such designation of refund provisions to the 1984-86 income tax years.

Repeals such provisions, effective December 31, 1986.

June 3

July 1

H.B. 1095 Old age pension benefits - eligibility requirements. Clarifies that the statutory age requirement for state old age pension benefits is 60 years, in accordance with the state constitution. Repeals a provision which allowed a person between the ages of 60 and 65 to

receive old age pension benefits only if he had resided in Colorado continuously for the 35 years immediately preceding the date of application for such benefits.

May 10

May 10

H.B. 1129 Health care for the medically indigent - health sciences center - provider contracts - joint review committee - technical advisory committee - penalties. Directs that licensed health care providers be reimbursed for the cost of specified medical services to eligible medically indigent persons. Designates the health sciences center to administer and implement the program to the medically indigent. Establishes a joint review committee for the medically indigent, composed of legislators, to give guidance and direction to the health sciences center in development of the program. Creates a technical advisory committee, to be appointed by the state auditor, to advise the joint review committee for the medically indigent and to assist in the development of the program requirements.

Authorizes the health sciences center to promulgate such rules and regulations as are necessary for the implementation of the program. Requires that the health sciences center prepare an annual report to the joint review committee which shall contain a plan for a delivery system to provide medical services to medically indigent persons of Colorado, and that the report be submitted to the general assembly no later than February 1 of each year. States that the health sciences center shall be responsible for execution of contracts with providers which are necessary for the continuation of the state-funded programs for the medically indigent existing prior to July 1, 1983, and makes specifications for such contracts.

Makes it a class 2 misdemeanor for any person to falsely represent that any medical service is reimbursable or subject to payment or that he is eligible for assistance under the program for the medically indigent.

Repeals such program for the medically indigent, effective July 1, 1990.

June 12

June 12

H.B. 1147 Public assistance determinations of blindness and total disability - county department of social services. Directs that county departments of social services, rather than the state department of social services, make determinations as to blindness and the existence of total disability for the purposes of public assistance and fix the examination fees for blindness and disability in connection with public assistance.

March 15 March 15

H.B. 1302 Department of social services - decision of hearing officer - final agency action. States that the decision of a hearing officer shall be considered final agency action for the state department of social services. Authorizes judicial review of said agency decision by any party, including the state department, and makes such review subject to the "State Administrative Procedure Act".

May 16 May 16

H.B. 1394 Weld county job diversion demonstration project - establishment. Authorizes the Weld county division of human resources to conduct a job diversion demonstration project for persons applying for aid to families with dependent children. Specifies persons who may be required to participate in the project. Directs the state department of social services to apportion state and federal moneys for the conduct of the project. Directs the state department to oversee the project.

Repeals the act, effective July 1, 1986.

June 1 July 1

H.B. 1534 Nursing home vendors - immediate payment for the cost of compliance with certain new department of health rules. Requires the department of social services to provide for immediate payment to a nursing home vendor of the cost of compliance with certain new department of health rules promulgated under the "Colorado Medical Assistance Act".

VETOED June 3

STATUTES

S.B. 43 Statutes - enactment of supplements and replacement volumes as law. Validates and enacts the 1981 and 1982 supplements to Colorado Revised Statutes. Enacts volumes 10, 11, 16A, and 16B, 1982 replacement volumes, as the law of the state.

February 14 February 14

TAXATION

- S.B. 6 Property taxation - definitions. Adds definitions for various terms used in the property tax statutes, including the following: Agricultural and livestock products; agricultural equipment which is used on the farm or ranch in the production of agricultural products; agricultural land; inventories of merchandise and materials and supplies which are held for consumption by a business or are held primarily for sale; farm; ranch; and residential land. Repeals the former definition of agricultural land. Makes such definitions applicable to property tax years commencing on or after January 1, 1983.

June 1 June 1

- S.B. 9 State income tax check-off designation - nongame wildlife programs. Extends the provision authorizing taxpayers to designate that a portion of their state income tax refund go to the nongame wildlife program, and authorizes those owing taxes to designate and pay to the fund an amount exceeding their income tax liability.

April 21 April 21

- S.B. 14 Mobile homes - ad valorem taxation. Authorizes the property tax administrator to prepare manuals, procedures, and instructions concerning methods of appraising and valuing mobile homes, in addition to other land, improvements, and personal property. Requires that such manuals, procedures, and instructions be based upon the approaches to appraisal set forth in the constitution and makes them subject to legislative review.

Requires an assessor to determine the actual value of a mobile home in a manner similar to determining the actual value of other real property. Repeals the prior language used to determine the maximum actual value of mobile home and requiring the administrator to prepare schedules of depreciation for mobile homes.

Makes such provisions applicable to property tax years commencing on or after January 1, 1983.

April 12 April 12

S.B. 107 State income tax refunds - child support debt offset.
Directs that, when a person owes a child support debt, which has been reduced to judgment, to a person who is receiving public assistance payments for dependent children, the person owing such debt shall have any overpayment of state income tax withheld from his refund and credited to the unpaid debt. Such withheld amounts shall be deposited with the state treasurer for disbursement by the department of social services for payment to the county department to offset the public assistance debt. Directs the department of social services to notify the department of revenue of those persons owing a support debt, and directs the department of revenue to notify the department of social services of such persons making overpayment on the income tax.

June 10 June 10

S.B. 119 Income tax checkoff - support of the olympic committee.
Establishes a checkoff on the state individual income tax form permitting the designation of a portion of a taxpayer's tax refund to the United States olympic committee. Directs the department of revenue to determine the total amount of moneys so designated and report such total to the state treasurer. Requires the state treasurer, after subtracting administrative costs, to transfer all such moneys to the olympic committee fund.

Repeals the act, effective December 31, 1986.

June 3 January 1, 1984

S.B. 324 Tax collections - time limits. Specifies that, in the case of certain specified taxes including income tax, the time within which the department of revenue must assess the amount of tax and penalties and interest applicable thereto and within which a lien may be filed, distraint warrant issued, and lawsuit or other action for collection must be commenced shall be extended for one year if a written proposed adjustment of the tax liability is issued by the department prior to the expiration of the regularly prescribed 3 year period.

May 26 May 26

H.B. 1004 Property tax - valuation reassessment cycle - duration, base year concept, and level of value. Changes the reassessment cycle in determining actual value for

property taxes from a 4 year to a 2 year cycle. Also changes the base years and the years whose levels of value are used in determining actual value. Makes conforming amendments regarding the manuals and associated data to be prepared by the property tax administrator and regarding the state board of equalization. Allows an assessor to revalue property to its correct base year level of value only as necessary to reflect an increase or decrease in actual value attributable to an unusual condition.

States that the base year level of value and the reassessment cycle shall apply to all real property beginning January 1, 1986, including producing mines, oil and gas leaseholds and lands, public utilities, agricultural lands, and producing coal mines and other lands producing nonmetallic minerals. Effective January 1, 1986, repeals the provisions which treated rail transportation property as a separate class of property, and directs that such property be treated as other public utility property.

April 28 April 28

H.B. 1007 Property taxation - state board of equalization - membership - duties. Changes provisions relating to the composition of the state board of equalization, the filling of vacancies thereon, and the compensation and term of office of members on the board to comply with the recent amendments to the state constitution. Sets forth the duties of the state board, including its constitutional duty to reappraise and order reappraisals based on the annual one percent assessment study and its duty to hold hearings on class appeals and on alleged dereliction of duty by a county assessor. Requires the chairman of the state board to certify to each county assessor changes the board makes in abstracts of assessment. Applies to property tax years commencing on or after January 1, 1983.

June 2 June 2

H.B. 1012 Property tax - appeals involving classes and subclasses of property. Directs that the state board of equalization rather than the board of assessment appeals shall hold hearings involving classes and subclasses of property. Eliminates the authority of the board of assessment appeals to hold such hearings leaving such board with authority to hold hearings only on individual properties. Directs that complaints filed with the property tax administrator questioning the appraisal or

valuation of classes and subclasses be filed by him, if justified, with the state board of equalization for hearing, rather than the board of assessment appeals. In the case of such complaints, authorizes such state board rather than the board of assessment appeals to order a reappraisal. Makes several conforming amendments.

April 21 April 21

H.B. 1016 Property tax - approaches to appraisal - conformity with state constitution. Makes various amendments to the statutes to conform them to the recent amendments to the state constitution, including the following: Replaces consideration of the current 7 factors with consideration of the constitutionally prescribed cost approach, market approach, and income approach to appraisal for determining actual value; changes the valuation for assessment study; exempts properties required to be exempt by the state constitution; eliminates the requirement that the county assessor notify the county treasurer of the valuation for assessment of stocks of merchandise temporarily located in the county and the requirement that the county treasurer collect the tax thereon (stocks of merchandise are exempt as inventories of merchandise); and eliminates the provisions which make it a crime to fail to pay the tax on mobile homes while listed as stocks of merchandise. Repeals references to those properties which are exempt under the newly added property tax provisions of the state constitution.

Applies to property tax years commencing on or after January 1, 1983.

April 22 April 22

H.B. 1022 Increasing the excise tax imposed on gasoline and special fuels. Increases the excise tax imposed on gasoline from 9¢ per gallon to 12¢ per gallon. Increases the excise tax on special fuel from 9¢ per gallon to 13¢ per gallon. Requires persons who import special fuel into the state within the fuel tank of a motor vehicle and who are required to obtain a single trip permit upon entry to pay the special fuel tax computed at 4 miles per gallon on the mileage to be driven in Colorado, rather than a tax of 2 1/4¢ per mile of travel in this state.

June 1 July 1

H.B. 1038 Board of assessment appeals - compensation. Increases the maximum number of days for which members may be compensated in the 1984 calendar year from 120 days to 160 days. States that for all other calendar years, such number shall remain 120 days.

May 26

May 26

H.B. 1040 Multiple use property - allocation between classes for property tax purposes. When determining the actual value or valuation for assessment of an improvement to property, establishes the method of allocating such improvement between classes when such improvement has multiple uses, one of which is residential. Requires that the actual value of land and each portion of an improvement thereon be determined by application of the constitutionally-mandated approaches to appraisal and that the land containing such an improvement be allocated between classes based upon the proportion that the actual value of each of the classes to which the improvement is allocated bears to the total actual value of the improvements. Requires that the classification of land having improvements belonging to 2 or more classes be based upon the predominant or primary use to which the land is put pursuant to land use regulations, and if multiuse is permitted, that the land be allocated proportionally.

After classifying the improvement or the land, requires the appropriate valuation for assessment ratio to be applied to the actual value of each portion of the land and of the improvement thereon, or, for multiple use land, to the actual value of each portion of the land.

Applies to property tax years commencing on or after January 1, 1983.

April 21

April 21

H.B. 1048 Severance taxes - filing requirements - penalties. Authorizes the department of revenue to grant extensions of time for filing and paying severance taxes. Imposes penalties, including interest, for failure to file and pay on time. In cases where no return is filed, permits the director to estimate the taxes due and send the estimate to the taxpayer, which taxes become due unless the taxpayer files a correct report and pays the amount due within 10 days after receiving the estimate.

May 20

May 20

H.B. 1087 Residential energy credit - allocation to lending institution. Permits a resident entitled to take a credit against income tax liability for installation of energy-conserving measures or renewable energy source property to allocate all or a part of such credit to the lending institution which lends the resident money for such measures or property. Permits the lending institution to take a credit against its income tax liability based upon a formula employing the allocated credit. Applies to tax years commencing on and after January 1, 1983.

May 20

May 20

H.B. 1104 Property taxes - valuation of water rights. Requires that water rights, except when used for agricultural purposes, be appraised and valued with the real property which the water right serves, as a unit. Applies to tax years commencing on and after January 1, 1983.

May 25

May 25

H.B. 1134 Exempt property - child care centers - different owner and user. States that a child care center meeting the statutory definition contained in the "Colorado Social Services Code" shall be considered a school for the purpose of the property tax exemption of schools. Specifies that property owned by an exempt entity continues to be exempt if used by an exempt entity which is not the owner thereof if both the owner and user have been granted an exemption and if the compensation received for such use does not exceed one dollar plus expenses.

VETOED April 25

H.B. 1139 Special fuel taxes on certain motor vehicles - annual fee in lieu of tax. Effective January 1, 1984, requires Colorado owners of passenger cars or commercial vehicles which use natural gas or liquefied petroleum gas and have a gross vehicle weight of up to 10,000 pounds to pay an annual license tax fee of \$50 in lieu of paying

the per gallon tax on special fuels. Permits such tax to be prorated for a fractional calendar year. Imposes penalties for violations of the licensing provisions.

May 4 July 1

H.B. 1179 Severance tax credit for prior payment of impact assistance - continuation of additional percentage credit. Makes permanent the provision allowing an additional percentage credit against severance taxes based upon the amount of unused approved contributions. Clarifies other language and specifies that approved contributions are also permitted against oil shale severance tax liability. Applies to tax years commencing on or after January 1, 1983.

May 20 May 20

H.B. 1195 Estate taxes - computation of state death tax credit. Amends various definitions under the Colorado estate tax law relating to the computation of the state death tax credit. Changes the basis for computing interest due on late payments and refunds to an annually adjusted rate. States that personal liability for payment of the tax does not extend to persons acquiring interests in estate property for full consideration. Directs the department of revenue to enforce collection of estate taxes. Applies to the estates of decedents dying after July 1, 1983.

May 23 July 1

H.B. 1232 Withholding of taxes - tips - winnings. Authorizes the department of revenue to require the filing of reports concerning gratuities and services and direct sales involving businesses in the same manner as is required by the internal revenue service. Imposes a fine of \$50 for failure to timely file such report. Requires persons paying winnings to withhold from such winnings 20% of the amount required by the "Internal Revenue Code of 1954".

June 15 July 1

H.B. 1277 Income tax - miscellaneous changes. Allows the department of revenue to round to the nearest \$10, rather than to the nearest one dollar, those elements of the income tax to which the annual inflation factor is applied. Requires that any federal deduction for lump-sum distributions from pension and profit sharing plans and for two-earner married couples be added to the federal adjusted gross income in determining the Colorado adjusted gross income and therefore be subject to taxation by Colorado. Amends provisions dealing with the computation of income tax of part-year residents and nonresidents to require that certain deductions and exemptions be determined based on the ratio of the Colorado adjusted gross income to the federal adjusted gross income. Allows a recapture of the investment tax credit when property no longer qualifies under the credit. Limits the commercial, industrial, and agricultural energy credit to property which is located in Colorado. Repeals the provision which excluded from income any discharge from a student loan indebtedness. Repeals the provision which gave a credit to the beneficiary of a trust who received an accumulation distribution from the trust for Colorado income taxes paid by the trust and which prohibited the trust from being entitled to a refund of the amount of such taxes paid.

May 26

January 1, 1984

H.B. 1445 Unemployment compensation benefit overpayments - withholding of income tax refunds. Directs that, when a person is required to repay unemployment compensation benefits, the person owing such debt shall have any overpayment of state income tax withheld from his refund and credited to the unpaid debt. States that if a taxpayer has filed a joint return and owes unemployment compensation benefits, the executive director shall notify the taxpayer's spouse that the portion of the overpayment attributable to the spouse's income shall be refunded upon receipt of a request detailing the amount of such overpayment. Directs the division of employment and training in the department of labor and employment to notify the department of revenue of persons required to repay benefits, and directs the department of revenue to notify the division of persons whose overpayments of state income tax are credited to such unpaid debts. Permits the proration of the overpayment if there are other debts in addition to the unemployment compensation debt.

June 15

June 15

H.B. 1517 Property tax - mobile homes - partial payment.
Authorizes county treasurers to accept partial tax payments on mobile homes when such payments are paid by the seller and accepted by the dealer at the time of sale. Requires the dealer to remit such collected taxes to the treasurer within 10 days.

May 23

May 23

H.B. 1563 Property taxation - railroads - dates. Changes various dates involved in the assessment of rail transportation property, including the date for submission of the sales assessment ratio study, the date for giving notice of the valuation for assessment, and the dates involved with hearings before the property tax administrator. Applies to property tax years commencing on or after January 1, 1983.

May 31

May 31

WATER AND IRRIGATION

S.B. 90 "Water Right Determination and Administration Act of 1969" - amendments. Makes the fee for filing any pleading initiating a water matter the same as that for filing a civil complaint in district court, except that the fee for an application for a determination of a change of water right or for approval of a plan for augmentation is twice such amount. Makes the fee for filing a statement of opposition the same as that for filing an answer in a civil action in district court. Requires more detailed information for approval of a change of water right or plan for augmentation.

Authorizes the state engineer or any other person to file a pleading in a proceeding before the water judge which either protests or supports a referee's ruling. States that hearings in such cases are to be de novo.

Any person, including the state engineer, may move to intervene in proceedings before the water court on grounds of excusable neglect or similar reasons, but intervention will not be permitted if it would unduly interfere with any pretrial conference or other matters already scheduled. Authorizes the posting of notice of an order of the division engineer at the place of diversion in plain sight, and makes such order effective from the time of posting.

Repeals a provision which permitted a person to apply for a stay on the ruling of a referee.

May 25

July 1

S.B. 106 Powers of the board of directors of the Colorado water conservation district - miscellaneous provisions. Increases the maximum rate of compensation of the board of directors of the Colorado river water conservation district from \$25 to \$75 per day. Increases the maximum tax assessment upon property in the district that the board may levy from .5 of one mill to 2.5 mills and repeals the board's power to levy an additional assessment. In addition to already specified purposes, permits the board to use revenues derived from such levy for the costs and expenses of any project intended to accomplish the utilization of water for beneficial uses or purposes. Makes various conforming amendments.

May 26

May 26

S.B. 157 Grand Junction drainage district - miscellaneous provisions. Allows the inclusion of additional land within Mesa County in the Grand Junction drainage district, and sets forth procedures for including such lands. Expands the purpose of the district to include the operation of systems of drainage works sufficient to reclaim and protect property from storm waters. Expands the scope of entities with whom the directors of the district may contract. Allows the directors to designate improvement districts within the drainage district and to collect assessments therein. Authorizes the directors to collect service charges pertaining to facilities available within the district.

June 1 June 1

H.B. 1102 Colorado water conservation board - projects - studies. Approves 8 water resource projects for financial assistance loans out of the Colorado water conservation board construction fund in the amount of \$17,892,000, and sets forth certain conditions relating to such projects. Cancels prior authorization for 2 projects and directs the board to conduct feasibility studies on 4 projects. Increases funding for the Chatfield Project Channel Improvement by \$5,000,000.

June 15 June 15

H.B. 1197 Colorado water resources and power development authority - powers and duties. Specifies that projects of the water resources and power development authority include facilities financed in whole or in part by the authority. Authorizes the authority to finance in whole or in part project facilities of other governmental agencies. Clarifies that costs of feasibility studies for projects shall be reimbursed prior to the start of construction of a project. Changes the date of the annual report to reflect the calendar fiscal year of the authority. Clarifies that lawful general obligation bonds for water and power would remain a debt of the issuing governmental agency.

June 10 June 10

H.B. 1255 Tabulation of water rights - administrative use - adjudication of abandonment lists. Specifies that the 1978 and subsequent quadrennial tabulations of water rights may be used for certain administrative purposes but shall not be adjudicated, and that the 1978 and

subsequent decennial abandonment lists shall be adjudicated according to certain specific procedures.

Makes various revisions for clarification and simplification, and repeals a provision relating to the format of revisions of tabulations.

June 16 June 16

H.B. 1310 Ground water commission - review of decisions. States that the state engineer and the director of the water conservation board, as ex officio members of the ground water commission, shall be nonvoting members. Requires 6 voting members for a quorum. Requires the commission to hold regular meetings at least 4 times a year, and authorizes any 2 members to call a special meeting. Clarifies the legislative intent that the open meetings law requires that all discussions with 2 or more members of the commission concerning the determination of designated ground water basins, applications for use of ground water, final permits, priority lists, and the exercise of the commission's general delegated powers shall only be conducted in open public meetings. Restores to the district judges de novo judicial review of decisions of the ground water commission and the state engineer concerning designated ground water.

June 10 June 10

H.B. 1399 Ground water - designation. Amends the definition of "designated ground water" to exclude ground water within the Dawson-Arkose, Denver, Arapahoe, or Laramie-Fox hills formation located outside the boundaries of any designated ground water basin that was in existence on January 1, 1983.

May 23 May 23

H.B. 1416 Reservoir safety - duties of state engineer. Increases the number of reservoirs subject to the jurisdiction of the state engineer by reducing the minimum size of reservoirs which require the state engineer's approval with respect to new construction, alteration, enlargement, modification, or repair other than normal maintenance and repair. Requires the state engineer to give written notice to counties and cities downstream from any dam on which a complaint has been filed, and to report on the steps taken to resolve such complaints. Such notice must also be given in any case in which the

state engineer is required, under his rules and regulations, to approve specifications for construction or alteration. Requires the state engineer to rule on applications for proposed dams and reservoirs within specified time limits and requires such determination to take into account the hazard classification of the proposed dam, as may be established by rule and regulation. Increases maximum fees collected by the state engineer for inspection and engineering services.

Provides for the exchange of information compiled by the state engineer concerning high hazard dams with counties and cities which could be affected by dam failure; and requires the state engineer to furnish detailed reports on such dams on or before September 1, 1983. Allows cities and counties to be charged \$125 for such report. Requires reservoir owners and operators and cities and counties to assist the state engineer with any additional information he requests based upon such report by specified dates, and provides for an updated report. Requires cities and counties receiving a report to conduct a review of areas in their jurisdictions which could be affected by the breach of a high hazard dam and to transmit such review to the state engineer.

June 1

June 1

- H.B. 1440 Underground water - permits to construct wells. Provides that certain well permits issued prior to July 6, 1973 and not expired, or which resulted in a current decree, are not subject to certain limitations as to the quantity of waters available under the permit.

May 23

May 23

- H.B. 1567 Diversion of water outside of Colorado. Prohibits any person from diverting waters outside Colorado without filing an appropriate application therefor, complying with special conditions for diversion outside Colorado, and complying with any other requirements, terms, and conditions provided or authorized by law pertaining to such application.

Permits the diversion of ground water outside Colorado upon specified conditions and approval by the ground water commission or the state engineer, as the case may be. Imposes the same conditions for the diversion of surface waters outside Colorado, and provides for such approval by a water judge.

Declares that unlawfully diverting water outside Colorado shall not be recognized as a beneficial use for perfecting a water right to the extent of such water so diverted.

Repeals the separate provision prohibiting the diversion of ground water outside Colorado and provides a single provision relating to such diversion of surface and ground water.

June 3

June 3

WILLS AND ESTATES

H.B. 1078 Disposition of motor vehicles by a written statement or list under the probate code. Authorizes the disposal of a motor vehicle by means of a written statement or list used to dispose of items of tangible personal property, subject to the normal requirements for obtaining a new certificate of title. Excludes the disposal of motor homes and various types of trailers from such provisions.

April 26 July 1

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