

**FILE COPY**

DIGEST  
OF  
SENATE AND HOUSE BILLS ENACTED  
BY THE  
FORTY-FIRST GENERAL ASSEMBLY  
OF THE  
STATE OF COLORADO  
  
AT THE  
1958 - FIRST EXTRAORDINARY SESSION  
  
AND  
APPROVED BY THE GOVERNOR

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Prepared by the  
LEGISLATIVE REFERENCE OFFICE  
251 State Capitol  
Denver

June, 1958

SENATE BILLS ENACTED

No.    Subject

- 2    Civil service employees - Amends S.B. 24 enacted by the 2nd regular session of the 41st general assembly (which act will become effective only if SCR No. 10, a proposed constitutional amendment concerning civil service, is adopted at the November, 1958 general election) by eliminating these provisions from the act: (1) that an employee shall be suspended from state service pending a hearing or investigation of charges brought against said employee; (2) that the burden of proof shall be on the employee to show that the charges are not true; and (3) that any employee may be summarily suspended for not to exceed 30 days (or longer in the case of a permanent employee) by the appointing power for any cause relating to performance or conduct.

Approved June 26, 1958

HOUSE BILLS ENACTED

- 1    Disaster relief - Act is deemed an exercise of the police powers of the state. Defines "major disaster" and provides that governor, upon notification of any board or boards of county commissioners, that a disaster has occurred or is imminent, the nature of the disaster, the area affected and that private and public facilities and funds are unavailable or inadequate, shall require a state agency to make an investigation, and after report thereon, governor has power to declare a major disaster exists and invoke act, provided he has reasonable assurance of financial and other participation by local government units. Governor is authorized to take such emergency measures as he deems necessary.

Persons authorized to carry out emergency measures have free access, with approval of board of county commissioners, to all public or private lands, and can perform necessary work without consent of owners. They are given immunity, except in cases of willful disregard of rights of others, from liability for any claim based on performance of their duties.

Board of county commissioners in each county in which a major disaster exists is directed to establish a system of priorities for operations involving extermination of grasshoppers (to be paid from funds appropriated by act) if board certifies any area within the county which contains 8,000 or more acres and in which the landowners of 75% of said acres have paid to the county treasurer 50% of the cost per acre for crop acreage and 1/3 of the cost per acre for range acreage as determined by the department of agriculture as a contribution to pay the cost of exterminating the grasshoppers.

Whenever the property of any person has been declared a hazard to the welfare of the surrounding community and the owner or occupant refuses to participate in cooperative action, the state shall make demand upon such owner or occupant for his proportionate share, and upon failure to pay such share, the state shall commence action to recover said costs.

\$1,500,000 is appropriated until December 31, 1958, to carry out the purposes of the act.

Approved June 24, 1958

- 2    Oil and gas withholding fund - transfer - Provides that all unexpended balances in any oil and gas income tax withholding fund in excess of \$50,000 on June 30 of each fiscal year (or at any time

House Bills Cont.

such balances are in excess of \$50,000) as determined by the state controller with the approval of the state treasurer shall be credited to the general fund. Provisions is made for making refunds from said fund to taxpayers entitled thereto under certain conditions.

Approved June 25, 1958

- 3 Transfer of moneys to general fund - Provides for the temporary transfer of moneys from certain cash funds to the general fund to take care of emergency charges against the general fund at certain times when moneys are insufficient to pay state obligations; provides the conditions under which such funds can be transferred and for the retransfer of such moneys to the funds from which taken.

Approved June 25, 1958

- 4 Appropriation - Appropriates \$20,000 to the legislative department of the state.

Approved June 20, 1958

- 6 Destruction of insects and weeds along highways - Provides that expenditures for construction and maintenance of highways may include the spraying of public lands bordering state or county highways for insects or the eradication of weeds. Provides that moneys expended for such purposes by the state highway commission shall be paid from the state highway fund.

Approved June 25, 1958

- 7 Unemployment compensation - Act removes the restriction from the present law which heretofore barred some claimants from drawing benefits for the maximum number of weeks as a result of the application of the \$3,000 tax base to the benefit formula.

Permits employers who voluntarily elect to become subject to the provisions of the law to be eligible for a computed tax rate after having been subject to the provisions of the law for at least one year immediately preceding the computation date. Those employers who become subject otherwise are not entitled to a computed rate until there have been 36 consecutive calendar months immediately preceding the computation date during which their accounts have been chargeable with benefit payments.

Provides for a uniform computation date of July 1 instead of the previous dual computation dated, January 1 and July 1.

Adds a new article which provides for temporary unemployment compensation payments to persons who have exhausted their benefit rights under the other provisions of the law between June 30, 1957, and April 1, 1959, for any week of unemployment which begins on or after the 15th day after the enactment of this act and before April 1, 1959. This article becomes effective on the 15th day after the governor approves the act.

Approved June 25, 1958