

FILE COPY

DIGEST
OF
SENATE AND HOUSE BILLS ENACTED
BY THE
THIRTY-EIGHTH GENERAL ASSEMBLY
OF THE
STATE OF COLORADO
(1952 Second Regular Session)

and

APPROVED BY THE GOVERNOR

Compiled by the
Legislative Reference Office
251 State Capitol
Denver

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

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Bills vetoed by Governor:

S.B. 50 - Repeal of \$1.00 license fee imposed by "Unfair Practices Act."

H.B. 2 - Operators' and Chauffeurs' License Fees.

SENATE BILLS ENACTED AND APPROVED

No. Subject

- 1 Reorganization of the State Highway Department -- A Department of Highways is created in the executive branch of the state government, consisting of the State Highway Commission and a Chief Engineer. Commission is composed of eight members to be appointed by Governor, with power granted to formulate general policy and prescribe administrative practices in connection with the management of public highways. Chief Engineer is the chief administrative officer and is given direct control and management of the department's functions, including the preparation of annual budgets to be approved by the Commission. Budget is to consist of two parts, the first part of which is a budget message by the Commission outlining the financial policy for the ensuing year, and the second part to embrace the estimates of expenditures and revenue. Budget is to be approved by Governor and no expenditure may be made in excess of budget items.

February 14

February 14

- 3 Registration of Motor Vehicles -- Provides that all registrations of motor vehicles shall be classified either as "rural" or "urban" and all county clerks are to certify to the State Motor Vehicle Department the total number of each such vehicles after the end of the registration year.

February 5

October 1

- 7 Public School Finance Act -- Creates a State Public School Fund which is derived from the Public School Income Fund and appropriations made by the General Assembly. One and one-half per cent of appropriations to be withheld by the State Board of Education for contingencies and emergencies. The money is distributed from the State Public School Fund as follows: Before August 15 of each year fifty-five per cent of the money appropriated by the General Assembly is paid to eligible school districts based on the aggregate days of attendance ratio set forth in the act. Before January 15 of each year the money to be distributed in accordance with the minimum classroom unit program is to be paid to eligible districts and any balance in the fund to be distributed on the aggregate days of attendance basis on or before June 15 of each year.

The act provides that counties levy at least 6 mills and each school district at least 8 mills, except county or union high school districts or parts thereof, before any district is eligible for distribution from the state fund. Other eligibility requirements are that a district must elect in writing that it is to be subject to the provisions of the act, must make all required reports, must maintain school for at least 170 days, and must pay teachers not less than three-fourths of the classroom value as defined in the act and not less than three-fourths of funds received on the aggregate days of attendance ratio.

The number of classroom units to which a district is entitled is computed as follows: One unit for the first 2,160 aggregate days of attendance; a second unit for the next 2,880 aggregate days of attendance; and an additional unit for each additional 3,600 aggregate days of attendance. The number of units is multiplied by a value set forth in the act to determine the total value of units for the district.

The act also provides for a so-called isolation factor which permits the state board to allow an isolated school additional classroom units or fractions thereof. Junior colleges are entitled to a direct grant at the rate of \$900.00 for each seven students. No part of the State Public School Fund may be used for debt service or capital outlays.

February 5

February 5

- 9 Transfer of State Land to the Department of Highways -- The act provides that the Governor transfer a parcel of land in Jefferson County to the Department of Highways.

February 18

February 18

- 11 Transfer of State Land to the Department of Highways -- The act authorizes the Board of Trustees of the School of Mines and the Governor to transfer several parcels of land located in Jefferson County to the Department of Highways.

February 18

February 18

- 17 Powers of the State Board of Education -- Provides that the State Board of Education shall have power to administer the Public School Finance Act, to approve annual budget requests for the department, and to distribute all federal and state funds to counties and school districts except vocational education funds.

February 14

February 14

- 18 Classification of Counties and Compensation of County Officers -- Provides for a reclassification of certain counties and generally provides for an increase in compensation for all county elective officials, including county judges. The changes in classification are as follows: Jefferson and Arapahoe Counties are now in Class II-A; Montrose, La Plata, Prowers, Rio Grande and Garfield Counties are now in Class III-A; Montezuma, Bent, Kit Carson, Baca and Washington are now in Class III-B; all of the former Class IV-B counties are now in Class IV-A and Teller County was taken from Class IV-A and placed in Class IV-B; the former Class V counties, except Ouray, Park and Custer, are now in Class IV-B; Jackson, Dolores and Pitkin are now in Class V; Class VI-A consists of San Juan, Summit and Gilpin; Class VI-B is Mineral, and Class VI-C is Hinsdale.

February 19

(Act effective February 19--
new salaries apply to offi-
cials next elected or
appointed.)

20 Narcotic Drugs and Penalties for Violations -- Amends the present law to provide that receiving, buying or concealing unauthorized narcotic drugs or conspiring to commit any prohibited act shall constitute a violation of the law. Also amends the penalty section by providing for imprisonment of one to ten years for first offenders and five to fifteen years for second offenders. Also adds a new subsection providing that selling or dispensing narcotics to minors shall be punishable by ten to twenty years imprisonment.

February 18

February 18

27 Salaries of Certain Clerks of Courts of Record -- Amends the present law concerning salaries of clerks of courts of record in the City and County of Denver by increasing the salaries of the Clerks of the District, County and Juvenile Courts to \$5,000.00 per year. Formerly such clerks received \$4,200.00.

February 18

February 18

34 Appropriation to Committee on Synthetic Fuels -- \$2,500.00.

March 5

March 5

35 Number of Judges in the Second Judicial District -- Provides for two additional judges in the Second Judicial District (Denver), to be elected at the next general election and to serve until January, 1955.

February 8

February 8

44 Salaries and Expenses of Justices of the Peace -- Provides that Justices of the Peace in precincts under 100,000 in population shall receive as compensation the fees of the office but not to exceed \$3,000.00 per year; and in counties of Class II, the Justices of the Peace shall be entitled to rental allowances as approved by the Board of County Commissioners payable out of the county general fund.

February 26

(Act effective February 26--
new salaries apply to jus-
tices of the peace next
elected or appointed.)

50 License Fee Imposed by the "Unfair Practices Act" -- ~~Repeals the section of the "Unfair Practices Act" imposing a license fee of \$1.00 per year.~~

Vetoed March 10

- 52 Conservation of Oil and Gas -- Amends the present law by providing that no member of the Gas and Oil Conservation Commission may participate in any official act in which he is financially interested; that the commission may not create a "buffer zone" surrounding an area owned by any person; that spacing regulations be on an individual pool basis and not on a state-wide basis. Also provides that commission may hold hearings on whether or not "offset" wells are required in connection with leased land.
- February 26 February 26
- 55 Tuition of Pupils in Public Schools -- Amends the present law concerning tuition of pupils in public schools by providing that any school district not providing its own elementary or high school shall not be eligible to receive funds from the county or state public school funds if such district refuses to pay tuition of any resident's qualified pupil at a school of his choice. Cost of tuition changed to actual cost plus fifteen per cent instead of ten per cent. Act provides that a district must make the minimum district levy before any tuition credits may be received.
- February 8 February 8
- 72 Supplemental appropriation to State Department of Parole - \$25,000.00.
- March 8 March 8
- 73 Supplemental appropriation to Commissioner of Education - \$12,500.00.
- March 8 March 8

HOUSE BILLS ENACTED AND APPROVED

No. Subject

- 1 Motor Vehicles and Titles thereto -- Amends the present law by adding a new subsection authorizing the Department of Revenue to assign a distinguishing number to any motor vehicle and to have such number stamped on a metal part of the vehicle. This provision is to apply in cases where a vehicle has no distinguishable number. Also increases the fee for issuance of a certificate of title to a motor vehicle from \$1.25 to \$1.50. Fee for assignment of new number to a vehicle is \$1.50. Also increases the percentage of fees which the authorized agent may retain from sixty to sixty-six and one-third per cent.

February 19

January 1, 1953

- ~~2 Operators' and Chauffeurs' Licenses -- Amends the present law concerning fees for chauffeurs' and operators' licenses by increasing the fee for an operator's license for a three-year period from \$1.00 to \$1.50 and provides that the fee for chauffeurs' licenses be decreased from \$2.00 per year to \$1.50 per year. The county clerk's office retains \$1.00 of such fee and remits the remaining fifty cents to the Motor Vehicle Department.~~

Vetoed March 10

- 7 Appropriation -- To pay expenses of the second regular session of the Thirty-eighth General Assembly - \$125,000.00.

January 15

January 15

- 16 Appropriation -- For the relief of Mrs. Mary Duncan - \$2,600.00.

March 8

March 8

- 18 Appointment of Special Officer and Stenographer in Certain Judicial Districts -- Amends the present law concerning the appointment of special officers and stenographers by providing that such personnel may be appointed in each judicial district having less than four judges.

February 8

February 8

- 20 Limitation on Tax Levies -- Amends the present law concerning the limitation on tax levies by providing that all statutory tax levies are so reduced as to prohibit the raising of more revenue than was raised in the preceding year plus five per cent. Provides that the Tax Commission may, upon application of a taxing district, authorize an increased levy over and above the statutory limit. Also provides that if the Tax Commission fails to approve any additional mill levy so requested that the question may be submitted to the voters in the taxing district and if a majority vote in favor of the increase, it shall thereupon be permitted.
- February 18 February 18
- 22 Appropriation -- To State Board of Agriculture to be expended for storm sewer facilities at the Colorado Agricultural and Mechanical College - \$83,160.00.
- February 8 February 8
- 23 Appropriation -- To Department of Revenue Administration Fund - \$209,377.60.
- January 17 January 17
- 24 Appropriation -- To pay certificates of indebtedness incurred by reason of a fire at the Colorado State Reformatory - \$28,088.73.
- January 17 January 17
- 25 Appropriation -- To pay certificates of indebtedness incurred by reason of flood damage at the Colorado Agricultural and Mechanical College - \$68,552.32.
- January 17 January 17
- 27 Deficiency Appropriation -- To the State Department of Agriculture for poultry and egg inspection - \$3,785.40.
- January 24 January 24
- 31 Supplemental Appropriation -- To the State Home and Training Schools at Grand Junction and Ridge - \$175,000.00.
- January 24 January 24

- 33 Concerning Revenue and Taxation -- Amends the present law relating to revenue by providing for a legal definition of a "co-operative" and a "member of a co-operative." Also provides for a credit of twenty per cent of net tax due for calendar year 1952 for individuals and corporations. Amends the section of the law concerning exempt corporations by providing that building and loan associations, mutual and co-operative telephone companies, mutual savings banks not having a capital stock represented by shares, and co-operatives are no longer exempt. Further provides that distributions and allocations of co-operatives are included in gross income and that distributions from co-operatives representing refunds and rebates on amounts expended for personal expenses are to be excluded from gross income. Extends the exemption of the first \$2,000.00 armed service pay to members of the reserve and allows an exclusion of \$1,000.00 when the United States is not at war. Requires co-operatives to report credits, patronage dividends and rebates to Director of Revenue under penalty of law. Adopts federal provision that capital gain on sale of a residence used to purchase a new residence is not taxable under certain conditions. Also provides for minor administrative changes in connection with the above.
- February 18 February 18
- 37 Appropriation -- To the Department of Game and Fish for a warm water fish program - \$100,000.00.
- February 5 February 5
- 38 Supplemental Appropriation -- To the Division of Water Resources - \$100,000.00.
- February 5 February 5
- 40 Public Schools -- Provides that rentals from mineral rights on state school lands shall be placed to the credit of the Public School Income Fund. Formerly such rentals were credited to the Public School Permanent Fund.
- February 8 February 8
- 43 Highways -- Amends the law relating to definitions in the highway law by changing the definition of a "highway."
- February 8 February 8
- 44 Highways -- Amends the law pertaining to speed limits on the highways by providing that the highway department may reduce prima facie speed limits in its discretion as well as increase the same.
- February 5 February 5

- 46 Appropriation -- To the Department of Fish and Game to match federal aid money - \$100,000.00.
February 5 February 5
- 48 Taxation -- Provides for a ten mill levy on each dollar of assessed valuation of sheep and goats to implement the Predatory Animal Fund.
February 8 February 8
- 52 Appropriation -- To the State Department of Agriculture payable out of the revenue from fee control fees, to acquire a laboratory - \$31,000.00.
March 8 March 8
- 55 Appropriation -- To the State Department of Agriculture for incipient insect control - \$10,322.00.
March 8 March 8
- 56 Printing -- Amends the law concerning the rates for printing legal notices by increasing the charge of nine cents per line to thirteen cents per line for first insertions, and from six cents to nine cents per line on subsequent insertions. Deleted the requirement that proof of payment of legal notice charges be submitted before the court can enter orders or decrees.
February 8 February 8
- 61 Appropriation -- To the Division of Public Buildings to improve public utility facilities at State Capitol - \$25,000.00.
February 5 February 5
- 62 Eminent Domain -- Amends the present law pertaining to eminent domain and condemnation proceedings thereunder by providing that any corporation formed for the purpose of constructing electric lines or electric plants may also acquire real estate and rights of way by condemnation proceedings under the law pertaining to eminent domain.
February 8 December 15.

- 63 Judges' Retirement -- Amends the present law relating to retirement of judges by providing that all district, county, and juvenile court judges may participate in the Public Employees Retirement Association. Also provides that any such judge who ceases to be a judge may retain his membership in the association and, upon continued payment of money in lieu of salary deductions, may receive an annuity when otherwise qualified based on the number of years of actual service as a judge. Also provides that judges who are elected or appointed to the Supreme Court may elect either the judges' retirement plan or the Supreme Court Judges' Pension Plan. A new subsection is inserted in the judges' retirement act, setting forth the optional plans available upon retirement.
- February 8 February 8
- 65 Installment Sales and Financing of Automobiles -- Amends the present law by providing for a new definition of a "sales finance company" by eliminating from the definition a retail seller who retains installment contracts for a period of less than fifteen days and also provides that a retail seller shall be required to pay a license fee of only five dollars (\$5.00) if less than fifty retail installment contracts are retained each calendar year by such retail seller.
- February 19 February 19
- 69 Conservation of Oil and Gas -- Amends the present law concerning conservation of oil and gas by re-defining the term "waste" and by providing the one mill levy for administration of the conservation act shall also apply to lands of the United States and lands under its supervision.
- February 26 February 26
- 70 Authorizing Sale of Land in Mesa County -- Authorizes the sale of a tract of land in Mesa County which is part of the State Home and Training School at Grand Junction and further authorizes contracts to be executed to insure an adequate water supply for said home.
- February 5 February 5
- 74 Allocation of Federal Flood Control Money -- Provides that all money received by the state treasurer on account of leasing of lands acquired by the United States for flood control projects be allocated to the counties wherein such projects are located, twenty-five per cent thereof to be spent on roads and seventy-five per cent thereof to be spent on public schools.
- February 19 February 19

- 110 Appropriation -- To the Civil Defense Agency - \$65,000.00.
February 14 February 14
- 111 Appropriation -- To the Colorado Water Conservation Board to pay expenses of Upper Colorado River Water Commission - \$43,056.00.
February 14 February 14
- 112 Appropriation -- To the Colorado Water Conservation Board to pay expenses of Arkansas River Compact agreement - \$1,800.00.
February 14 February 14
- 113 Appropriation -- For purpose of implementing the Public School Finance Act - \$12,500,000.00.
March 8 March 8
- 114 Deficiency Appropriation -- To the State Home for Dependent and Neglected Children - \$35,000.00.
February 26 February 26
- 115 Schools -- Amends the present law concerning matching funds of federal government in connection with construction of school facilities in areas affected by federal activities by making a further appropriation for 1952 and 1953 in the amount of \$24,080.00.
March 8 March 8
- 117 Appropriation -- To the State Home for Dependent and Neglected Children - \$340,000.00.
March 8 March 8
- 118 "Long" Appropriation Bill -- \$27,843,496.30 appropriated for the ordinary expenses of the state - \$20,620,873.13 from the General Fund and \$7,222,623.17 from the various cash funds.
March 8 March 8
- 120 Appropriation -- To Teachers' Emeritus Retirement Fund - \$250,000.00.
March 8 March 8