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STATE OF COLORADO

EXECUTIVE CHAMBERS

136 State Capitol
Denver, Colorado 80203
Phone (303) 866-2471



Richard D. Lamm
Governor

EXECUTIVE ORDER PROCLAMATION CALL FOR FIRST EXTRAORDINARY SESSION of the FIFTY-FIFTH GENERAL ASSEMBLY

WHEREAS, Section 9 of Article IV of the Constitution of the State of Colorado provides that "The Governor may, on extraordinary occasions convene the General Assembly, by Proclamation, stating therein the purpose for which it is to assemble; but at such special session no business shall be transacted other than that specially named in the proclamation," and Section 7 of Article V of the Constitution provides that "The General Assembly shall meet at other times when convened in special session by the Governor;" and

WHEREAS, in the opinion of the Governor, an extraordinary occasion has now arisen and now exists as a result of cancellation of automobile liability and general liability insurance for the State of Colorado on September 15, 1985, requiring the state to self-insure for both types of coverage; and

WHEREAS, the Attorney General of the State of Colorado has expressed the opinion that additional statutory and budgetary authority is required to establish a long-term program of state self-insurance; and

WHEREAS, the difficulties encountered by public entities at all levels of government in obtaining insurance, combined with the ambiguous applicability of protections of the Governmental Immunity Act to officers and employees of public entities, has heightened the concern of public officers and employees regarding their personal liability for acts or omissions committed within the scope of their employment; and

WHEREAS, immediate legislative action is required to establish a self-insurance program for the state and to clarify the Governmental Immunity Act;

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NOW, THEREFORE, I, Richard D. Lamm, Governor of the State of Colorado, do by this proclamation convene the Fifty-Fifth General Assembly of this State, and hereby summon the members thereof to meet in Special Session at the State Capitol, in the City and County of Denver, on the twenty-third day of September, A.D. 1985, at 10:00 a.m.

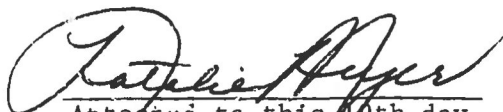
The purposes for which the General Assembly is convened are as follows:

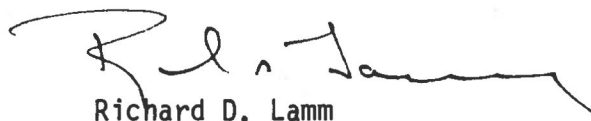
To consider enactment of legislation to create a state self-insurance program, including funding for and authority to administer such a program for the State of Colorado, its agencies, its officers, and its employees in connection with liability claims.

To consider enactment of legislation to amend the Governmental Immunity Act:

- a) to conform the amounts and conditions under which tort liability may be assessed, or conditions under which actions may be brought, against public officers and employees acting or alleged to be acting within the scope of employment to those amounts and conditions that apply to the public entities with which they are associated; and
- b) to prohibit judgments for punitive or exemplary damages against public officers and employees for acts or omissions committed within the scope of employment; and
- c) to require a public entity to assume liability for the costs of the legal defense and the payment of judgments and settlements of claims against their officers and employees for acts or omissions committed or alleged to have been committed within the scope of their employment, unless the entity notifies the officer or employee within a specified period of time that the entity will not assume liability.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Colorado to be affixed hereto, at Denver, Colorado, this 19th Day of September, A.D., 1985.


Attested to this 19th day
of September, A.D., 1985
Natalie Meyer
Secretary of State


Richard D. Lamm
Governor